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January—September 2016

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

No. 503, October 2016

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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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THE COURTS

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 1910]

Proposed Amendment of Pa.R.C.P. No. 1910.16-1

The Domestic Relations Procedural Rules Committee is planning to propose to the Supreme Court of Pennsylvania an amendment of Pa.R.C.P. No. 1910.16-1 governing calculation of support in cases of third parties seeking support for the reasons set forth in the accompanying publication report. Pursuant to Pa.R.J.A. No 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any reports, notes, or comments in the proposal have been inserted by the Committee for the convenience of those using the rules. They neither will constitute a part of the rules nor will be officially adopted by the Supreme Court.

Additions to the text of the proposal are bolded; deletions to the text are bolded and bracketed.

The Committee invites all interested persons to submit comments, suggestions, or objections in writing to:

Bruce J. Ferguson, Counsel
Domestic Relations Procedural Rules Committee
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
PO Box 62635
Harrisburg, PA 17106-2635
Fax: 717-231-9531
domesticrules@pacourts.us

All communications in reference to the proposal should be received by February 24, 2017. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Domestic Relations
Procedural Rules Committee*

DAVID J. SLESNICK, Esq.,
Chair

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1910. ACTIONS FOR SUPPORT

Rule 1910.16-1. Amount of Support. Support Guidelines.

(a) *Applicability of the Support Guidelines.*

(1) Except as [set forth in subdivision (2) below] provided in subdivisions (2) and (3), the support guidelines [set forth] determine the amount of support which a spouse or parent should pay based on the [basis of both] parties' combined net monthly incomes as defined in [Rule] Pa.R.C.P. No. 1910.16-2 and the number of persons being supported.

(2) If a person caring for or having custody of a minor child, who does not have a duty of support to the minor child, initiates a child support action as provided in Pa.R.C.P. No. 1910.3:

(i) the complaint shall identify the parent(s) as defendant(s).

(ii) in determining the basic child support amount, the monthly net income for the individual initiating the action shall be not be considered in the support calculation by the trier of fact.

(iii) the parents' monthly net incomes shall be combined and apportioned based on their respective net incomes consistent with Pa.R.C.P. No. 1910.16-4, and each parent shall pay the obligee their proportionate share of the Basic Child Support Schedule amount as a separate obligor.

(iv) as with other support actions, the trier of fact may make adjustments or deviations consistent with the support guidelines based on the evidence presented by the parties.

Example 1. The parties have one child, who is in the custody of the maternal grandmother. Mother's monthly net income is \$3,000 and Father's monthly net income is \$2,000 for a combined net monthly income of \$5,000. For purposes of the child support calculation, maternal grandmother's income is irrelevant and not part of the calculation. The Basic Child Support Obligation for one child and a combined net monthly income of \$5,000 is \$960 per month. Mother's percentage share of the combined monthly net income is 60% (\$3,000/\$5,000) and Father's percentage share of the combined monthly net income is 40% (\$2,000/\$5,000). Mother's preliminary monthly share of the child support obligation is \$576 (\$960 × 60%) and Father's preliminary monthly share of the child support obligation is \$384 (\$960 × 40%). Maternal grandmother is the obligee with Mother and Father as separate obligors owing \$576 and \$384 respectively to the maternal grandmother.

[(2)] (3) In actions in which the plaintiff is a public body or private agency pursuant to [Rule] Pa.R.C.P. No. 1910.3, the amount of the order shall be calculated under the guidelines based upon each obligor's net monthly income as defined in [Rule] Pa.R.C.P. No. 1910.16-2, with the public or private entity's income as zero. In such cases, each parent shall be treated as a separate obligor and a parent's obligation will be based upon his or her own monthly net income without regard to the income of the other parent.

(i) The amount of basic child support owed to other children not in placement shall be deducted from each parent's net income before calculating support for the child or children in placement, including the amount of direct support the guidelines assume will be provided by the custodial parent.

Example [1] 2. Mother and Father have three children and do not live in the same household. Mother has primary custody of two children and net income of \$2,000 per month. Father's net monthly income is \$3,000. The parties' third child is in foster care placement. Pursuant to the schedule [at Rule] in Pa.R.C.P. No. 1910.16-3, the basic child support amount for the two children with

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Recommendation 159**

Mother is \$1,369. As Father's income is 60% of the parties' combined monthly net income, his basic support obligation to Mother is \$821 per month. The guidelines assume that Mother will provide \$548 per month in direct expenditures to the two children in her home. The agency/obligee brings an action against each parent for the support of the child in placement. Father/obligor's income will be \$2,179 for purposes of this calculation (\$3,000 net less \$821 in support for the children with Mother). **[Because]** As the agency/obligee's income is zero, Father's support for the child in placement will be 100% of the schedule amount of basic support for one child at the \$2,179 income level, or \$520 per month. Mother/obligor's income will be \$1,452 for purposes of this calculation (\$2,000 **[net]** less \$548 in direct support to the children in her custody). Her support obligation will be 100% of the schedule amount for one child at that income level, or \$348 per month.

Example [2] 3. Mother and Father have two children in placement. Father owes child support of \$500 per month for two children of a former marriage. At the same income levels as **[above] in Example 2**, Father's income for determining his obligation to the children in placement would be \$2,500 (\$3,000 less \$500 support for two children of prior marriage). His obligation to the agency would be \$848 per month (100% of the schedule amount for two children at the \$2,500 per month income level). Mother's income would not be diminished as she owes no other child support. She would owe \$685 for the children in placement (100% of the schedule amount for two children at the \$2,000 income level).

(ii) If the parents reside in the same household, their respective obligations to the children who remain in the household and are not in placement shall be calculated according to the guidelines, with the parent having the higher income as the obligor, and that amount shall be deducted from the parents' net monthly incomes for purposes of calculating support for the child(ren) in placement.

Example [3] 4. Mother and Father have four children, two of whom are in placement. Mother's net monthly income is \$4,000 and Father's is \$3,000. The basic support amount for the two children in the home is \$1,628, according to the schedule **[at Rule] in Pa.R.C.P. No. 1910.16-3**. As Mother's income is 57% of the parties' combined net monthly incomes, her share would be \$928, and Father's 43% share would be \$700. Mother's income for purposes of calculating support for the two children in placement would be \$3,072 (\$4,000 less \$928). She would pay 100% of the basic child support at that income level, or \$1,032, for the children in placement. Father's income would be \$2,300 (\$3,000 less \$700) and his obligation to the children in placement would be \$782.

(iii) In the event that the combined amount the parents are required to pay exceeds the cost of placement, the trier of fact shall deviate **the support amount downward** to reduce each parent's obligation in proportion to his or her share of the combined obligation.

[(3)] (4) The support of a spouse or child is a priority obligation so that a party is expected to meet this obligation by adjusting his or her other expenditures.

* * * * *

The Committee is proposing the amendment to Pa.R.C.P. No. 1910.16-1, Amount of Support. Support Guidelines, as the rule relates to the procedure for calculating support when an individual third party, i.e., not a public body or private agency, is seeking child support from the child's parent(s).

Pursuant to Pa.R.C.P. No. 1910.3(a), a person having custody of a child or caring for a child may initiate a support action against the child's parent(s). The current rule addresses the issue when a public body or private agency has custody, but is silent with regard to an individual third party, e.g., grandparent. Without specific guidance by the rules, domestic relations sections use various methodologies in awarding support.

To bring uniformity to the practice, the Committee proposes amending Pa.R.C.P. No. 1910.16-1 by adding a new subdivision (a)(2) and renumbering the current (a)(2) regarding calculating support for a public body or private agency to (a)(3). In addition, an example illustrating the new (a)(2) calculation is proposed, as well.

The proposed (a)(2) excludes the income of the third party, as that person does not have a duty of support to the child, but uses the combined monthly net income of the parents to determine the basic child support amount, which is then apportioned between the parents consistent with their respective percent of the combined monthly net income in much the same manner as a parent vs. parent support action. However, each parent would be an obligor and pay the obligee their proportionate share under a separate support order.

The proposed amendment correlates to subdivision (a)(1) with the exception that the third party's income is not part of the calculation. Unlike a public body or private agency, an individual third party may incur additional expenses, such as child care and unreimbursed medical expenses, which would also be apportioned accordingly to the parents. As such, the Committee opted not to use the method of calculating support owed a public body or private agency, which treats these types of actions as two separate actions, one against each parent as separate obligors.

[Pa.B. Doc. No. 16-1668. Filed for public inspection September 30, 2016, 9:00 a.m.]

**PART I. GENERAL
[231 PA. CODE CH. 1915]**

Proposed Amendment of Pa.R.C.P. No. 1915.11-1 and New Rules Pa.R.C.P. Nos. 1915.22 and 1915.23

The Domestic Relations Procedural Rules Committee is planning to propose to the Supreme Court of Pennsylvania the amendment of Pa.R.C.P. No. 1915.11-1 governing Parenting Coordination, and two additional forms in Pa.R.C.P. Nos. 1915.22 and 1915.23, for the reasons set forth in the accompanying publication report. Pursuant to Pa.R.J.A. No 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any reports, notes, or comments in the proposal have been inserted by the Committee for the convenience of

those using the rules. They neither will constitute a part of the rules nor will be officially adopted by the Supreme Court.

Additions to the text of the proposal are bolded; deletions to the text are bolded and bracketed.

The Committee invites all interested persons to submit comments, suggestions, or objections in writing to:

Bruce J. Ferguson, Counsel
Domestic Relations Procedural Rules Committee
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
PO Box 62635
Harrisburg, PA 17106-2635
Fax: 717-231-9531
domesticrules@pacourts.us

All communications in reference to the proposal should be received by February 24, 2017. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Domestic Relations
Procedural Rules Committee*

DAVID J. SLESNICK, Esq.,
Chair

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1915. ACTIONS FOR CUSTODY OF MINOR CHILDREN

Rule 1915.11-1. [Elimination of] Parenting Coordination.

[Only judges may make decisions in child custody cases. Masters and hearing officers may make recommendations to the court. Courts shall not appoint any other individual to make decisions or recommendations or alter a custody order in child custody cases. Any order appointing a parenting coordinator shall be deemed vacated on the date this rule becomes effective. Local rules and administrative orders authorizing the appointment of parenting coordinators also shall be deemed vacated on the date this rule becomes effective.]

If a judicial district implements a parenting coordination program, the court shall maintain a roster of qualified individuals to serve as parenting coordinators. The parenting coordinator shall attempt to resolve issues arising out of the custody order by facilitating an agreement between the parties and, if unable to reach an agreement, recommend a resolution to the court.

(a) *Appointment of a Parenting Coordinator.*

(1) After a final custody order has been entered, a judge may appoint a parenting coordinator to resolve parenting issues in cases involving repeated or intractable conflict between the parties affecting implementation of the final custody order. A parenting coordinator should not be appointed in every case. The appointment may be made on the motion of a party or on the court's own motion.

(2) Unless the parties consent and appropriate safety measures are in place to protect the partici-

pants, including the parenting coordinator and other third parties, a parenting coordinator shall not be appointed when:

(i) the parties to the custody action have a protection from abuse order in effect; or

(ii) the court makes a finding that a party has been the subject of domestic violence perpetrated by a party in the custody matter, either during the pendency of the action or within 24 months preceding the filing of the action.

(3) The appointment of a parenting coordinator shall be for a specified period of time, which shall not exceed 12 months. A party may petition the court for an extension of the appointment or the court in its discretion may extend the appointment for an additional period.

(4) If the parenting coordinator seeks to withdraw from service in a case, the parenting coordinator shall petition the court and provide a copy to the parties or the parties' attorney.

(5) The parenting coordinator shall set forth in a separate written agreement with the parties:

(i) the amount of any retainer;

(ii) the hourly rate to be charged;

(iii) the process for invoices and payment for services;

(iv) information on the parenting coordination process; and

(v) provide a signed copy of the agreement to the parties prior to initiating any services.

(b) *Qualifications of the Parenting Coordinator.* A parenting coordinator:

(1) shall be an attorney licensed to practice law in the Commonwealth of Pennsylvania;

(2) shall have practiced family law for at least five years;

(3) shall have a minimum of five hours training in the parenting coordination process in a program approved by an appropriate provider;

(4) shall have a minimum of ten hours of family mediation training in a program approved by an appropriate provider;

(5) shall have a minimum of five hours of training in domestic violence in a program approved by an appropriate provider; and

(6) shall complete a minimum of ten continuing education credits in any topic related to parenting coordination in each two-year period after initial appointment. A minimum of two hours in each two-year period must be on the issues of domestic violence.

(c) *Appointment Order.* The parenting coordinator's authority as delineated in subdivision (d) shall be included in the order appointing the parenting coordinator, which shall be substantially in the form set forth in Pa.R.C.P. No. 1915.22.

(d) *Scope of Authority of the Parenting Coordinator.* The parenting coordinator shall have the authority to recommend resolutions to the court on issues ancillary to the custody order, if the parties are unable to reach an agreement.

(1) In order to implement the custody order and resolve related parenting issues about which the parties cannot agree, the parenting coordinator is authorized to recommend resolutions to the court about issues that include, but are not limited to:

- (i) Places and conditions for custodial transitions between households;
- (ii) Temporary variation from the custodial schedule for a special event or particular circumstance;
- (iii) School issues, apart from school selection;
- (iv) The child(ren)'s participation in recreation, enrichment, and extracurricular activities, including travel;
- (v) Child-care arrangements;
- (vi) Clothing, equipment, toys, and personal possessions of the child(ren);
- (vii) Information exchanges (e.g. school, health, social) between the parties and communication with or about the child(ren);
- (viii) Coordination of existing or court-ordered services for the child(ren), e.g. psychological testing, alcohol or drug monitoring/testing, psychotherapy, anger management;
- (ix) Behavioral management of the child(ren); and
- (x) Other related custody issues that the parties mutually have agreed in writing to submit to the parenting coordinator, which are not issues excluded in subdivision 2.

(2) The following issues are excluded from the parenting coordinator's scope of authority:

- (i) A change in legal custody as set forth in the custody order;
- (ii) A change in primary physical custody as set forth in the custody order;
- (iii) Except as set forth in subdivision (d)(1)(ii), a change in the court-ordered custody schedule that reduces or expands the child(ren)'s time with a party;
- (iv) A change in the residence (relocation) of the child(ren);
- (v) Determination of financial issues, other than allocation of the parenting coordinator's fees as set forth in subdivision (f)(1);
- (vi) Major decisions regarding the health, education, religion, or welfare of the child(ren).

(3) Unless the parties consent, the parenting coordinator shall not contact collateral sources or speak with the child(ren). Any communications with the child(ren) or collateral sources shall be limited to the issue(s) currently before the parenting coordinator. To effectuate this provision, the parties shall execute releases, as necessary, authorizing the parenting coordinator to communicate with the appropriate individuals.

(e) *Communications. No Testimony.*

(1) Communication between the parties or their attorneys and the parenting coordinator is not confidential.

(2) A party or a party's attorney may communicate in writing with the parenting coordinator, but shall contemporaneously send a copy of the written communication to the other party or the other party's attorney. Documents, recordings, or other material that one party gives to the parenting coordinator shall be promptly made available to the other party or the other party's attorney for inspection and copying.

(3) The parties and their attorneys may receive, but not initiate, oral *ex parte* communication with the parenting coordinator. A parenting coordinator may initiate oral communication with a party or party's attorney, but shall promptly advise the other party or the other party's attorney of the communication.

(4) Absent an emergency affecting the child(ren)'s health or welfare, communication between the parenting coordinator and the court shall be in writing and a copy of the written communication shall be contemporaneously sent to the parties or the parties' attorneys. If the parenting coordinator has communicated orally with the court on an emergency basis, the parenting coordinator shall promptly communicate in writing the substance of the oral communication to the parties or the parties' attorneys.

(5) A party cannot compel the testimony of a parenting coordinator without an order of court.

(f) *Recommendations. Objecting to the Recommendation. Judicial Review. De Novo Record Hearing.*

(1) The parenting coordinator shall provide to the parties notice and an opportunity to be heard on the issues.

(2) The parenting coordinator's recommendation shall be in writing on the Summary and Recommendation of the Parenting Coordinator form set forth in Pa.R.C.P. No. 1915.23 and sent to the court for review within two days after hearing from the parties on the issues. The parenting coordinator shall serve a copy of the Summary and Recommendation to the parties or, if represented, to their counsel.

(3) A party objecting to the recommendation shall file a petition for a *de novo* record hearing before the court within ten days of service of the filed Summary and Recommendation of the Parenting Coordinator form. The petition must specifically state the issues to be reviewed and include a demand for a *de novo* record hearing. A copy of the recommendation shall be attached to the petition. In accordance with Pa.R.C.P. No. 440, the petition shall be served upon the other party, if represented, the party's attorney, and the parenting coordinator.

(4) If the parties do not file an objection within ten days of receipt of the parenting coordinator's recommendation, the court shall:

- (i) accept the recommendation by order;
- (ii) modify the recommendation by order;
- (iii) send the recommendation back to the parenting coordinator for more specific information; or
- (iv) vacate the recommendation and conduct a *de novo* record hearing on the issues.

(5) As soon as practical, the court shall conduct a *de novo* record hearing on the issues specifically set

forth in the petition. The court shall render a decision within the time set forth in Pa.R.C.P. No. 1915.4(d).

(6) The recommendation shall become a final order of court unless:

(i) a party timely files with the court a petition objecting to the parenting coordinator's recommendation; or

(ii) the court vacates the recommendation and conducts a *de novo* record hearing.

(iii) If a timely objection is made by a party, the recommendation shall become an interim order of court pending further disposition by the court.

(g) *Fees.*

(1) The fees of the parenting coordinator shall be allocated between the parties by the appointing judge. The parenting coordinator may reallocate the fees, subject to *de novo* review by the court, if one party has caused a disproportionate need for the services of the parenting coordinator.

(2) In order to limit the financial burden on the parties, a parenting coordinator should meet with the parties only upon a request of a party to resolve an issue about which the parties disagree.

(3) *Waiver of fees or reduced fees.* Judicial districts implementing a parenting coordination program shall effectuate a policy or program by local rule so that indigent or low income parties may participate in the parenting coordination program at a reduced fee or no fee.

(Editor's Note: Rules 1915.22 and 1915.23 are new and printed in regular type to enhance readability.)

Rule 1915.22. Form of Order Appointing Parenting Coordinator.

The order appointing a parenting coordinator pursuant to Pa.R.C.P. No. 1915.11-1 shall be in substantially the following form:

(Caption)
ORDER OF COURT

AND NOW, this _____ day of _____, 20____, it is hereby ordered as follows:

1. APPOINTMENT AND TERM:

Pursuant to Pa.R.C.P. No. 1915.11-1, _____ is appointed as the parties' parenting coordinator for a term of [] months (not exceeding 12 months), or until further order of court.

Legal counsel for _____, or either party, if unrepresented, shall provide copies of all orders, pleadings and custody evaluations in this case to the parenting coordinator within ten (10) days of the date of this order.

2. ROLE OF THE PARENTING COORDINATOR:

(a) The parenting coordinator shall attempt to resolve issues arising out of the custody order by facilitating an agreement between the parties and, if unable to reach an agreement, recommend a resolution to the court.

(b) The parenting coordinator shall not function as the attorney, advocate, counselor, or psychotherapist for the parties, the parties' child(ren), or family. However, the parenting coordinator is permitted and encouraged to facilitate communication and agreement between the

parties when conflicts arise and shall always act in a manner conducive to the best interests of the child(ren).

3. PARENTING COORDINATOR'S SCOPE OF AUTHORITY:

In order to implement the custodial arrangement set forth in the custody order and resolve related parenting issues about which the parties cannot agree, the parenting coordinator is authorized to recommend resolutions to the court about issues that include, but are not limited to:

(a) Places and conditions for transitions between households;

(b) Temporary variation from the schedule for a special event or particular circumstance;

(c) School issues, apart from school selection;

(d) The child(ren)'s participation in recreation, enrichment, and extracurricular activities, including travel;

(e) Child-care arrangements;

(f) Clothing, equipment, toys, and personal possessions of the child(ren);

(g) Information exchanges (e.g. school, health, social, etc.) and communication with or about the child(ren);

(h) Coordination of existing or court-ordered services for the child(ren), e.g. psychological testing, alcohol or drug monitoring/testing, psychotherapy, anger management;

(i) Behavioral management of the child(ren);

(j) Other related custody issues that the parties mutually have agreed in writing to submit to the parenting coordinator, which are not issues excluded in Paragraph 4.

4. EXCLUSIONS FROM PARENTING COORDINATOR'S AUTHORITY:

(a) The following specific issues are excluded from the parenting coordinator's scope of authority:

(1) A change in legal custody as set forth in the custody order;

(2) A change in primary physical custody set forth in the custody order;

(3) Other than as set forth in Paragraph 3(b), a change in the court-ordered custody schedule that reduces or expands the child(ren)'s time with a party;

(4) A change in the residence (relocation) of the child(ren);

(5) Determination of financial issues, other than allocation of the parenting coordinator's fees as set forth in Pa.R.C.P. 1915.11-1(f)(1);

(6) Major decisions regarding the health, education, religion, or welfare of the child(ren).

(7) Other: _____

(b) Unless the parties consent, the parenting coordinator shall not contact collateral sources or speak with the child(ren). Any communications with the child(ren) or collateral sources shall be limited to the issue(s) currently before the parenting coordinator. To effectuate this provision, the parties shall execute releases, as necessary, authorizing the parenting coordinator to communicate with the appropriate individuals.

5. COMMUNICATIONS:

(a) The parenting coordinator shall determine the protocol of all communications, interviews, and sessions, including who shall attend the sessions (including the children), and whether the sessions will be conducted in person or by other means. The protocols should include measures addressing the safety of all participants.

(b) Communications between the parties or their attorneys and the parenting coordinator are not confidential.

(c) The parties and their attorneys shall have the right to receive, but not initiate, oral *ex parte* communication with the parenting coordinator. The parenting coordinator shall promptly advise the other party or the other party's attorney of the communication. A party or a party's attorney may communicate in writing with the parenting coordinator, but shall contemporaneously send a copy of the written communication to the other party or the other party's attorney. Documents, recordings, or other material that one party gives to the parenting coordinator must promptly be made available to the other party or the other party's attorney for inspection and copying.

(d) Absent an emergency affecting the child(ren)'s health or welfare, communication from the parenting coordinator to the court shall be in writing and the parenting coordinator shall contemporaneously send copies to the attorneys for both parties, or to any unrepresented party. If the parenting coordinator has communicated orally with the court on an emergency basis, the parenting coordinator shall promptly communicate in writing the substance of the oral communication to the attorneys for the parties, or to an unrepresented party.

(e) A party cannot compel the testimony of a parenting coordinator without an order of court.

6. PARENTING COORDINATION PROCESS:

(a) The parenting coordinator shall provide to the parties notice and an opportunity to be heard on the issues.

(b) The parenting coordinator's recommendation shall be in writing on the Summary and Recommendation of the Parenting Coordinator form set forth in Pa.R.C.P. No. 1915.23 and sent to the court for review within two days after hearing from the parties on the issues. The parenting coordinator shall serve a copy of the Summary and Recommendation to the parties or, if represented, to their counsel.

(c) A party objecting to the recommendation shall file a petition for a *de novo* record hearing before the court within ten days of service of the filed Summary and Recommendation of the Parenting Coordinator form. The petition must specifically state the issues to be reviewed and include a demand for a *de novo* record hearing. A copy of the recommendation shall be attached to the petition. In accordance with Pa.R.C.P. No. 440, the petition shall be served upon the other party, if represented, the party's attorney, and the parenting coordinator.

7. DE NOVO RECORD HEARING:

(a) If the parties do not file an objection within ten days of receipt of the parenting coordinator's recommendation, the court shall:

(1) accept the recommendation by order;

(2) modify the recommendation by order;

(3) send the recommendation back to the parenting coordinator for more specific information; or

(4) vacate the recommendation and conduct a *de novo* record hearing on the issues.

(b) As soon as practical, the court shall conduct a *de novo* record hearing on the issues specifically set forth in the petition. The court shall render a decision within the time set forth in Pa.R.C.P. No. 1915.4(d).

(c) The recommendation shall become a final order of court unless:

(1) a party timely files with the court a petition objecting to the parenting coordinator's recommendation; or

(2) the court vacates the recommendation and conducts a *de novo* record hearing.

(3) If a timely objection is made by a party, the recommendation shall become an interim order of court pending further disposition by the court.

8. ALLOCATION OF FEES:

(a) The parties will share the obligation to pay the fees of the parenting coordinator as follows: ___% Mother, ___% Father, ___% Third party. Fees may be reallocated by the court or the parenting coordinator if a party has disproportionately caused the need for the services of the parenting coordinator.

(b) The hourly rate of the parenting coordinator shall be set forth in a separate agreement entered into between the parties and the parenting coordinator.

(c) The parties will pay a joint retainer to the parenting coordinator in the percentages set forth above in an amount to be set forth in a separate agreement between the parties and the parenting coordinator. After each session, or at least once monthly, the parenting coordinator shall provide the parties with an invoice of charges incurred. The retainer may be replenished as services are rendered. Funds remaining at the conclusion of the parenting coordinator's appointment shall be returned to the parties.

9. TERMINATION/WITHDRAWAL OF PARENTING COORDINATOR:

(a) The parties may not terminate the parenting coordinator's services without court approval.

(b) A party seeking the termination of the parenting coordinator's services shall serve the other party and parenting coordinator with a copy of the petition for termination.

(c) If the parenting coordinator seeks to withdraw from service in a case, the parenting coordinator shall petition the court.

10. APPEAL:

If there is an appeal of the underlying custody order or this order, then this order shall be stayed during the pendency of the appeal.

BY THE COURT:

J.

Rule 1915.23. Form of the Summary and Recommendation of the Parenting Coordinator.

The recommendation of the parenting coordinator shall be in writing and shall be in substantially the following form:

(Caption)
**SUMMARY AND RECOMMENDATION
OF THE PARENTING COORDINATOR**

The undersigned, the duly appointed parenting coordinator in the above-captioned matter, pursuant to the Order of Court dated _____, 20____, after submission of an issue described below and after providing parties the parties an opportunity to heard on the issue, the parenting coordinator sets forth the following:

SUMMARY OF THE ISSUE(S)

1. Description of the issue(s):

2. The respective parties' position on the issue(s):

RECOMMENDATION

Date

Parenting Coordinator

ORDER OF COURT

**JUDICIAL REVIEW OF PARENTING
COORDINATOR'S RECOMMENDATION**

Accepted.

Modified as follows: _____

Returned to the parenting coordinator for additional information on the following issue(s): _____

Vacated. A *de novo* record hearing of the issue(s) is scheduled for _____, 20____ at _____ a.m./p.m. before the undersigned.

By the Court:

Date

J.

**PUBLICATION REPORT
Recommendation 155**

The Domestic Relations Procedural Rules Committee (Committee) is proposing a revision to Pa.R.C.P. No. Rule 1915.11-1. Parenting Coordination and the addition of two new rules/forms: Pa.R.C.P. No. 1915.22. Form of Order Appointing Parenting Coordinator and Pa.R.C.P. No. 1915.23. Form of the Summary and Recommendation of the Parenting Coordinator. In 2013, the current rule, Pa.R.C.P. No. 1915.11-1, was adopted by the Supreme Court eliminating parenting coordination.

As the language of the current rule makes it clear that judges make decisions regarding child custody matters, the proposed rule adopts a similar process to the custody hearing officer procedure in Pa.R.C.P. No. 1915.4-2(b) and the juvenile court master procedures in Pa.R.J.C.P. 1191, and acknowledges the role the judiciary has in the custody process, including parenting coordination, by mandating that the appointing judge maintain a supervisory role over the recommendations of the parenting coordinator and review each recommendation. However, in lieu of filing exceptions to the recommendation of the hearing officer as in Pa.R.C.P. No. 1915.4-2, the proposed rule would provide for a *de novo* hearing before the judge in the event a party disagrees with the recommendation of the parenting coordinator.

The proposed new rules provide for a standard form order for appointing a parenting coordinator and a standard form for the recommendation from the parenting coordinator. As with the other family law forms, the two proposed forms would provide for a uniform practice across the Commonwealth and would ensure all the necessary information is provided to the parties and their counsel.

[Pa.B. Doc. No. 16-1669. Filed for public inspection September 30, 2016, 9:00 a.m.]

PART I. GENERAL

[231 PA. CODE CH. 1920]

Proposed Amendments of Pa.R.C.P. Nos. 1920.42, 1920.51, 1920.72 and 1920.73

The Domestic Relations Procedural Rules Committee (Committee) is planning to propose to the Supreme Court an amendment to Pa.R.C.P. Nos. 1920.42, 1920.51, 1920.72 and 1920.73, for the reasons set forth in the accompanying publication report. Pursuant to Pa.R.J.A. No 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any reports, notes, or comments in the proposal have been inserted by the Committee for the convenience of those using the rules. They neither will constitute a part of the rules nor will be officially adopted by the Supreme Court.

Additions to the text of the proposal are bolded; deletions to the text are bolded and bracketed.

The Committee invites all interested persons to submit comments, suggestions, or objections in writing to:

Bruce J. Ferguson, Counsel
Domestic Relations Procedural Rules Committee
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
PO Box 62635
Harrisburg, PA 17106-2635
Fax: 717-231-9531
domesticrules@pacourts.us

All communications in reference to the proposal should be received by February 24, 2017. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Domestic Relations
Procedural Rules Committee*

DAVID J. SLESNICK, Esq.,
Chair

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1920. ACTIONS OF DIVORCE OR FOR ANNULMENT OF MARRIAGE

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. Counter-affidavit.**] **Decrees under § 3301(c) or § 3301(d) of the Divorce Code. Affidavits and Counter-Affidavits. Praecepte to Transmit Record. Requirements of § 3301(c) Affidavit. Notice of Intention to Request Entry of Divorce Decree.**

[(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) 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 the appropriate decree. No master shall be appointed.

(b) The affidavit required by § 3301(c) of the Divorce Code must have been executed

(1) ninety days or more after both filing and service of the complaint and

(2) within thirty days of the date the affidavit was filed.

(c) An affidavit of consent may be withdrawn only with leave of court.

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

(2) 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 Praecepte to Transmit the Record and another form counter-affidavit or filing the waiver of notice pursuant to Rule 1920.72(c).

(e) Notice of intention to request entry of divorce decree shall not be required prior to entry of a divorce decree

(1) where the parties have executed and filed with the prothonotary a waiver of notice substantially in the form set forth in Rule 1920.72(c); or

(2) under § 3301(d) where the court finds that no appearance has been entered on defendant's behalf and that defendant cannot be located after diligent search.

Official Note: This counter-affidavit will be filed only if the party against whom the decree is to be entered has not previously denied the allegations of the other party's affidavit or has not previously claimed economic relief by counterclaim or petition.]

(a) *Obtaining a divorce decree under §§ 3301(c) and (d).* The court shall enter an appropriate decree if:

(1) in a divorce action under § 3301(c) divorce:

(i) § 3301(c)(1)—both parties have signed and filed an Affidavit of Consent; or

(ii) § 3301(c)(2)—a party has signed and filed an Affidavit of Consent and an Affidavit to Establish Presumption of Consent alleging his or her status as a victim of a personal injury crime and that his or her spouse has been convicted of that crime;

(A) the filed affidavits have been served on the other party, along with a blank Counter-Affidavit under § 3301(c)(2);

(B) the other party has admitted or failed to deny the averments in the affidavit; and

(iii) the Affidavit of Consent and, if necessary, the Affidavit to Establish Presumption of Consent have been signed consistent with subdivision (b)(1); and

(iv) the requirements of subdivision (c) or (d) have been satisfied.

Official Note: See Pa.R.C.P. No. 1920.72(b) for the Affidavit of Consent for a § 3301(c) divorce. The requirements for a § 3301(c) affidavit are set forth in subdivision (b).

Official Note: See Pa.R.C.P. No. 1920.72(d) for the Affidavit to Establish Presumption of Consent.

Official Note: See Pa.R.C.P. No. 1920.72(f)(2) for the Counter-Affidavit for a § 3301(c)(2) divorce.

(2) in a § 3301(d) divorce,

(i) a party has signed and filed an Affidavit under § 3301(d) alleging the marriage is irretrievably broken and a 2-year separation;

(ii) the filed affidavit has been served on the other party, along with a blank Counter-Affidavit under § 3301(d);

(iii) the other party has admitted or failed to deny the averments in the affidavit; and

(iv) the requirements of subdivision (c) or (d) have been satisfied.

Official Note: See Pa.R.C.P. No. 1920.72(e) for the affidavit for a § 3301(d) divorce.

Official Note: See Pa.R.C.P. No. 1920.72(f)(3) for the Counter-Affidavit for a § 3301(d) divorce. A Counter-Affidavit is required only if the non-moving party has not previously denied the allegations in the moving party's affidavit or has not previously claimed economic relief in a counterclaim or petition.

(3) Related claims pursuant to Pa.R.C.P. Nos. 1920.31 and 1920.33:

(i) have been resolved by agreement of the parties;

(ii) have been resolved by order of court;

(iii) the court has granted a bifurcation in accordance with 23 Pa.C.S. § 3323(c.1); or

(iv) additional claims have not been raised in the pleadings.

(4) a Praecepto to Transmit the Record has been filed with the prothonotary, who shall transmit the record to the court for review.

Official Note: See Pa.R.C.P. No. 1920.73(b) for the Praecepto to Transmit the Record.

(b) The Affidavit of Consent under § 3301(c) and the Affidavit to Establish Presumption of Consent under § 3301(c)(2):

(1) must have been signed:

(i) 90 days or more after the filing and service of the complaint; and

(ii) within 30 days of the date the affidavit was filed with the prothonotary's office;

(2) may be withdrawn only by order of court.

(c) Except as provided in subdivision (d), the court shall enter a decree under § 3301(c) or § 3301(d) of the Divorce Code only if the party requesting the divorce has served on the attorney of record for the other party or, if unrepresented, the other party:

(1) a Notice of Intention to Request Entry of Divorce Decree;

(2) a blank counter-affidavit form for the appropriate section of the Divorce Code;

(3) a copy of the proposed Praecepto to Transmit Record, which shall indicate the date and manner of service of the Notice of Intention to Request Entry of Divorce Decree; and

Official Note: See Pa.R.C.P. No. 1920.73(a) for the Notice of Intention to Request Entry of Divorce Decree.

(d) A Notice of Intention to Request Entry of Divorce Decree shall not be required prior to requesting a divorce decree if:

(1) the parties have signed and filed with the prothonotary a waiver of notice; or

(2) in a § 3301(d) divorce, the court finds that an appearance has not been entered on defendant's behalf and the defendant cannot be located after a diligent search.

Official Note: See Pa.R.C.P. No. 1920.72(c) for the Waiver of Notice of Intention to Request Divorce Decree.

(e) Service of the Notice of Intention to Request Entry of Divorce Decree shall be:

(1) at least 20 days after service of the § 3301(c) or (d) affidavit; and

(2) at least 20 days prior to the date the party intends file the Praecepto to Transmit Record and request the decree.

Rule 1920.51. Hearing by the Court. Appointment of Master. Notice of Hearing.

(a)(1) The court may hear the testimony or, upon its own motion or the motion of either party, may appoint a master with respect to [all or any of] the matters specified in subdivision (a)(2)(i) [to consider same]

and to issue a report and recommendation. The order of appointment shall specify the matters which are referred to the master.

(2)(i) The court may appoint a master in an action of divorce under [Section] § 3301(a), (b), (c)(2), and (d)(1)(ii) of the Divorce Code, an action for annulment, and the claims for alimony, alimony pendente lite, equitable [distribution] division of marital property, child support, partial custody [or visitation, or], counsel fees, and costs and expenses[, or any aspect thereof].

Official Note: The appointment of a master in a § 3301(c)(2) may be necessary to establish the presumption of consent if a party denies the averments in the Affidavit to Establish Presumption of Consent on the Counter-Affidavit under § 3301(c)(2).

(ii) [If there are no claims other than divorce, no master may be appointed] The Court may not appoint a master to determine grounds for divorce if either party has asserted grounds for divorce pursuant to § [3301(c)] 3301(c)(1) or § 3301(d)(1)(i) of the Divorce Code, unless ancillary economic claims have been raised in the pleadings. [A master may be appointed to hear ancillary economic claims in a divorce action pursuant to § 3301(c) or § 3301(d) of the Divorce Code. The master may be appointed to hear ancillary economic claims] An appointment of a master for purposes of resolution of the ancillary economic claims in a § 3301(c) or § 3301(d) divorce may be prior to the entry of a divorce decree if grounds for divorce have been established.

(iii) [No] A master may not be appointed in a claim for legal, physical or shared custody or paternity.

* * * * *

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

(a) The complaint in an action [of] for a divorce under § 3301(c) or § 3301(d) shall begin with the Notice to Defend and Claim Rights required by [Rule] Pa.R.C.P. No. 1920.71 and shall be substantially in the following form:

* * * * *

(b) The affidavit of consent required by § 3301(c) of the Divorce Code and [Rule 1920.42(a)(1)] Pa.R.C.P. No. 1920.42(a)(1)(i) shall be substantially in the following form:

* * * * *

(c) The waiver permitted by [Rule 1920.42(e) shall be in substantially] Pa.R.C.P. No. 1920.42(d)(1) shall be substantially in the following form:

(Caption)

Waiver of Notice of Intention to Request Entry of a Divorce Decree under § 3301(c) and § 3301(d) of the Divorce Code

1. I consent to the entry of a final decree of divorce without notice.

2. 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.

3. I understand that I will not be divorced until a divorce decree is entered by the Court and that a copy of the decree will be sent to me immediately after it is filed with the prothonotary.

I verify that the statements made in this 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)

(d) The affidavit to establish presumption of consent under § 3301(c)(2) of the Divorce Code and Pa.R.C.P. No. 1920.42(a)(1)(ii) shall be substantially in the following form:

(Caption)

AFFIDAVIT TO ESTABLISH PRESUMPTION OF CONSENT UNDER § 3301(c)(2) OF THE DIVORCE CODE

1. I am the victim of a "personal injury crime," as that term is defined in 23 Pa.C.S. § 3103.

2. My spouse was convicted of the crime averred in Paragraph 1 on insert date in in the Court of Common Pleas of insert county name County.

The docket number is insert docket number .

3. The personal injury crime(s) for which my spouse was convicted:

Check all that apply:

- 18 Pa.C.S. Ch. 25 (relating to criminal homicide)
- 18 Pa.C.S. Ch. 27 (relating to assault)
- 18 Pa.C.S. Ch. 29 (relating to kidnapping)
- 18 Pa.C.S. Ch. 30 (relating to human trafficking)
- 18 Pa.C.S. Ch. 31 (relating to sexual offenses)
- 18 Pa.C.S. § 3301 (relating to arson and related offenses)
- 18 Pa.C.S. Ch. 37 (relating to robbery)
- 18 Pa.C.S. Ch. 49 Subch. B (relating to victim and witness intimidation)
- 75 Pa.C.S. § 3732 (relating to homicide by vehicle)
- 75 Pa.C.S. § 3742 (relating to accidents involving death or personal injury)

I verify that the statements made in this 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

[(d)] (e) The affidavit required by § 3301(d) of the Divorce Code and [Rule 1920(a)(2)] Pa.R.C.P. No. 1920(a)(2)(i) shall be substantially in the following form:

* * * * *

[(e)(1)] (f)(1) The counter-affidavit for a § 3301(c)(1) divorce, as prescribed by [Rule 1920.42(d)(2)]

Pa.R.C.P. No. 1920.42(c)(2), shall be substantially in the following form [in a § 3301(c) divorce]:

(Caption)

COUNTER-AFFIDAVIT UNDER § [3301(c)] 3301(c)(1) 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 for a § 3301(c)(2), as prescribed by Pa.R.C.P. No. 1920.42(a)(1)(ii)(A) and (c)(2), shall be substantially in the following form:

(Caption)

COUNTER-AFFIDAVIT UNDER § 3301(c)(2) 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), or both):

(i) I have not been convicted of a "personal injury crime," as that term is defined in 23 Pa.C.S. § 3103.

(ii) My spouse was not the victim of a personal injury crime for which I have been convicted.

2. Check either (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 2(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 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 COUNTER-AFFIDAVIT.

[(2)] (3) The counter-affidavit for a § 3301(d) divorce, as prescribed by [Rule 1920.42(d)(2)] Pa.R.C.P. No. 1920.42(a)(2)(ii) and (c)(2), shall be substantially in the following form [in a § 3301(d) divorce]:

* * * * *

Rule 1920.73. Notice of Intention to Request Entry of Divorce Decree. Praecepto to Transmit Record Forms.

(a)(1) The notice of the intention to request entry of divorce decree prescribed by [Rule 1920.42(d)] Pa.R.C.P. No. 1920.42(c)(1) shall be substantially in the following form if there is an attorney of record:

* * * * *

(2)(i) The notice of the intention to request entry of a § 3301(c) divorce decree prescribed by [Rule 1920.42(d)] Pa.R.C.P. No. 1920.42(c)(1) shall be substantially in the following form if there is no attorney of record:

(Caption)

NOTICE OF INTENTION TO REQUEST ENTRY OF § 3301(c) DIVORCE DECREE

TO: _____ (PLAINTIFF/DEFENDANT)

You have signed a § 3301(c) affidavit consenting to the entry of a divorce decree. Therefore, on or after _____, 20____, the other party can request the court to enter a final decree in divorce.

Unless you have already filed with the court a written claim for economic relief, you must do so by the date in the paragraph above, or the court may grant the divorce and you will lose forever the right to ask for economic relief. The filing of the form counter-affidavit alone does not protect your economic claims.

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.

(Name)

(Address)

(Telephone Number)

(ii) The notice of the intention to request entry of § 3301(c)(2) divorce decree prescribed by Pa.R.C.P. No. 1920.42(c)(1) shall be substantially in the following form if there is no attorney of record:

(Caption)

NOTICE OF INTENTION TO REQUEST ENTRY OF § 3301(c)(2) DIVORCE DECREE

TO: _____ (PLAINTIFF/DEFENDANT)

You have been sued in an action for divorce. You have failed to file a counter-affidavit to the Affidavit to Establish Presumption of Consent under § 3301(c)(2) of the Divorce Code. Therefore, on or after _____, 20____, the other party can request the court to enter a final decree in divorce.

If you do not file with the prothonotary of the court a counter-affidavit by the above date, the court can enter a final decree in divorce. A counter-affidavit which you may file with the prothonotary of the court is attached to this notice.

Unless you have already filed with the court a written claim for economic relief, you must do so by the above date or the court may grant the divorce and you will lose forever the right to ask for economic relief. The filing of the form counter-affidavit alone does not protect your economic claims.

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.

_____ (Name)

_____ (Address)

_____ (Telephone Number)

Official Note: The above lines are to be completed with the name, address and telephone number of the officer, organization, agency or person designated by the court in accordance with Pa.R.C.P. No. 1018.1(c).

The date to be inserted in the first paragraph of the notice must be at least twenty days after the date on which the notice was mailed or delivered.

[(ii)] [(iii)] The notice of the intention to request entry of § 3301(d) divorce decree prescribed by [Rule 1920.42(d)] Pa.R.C.P. No. 1920.42(c)(1) shall be substantially in the following form if there is no attorney of record:

* * * * *

(b) The praecipe to transmit the record prescribed by [Rule 1920.42 shall be in substantially] Pa.R.C.P. No. 1920.42(a)(4) shall be substantially in the following form:

(Caption)

[PRAECIPE TO TRANSMIT RECORD

To the Prothonotary:

Transmit the record, together with the following information, to the court for entry of a divorce decree:

1. Ground for divorce: irretrievable breakdown under § (3301(c)) and (3301(d)(1)) of the Divorce Code. (Strike out inapplicable section).

2. Date and manner of service of the complaint: _____ .

3. Complete either paragraph (a) or (b).

(a) Date of execution of the affidavit of consent required by § 3301(c) of the Divorce Code: by plaintiff: _____ ; by defendant: _____ .

(b)(1) Date of execution of the affidavit required by § 3301(d) of the Divorce Code: _____ ;

(2) Date of filing and service of the § 3301(d) affidavit upon the opposing party: _____ .

4. Related claims pending: _____ .

5. Complete either (a) or (b).

(a) Date and manner of service of the notice of intention to file praecipe to transmit record, a copy of which is attached: _____ .

(b) Date plaintiff's Waiver of Notice was filed with the prothonotary: _____ .

Date defendant's Waiver of Notice was filed with the prothonotary: _____ .

(Attorney for) (PLAINTIFF) (DEFENDANT)]

PRAECIPE TO TRANSMIT RECORD

To the Prothonotary:

Transmit the record, together with the following information, to the court for entry of a divorce decree:

1. Grounds for divorce: irretrievable breakdown Check the applicable section of the Divorce Code:

§ 3301(c)(1)

§ 3301(c)(2)

§ 3301(d)

2. Service of the Complaint:

(a) Date served: _____ .

(b) Manner of service: _____ .

3. Complete either paragraph (a) or (b).

(a) § 3301(c)(1) or (2) of the Divorce Code—The date the Affidavit of Consent was signed by each party, or if the ground for divorce is under § 3301(c)(2) of the Divorce Code, the date the spouse was convicted of the personal injury crime identified in 23 Pa.C.S. § 3103 next to the appropriate party and then complete (1) and (2).

Plaintiff: _____ ;

Defendant: _____ .

(1) The date the Affidavit to Establish Presumption of Consent under § 3301(c)(2) of the Divorce Code was signed: _____;

(2) The date of filing and service of the Affidavit to Establish Presumption of Consent under § 3301(c)(2) of the Divorce Code upon the other party: _____.

(b) § 3301(d) of the Divorce Code:

(1) The date the Affidavit under § 3301(d) of the Divorce Code was signed: _____;

(2) Date of filing and service of the affidavit upon the other party: _____.

4. Related claims pending: _____.

5. Complete either (a) or (b).

(a) Notice of Intention to Request Entry of Divorce Decree:

(1) Date served: _____.

(2) Manner of service: _____.

(b) The date the Waiver of Notice of Intention to Request Entry of Divorce Decree was filed with the Prothonotary:

(1) Plaintiff's Waiver: _____.

(2) Defendant's Waiver: _____.

(Attorney for)(Plaintiff)(Defendant)

PUBLICATION REPORT Recommendation 158

The Domestic Relations Procedural Rules Committee (Committee) is proposing an amendment to Pa.R.C.P. Nos. 1920.42, 1920.51, 1920.72 and 1920.73. The impetus for the amendments was the enactment Act 24 of 2016, which amended the Divorce Code by adding 23 Pa.C.S. § 3301(c)(2), which provides for a presumption of consent to the divorce when there is an allegation that a party is the victim of a personal injury crime, as set forth in 23 Pa.C.S. § 3103, that was committed by that party's spouse. The Act amended other correlative statutes in the Divorce Code, as well.

The familiar procedures of obtaining a § 3301(d) divorce are incorporated into the process of establishing the presumption in § 3301(c)(2) by means of an affidavit, which requires the spouse to aver his or her status of victim of a personal injury crime and that their spouse had been convicted of that personal injury crime. The convicted spouse may oppose the establishment of the presumption by completing and filing a counter-affidavit. In the event the convicted spouse opposes the establishment of the presumption, the court may either schedule a hearing on the establishment of the presumption or appoint a master to do so. The current rule does not permit the appointment of a master to determine grounds under § 3301(c); however, as part of the complete revision of Pa.R.C.P. No. 1920.42, a master may be appointed for a determination of the presumption under § 3301(c)(2).

As noted, as part of this recommendation, the Committee completely rewrote Pa.R.C.P. No. 1920.42. The current rule is difficult to follow and including additional procedures for § 3301(c)(2) into the current rule would have furthered the problem.

To accommodate § 3301(c)(2) divorces, the Committee added forms, including Affidavit to Establish Presumption of Consent, Counter-Affidavit under § 3301(c)(2), Notice of Intention to Request Entry of § 3301(c)(2) Divorce Decree, and amended and reformatted the Praecepto to Transmit Record.

[Pa.B. Doc. No. 16-1670. Filed for public inspection September 30, 2016, 9:00 a.m.]

Title 249—PHILADELPHIA RULES

De Minimis Overpayment of Court Ordered Financial Obligations; Administrative Doc. No. 03 of 2016

Order

And Now, this 12th day of September, 2016, it appearing that the General Assembly has recognized that overpayments of fees and costs in the sum of Fifteen (\$15.00) Dollars or less need not be refunded, and it also appears that overpayments in de minimis amounts delay the closure of criminal cases because the depositing parties cannot be located, do not request a refund, or do not negotiate refund checks issued to them when mailed to their last known address. Therefore, consistent with 42 Pa.C.S. § 1725(c)(2)(xx), it is hereby *Ordered* and *Decreed* that the Office of Judicial Records is authorized to distribute from time to time overpaid amounts in civil and criminal cases, in the sum of Fifteen (\$15.00) Dollars or less, to the City of Philadelphia.

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. This Administrative Order shall be filed with the Office of Judicial Records (formerly the Prothonotary, Clerk of Courts and Clerk of Quarter Sessions) in a docket maintained for Administrative Orders issued by the First Judicial District of Pennsylvania. Two certified copies of this Administrative Order, as well as one copy of the Administrative Order shall be distributed to the Legislative Reference Bureau on a computer diskette for publication in the *Pennsylvania Bulletin*. Pursuant to Pa.R.J.A. 103(d)(6) one certified copy of this Administrative Order shall be filed with the Administrative Office of Pennsylvania Courts, shall be published on the website of the First Judicial District at <http://courts.phila.gov>, and, if required, shall be incorporated in the compiled set of local rules no later than 30 days following publication in the *Pennsylvania Bulletin*. Copies of the Administrative Order shall also be published in *The Legal Intelligencer* and will be submitted to American Lawyer Media, Jenkins Memorial Law Library, and the Law Library for the First Judicial District.

By the Court

HONORABLE JACQUELINE F. ALLEN,
*Administrative Judge, Trial Division
Court of Common Pleas, Philadelphia County*

[Pa.B. Doc. No. 16-1671. Filed for public inspection September 30, 2016, 9:00 a.m.]

Title 255—LOCAL COURT RULES

CARBON COUNTY

Amendment of 56th Judicial District—Constable Manual; No. CP-13-AD-0000005-2016

Administrative Order No. 13-2016

And Now, this 12th day of September, 2016, it is hereby

Ordered and Decreed, that effective November 1, 2016, the Carbon County Court of Common Pleas *Amends* the following Constable Manual governing the procedures to be followed by all Constables performing judicial duties for the 56th Judicial District.

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

1. File one (1) copy electronically to adminrules@pacourts.us of this Administrative Order and Manual with the Administrative Office of Pennsylvania Courts.
2. File two (2) paper copies and one (1) electronic copy in a Microsoft Word format to bulletin@palrb.us with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. Publish the Rule on the Carbon County Court website at <http://www.carboncourts.com>.
4. Forward one (1) copy for publication in the *Carbon County Law Journal*.
5. Forward one (1) copy to the Carbon County Law Library.
6. Keep continuously available for public inspection copies of the Administrative Order and Manual in the Clerk of Courts Office.
7. Incorporate the Manual no later than thirty (30) days after publication in the *Pennsylvania Bulletin* with this Court's complete set of Rules of Court published at <http://www.carboncourts.com>.

By the Court

ROGER N. NANOVIC,
President Judge

CONSTABLE MANUAL 56th JUDICIAL DISTRICT

I. General Provisions

A. Definitions—Subject to additional definitions contained in subsequent sections of this manual, the following words and phrases shall have, unless the context indicates otherwise, the meanings given to them in this section.

C.C.C.F.—Carbon County Correctional Facility

Clerk of Courts—The official, and that official's office, in the 56th Judicial District who, pursuant to 42 Pa.C.S.A. §§ 2756 and 2757, has the responsibility and function to maintain the official criminal case file and list of docket entries for each criminal proceeding, and to perform such other duties as required by rule or law.

Constable—All elected, court appointed, and/or deputy constables duly elected or appointed pursuant to statutory authority. As elected or appointed officials, constables are independent contractors and are not employees of the Commonwealth, the judiciary, or the municipality in which they serve.

Constable's Education and Training Board (C.E.T.B.)—The Constable's Education and Training Board established and created pursuant to 44 Pa.C.S.A. § 7143 responsible for developing basic training and firearms education for constables and to certify constables who perform judicial duties.

Controller—The duly elected County Controller for the County of Carbon empowered with the rights, duties, and responsibilities under the County Code, 16 P.S. § 101 et seq.

County—County of Carbon.

Court—The Court of Common Pleas for the 56th Judicial District.

Court Administrator—The District Court Administrator for the 56th Judicial District as designated by the Pennsylvania Supreme Court and the Administrative Offices of the Pennsylvania Courts.

Court Official—The Judges of the Court of Common Pleas for the 56th Judicial District, the Magisterial District Judges for the 56th Judicial District, the Carbon County District Court Administrator, the Chief Adult Probation Officer for the Carbon County Probation Department, and all employees in the respective offices.

Judicial Duties—Services and duties performed by a constable for the payment of fees as authorized by 44 Pa.C.S.A. § 7161, including all services specified therein regardless of whether a fee is actually sought by the constable or paid by the County.

Magisterial District Judge—A public official having the power and authority of a magisterial district judge whose jurisdiction falls within the 56th Judicial District.

P.C.C.D.—Pennsylvania Commission on Crime and Delinquency.

Prothonotary—The duly elected Prothonotary for the 56th Judicial District empowered with the rights, duties, and responsibilities under 42 Pa.C.S.A. §§ 2736 and 2737, who has the responsibility to maintain official court records and to perform such other duties as required by rule or law.

Sheriff—The duly elected Sheriff for the County of Carbon empowered with the rights, duties, and responsibilities under the County Code, 16 P.S. § 101 et seq., including all deputies appointed in compliance with the County Code.

II. Powers and Duties

A. Requirements of Constables Performing Judicial Duties in the 56th Judicial District—Constables performing judicial duties within the 56th Judicial District must:

1. Be certified by C.E.T.B.

2. Post a bond with the Clerk of Courts' Office in the sum of \$2,500 conditioned upon the just and faithful discharge by the constable of the duties of his/her office. The bond shall be held in trust for the use and benefit of persons who may sustain injury by reason of a constable's neglect of duty. Proof of the filing of a bond must be provided to the Court Administrator's Office.

3. Maintain a policy of professional liability insurance providing coverage for the performance of judicial duties with a minimum coverage of \$250,000 per incident and a minimum aggregate of \$500,000 per year. Proof of insurance coverage must be filed with the Clerk of Courts Office and the Court Administrator's Office annually.

4. Maintain a valid and current Pennsylvania driver's license and required financial responsibility (automobile insurance) on any vehicle used for the performance of judicial duties. Proof of licensing and insurance must be provided to the Court Administrator's Office as required by that office. Absence of a driver's license does not preclude a constable who is otherwise approved by the Court to perform judicial duties from working with a constable pursuant to 44 Pa.C.S.A. § 7161(c), provided the unlicensed or uninsured constable does not operate a motor vehicle. However, unless accompanied by another constable who maintains a valid and current Pennsylvania driver's license and required financial responsibility, a constable who does not possess a valid driver's license or required financial responsibility shall not perform judicial duties.

5. Maintain current contact information with the Court Administrator's Office. Current contact information shall include constable's current address, telephone number, and cell phone number. Contact information shall also include information as to any other communication equipment utilized by the constable to perform judicial duties (e.g. pager, fax machine).

6. If carrying a firearm in the performance of judicial duties, a constable shall provide the Court Administrator's Office with proof of certification or qualification to carry or use firearms as provided by 44 Pa.C.S.A. § 7148.

7. Complete and provide the Controller with all vendor authorization documents, including the production of a tax identification number as required by local, state, or federal law or policies and procedures of the Controller.

8. Provide the Court Administrator's Office with an executed acknowledgment evidencing the constable has received a copy of the Pennsylvania Unified Judicial System Constable Policies, Procedures, and Standards of Conduct and understands the provisions and terms set forth therein. The acknowledgment shall be in the form attached hereto as "Exhibit A."

9. Provide the Court Administrator's Office with an executed acknowledgment evidencing the constable has received a copy of the Constable Manual for the 56th Judicial District and understands the provisions and terms set forth in the manual governing the performance of judicial duties. The acknowledgment shall be in the form attached hereto as "Exhibit A."

B. Authorization to Perform Judicial Duties—No Magisterial District Judge, nor any other Court Official, shall request or otherwise authorize a constable to perform judicial duties, nor shall the Controller authorize payment of fees for a constable performing judicial duties, unless the constable has been designated by the Court Administrator's Office as a constable authorized to perform judicial duties.

1. The Court Administrator's Office shall maintain a list of all constables who are authorized to perform judicial duties within the 56th Judicial District. The Court Administrator's Office shall publish the list with all Magisterial District Judges in the 56th Judicial District; any other Court office utilizing constable services in the performance of judicial duties; the Controller; and the Clerk of Courts Office on a regular basis. This list shall be updated and published at least annually. In the event the privilege of a constable to perform judicial duties is revoked by the Court, the Court Administrator's Office shall promptly notify the identified offices of the same.

2. The Court Administrator's Office shall develop policy and procedure to effectuate and ensure a constable's compliance with the requirements set forth in Section A above.

C. Removal of Authorization to Perform Judicial Duties—Although a constable may only be removed or disciplined for acts of malfeasance or misfeasance upon petition of the District Attorney or an individual citizen (see 13 P.S. § 31), a constable's authorization to perform judicial duties pursuant to Section B above may be revoked at any time pursuant to the authority of the President Judge for the 56th Judicial District.

1. A constable's authority to perform judicial duties may be revoked in the following circumstances:

a. a constable permits his/her compliance with the requirements of Section A above to lapse;

b. the constable commits a breach of the duties or requirements of this manual including, but not limited to, the Constable Code of Conduct as set forth in Section V herein;

c. the constable commits any violation of the law while in the performance of judicial duties or is otherwise convicted of criminal conduct which places the integrity or honesty of the constable at issue;

d. the constable commits any act which jeopardizes public trust in or brings disrespect to the Court.

2. Court Officials who know, or have reason to believe, that a constable has committed a violation of the Code of Conduct or the provisions of the Constable Manual shall promptly inform the Court Administrator's Office of the same.

3. All complaints of constable misconduct, including complaints related to failure to comply with the Constable Manual, shall be promptly investigated by the Court Administrator. The results of the investigation shall be provided to the President Judge for further action, if any.

D. Minimum Requirements—Compliance with the provisions of this manual does not guarantee a constable the right to perform judicial duties for a Magisterial District Judge. Rather, the provisions of this section set forth the minimum requirements which must be complied with before a constable may be utilized by a Magisterial District Judge to perform judicial duties. Magisterial District Judges retain the right to assign constable work within their reasonable discretion provided the utilized constable is otherwise in compliance with this section.

III. Warrant Procedures

A. Definitions—The following words and phrases shall have, unless the context indicates otherwise, the meanings given to them in this section.

Legal Holiday—For purposes of this manual, the following shall be defined as legal holidays: New Year's Day, Martin Luther King, Jr.'s Day, Presidents' Day, Good Friday, Easter, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day, the Day after Thanksgiving Day, and Christmas Day. For those holidays identified herein which annually fall on a rotating calendar day, the actual date shall be defined as the day designated as the federal holiday.

Arrest Warrant—An arrest warrant for a misdemeanor/felony offense issued pursuant to Pa.R.Crim.P. 513 et. al by a Magisterial District Judge for private criminal complaints, including those filed by the Pennsylvania Department of Inspector General, and which have been approved by the District Attorney's Office.

Summary Warrant—A warrant issued by a Magisterial District Judge pursuant to Pa.R.Crim.P. 430. This definition includes both arrest warrants and bench warrants issued pursuant to Rule 430.

B. Summary Warrants and Misdemeanor/Felony Warrants for Private Criminal Complaints—The following procedures shall apply to the issuance and service of these warrants.

1. Magisterial District Judges possess the exclusive right, subject to the authority of the President Judge, to distribute warrants issued by them to a constable of their choice who satisfies the requirements of the C.E.T.B., this manual, and the Court Administrator's Office to perform judicial duties. Magisterial District Judges shall issue warrants where appropriate pursuant to the Pennsylvania Rules of Criminal Procedure and prevailing law.

2. Upon issuance of a warrant, the Magisterial District Judge may assign the warrant to a constable authorized to perform judicial duties by the Court Administrator's Office. Unless the warrant is unassigned, no constable other than the assigned constable shall serve a warrant within 60 days of the initial issuance of the warrant by the Magisterial District Court, subject to the following:

a. If the subject of the warrant is in the custody of the Sheriff's Department as a result of contact between the subject and the Sheriff's Department unrelated to the warrant or in the custody of prison officials in which case a duplicate warrant may be issued to the Sheriff's Department. In the event the Sheriff's Department serves such a warrant, the Magisterial District Judge, upon notice of the same, shall promptly alert the assigned constable that the warrant has been served; or

b. If the subject of the warrant is present in the Carbon County Courthouse and, as a result of routine examination by the Sheriff's Department of any person appearing before the Court of Common Pleas or other information acquired by the Sheriff's Department, the Sheriff's Department learns that an individual present in or at the Courthouse is the subject of a warrant, a duplicate warrant may be issued to the Sheriff's Department. In the event the Sheriff's Department serves such a warrant, the Magisterial District Judge, upon notice of the same, shall promptly alert the assigned constable that the warrant has been served; or

c. If the subject of the warrant is in the custody of a constable who has exercised custody pursuant to another warrant issued and served in compliance with this manual in which case the original warrant shall be recalled and reissued to the constable who has custody of the subject; or

d. If the subject of the warrant is in the custody of a constable as the result of execution of another warrant issued by a Court official or Magisterial District Judge of another Judicial District of this Commonwealth in which case the original warrant shall be recalled and reissued to the Constable.

3. Upon service of the warrant, the constable to whom the warrant has been assigned shall immediately notify the issuing authority of service and promptly return a certified copy of the warrant to the District Court evidencing service of the warrant.

4. If the subject of the warrant is in the custody of a municipal or state police officer who, for any reason, has taken the subject before the issuing authority, the Magisterial District Judge shall promptly notify any constable to whom the warrant has been assigned that the warrant has been served.

5. During the normal operating hours of the Magisterial District Court, if a Constable reasonably believes he/she will be able to serve a summary warrant which has been assigned to another Constable, or is unassigned, within the next 12 hours, he/she shall contact the issuing District Court in which case a warrant may be issued to the Constable.

6. All assigned, unserved summary warrants shall be available for service by any constable authorized to perform judicial duties in the 56th Judicial District after the 60th day following issuance of the warrant. In all such cases, it shall be the responsibility of the constable seeking to serve the warrant to review the warrant and determine if the warrant is available to be served by that constable. A constable shall not request a warrant to be reissued unless imminent service of the warrant is anticipated. For purposes of this paragraph, imminent service requires a good faith belief as to the whereabouts of the subject of the warrant and the likelihood that the warrant will be served within the immediately subsequent 12-hour period.

7. When a summary warrant is issued pursuant to Pa.R.Crim.P. 430, upon service of the warrant, the constable shall either:

a. Accept a signed guilty plea together with payment in full of the amount of the fines and costs as stated on the warrant;

b. Accept from the defendant a signed not guilty plea together with payment in full of the amount of the collateral stated on the warrant; or

c. If the defendant is unable to pay the full amount of the fines and costs or collateral, cause the defendant to be taken without unnecessary delay before the issuing authority during normal court hours, or before the on-call Magisterial District Judge.

8. When a constable accepts fines and costs or collateral, the constable shall issue a receipt to the defendant setting forth the amount of the fines and costs or collateral received and promptly return a copy of the receipt, signed by the defendant and constable, to the proper issuing authority. Constables must return the warrant and any pleas, fines, costs, and/or restitution collected to the issuing authority no later than the close of business during the same business day; or if served after normal court hours, on the next business day. Constables should make every effort to resolve service of the warrant as per Pa.R.Crim.P. 430 before physically transporting the defendant to the proper issuing authority, or on-call Magisterial District Judge.

9. A constable shall not serve a summary warrant issued pursuant to Pa.R.Crim.P. 430 at a residence between the hours of 10:00 p.m. and 6:00 a.m., or after 10:00 p.m. on the day preceding a legal holiday until after 6:00 a.m. of the day following the legal holiday.

10. A constable shall not attempt to serve a summary warrant or take the subject of such a warrant into custody unless in possession of a valid warrant.

C. Return of Unserved Warrants

1. A constable who has been issued a warrant pursuant to this manual shall return the warrant to the Magisterial District Court at the expiration of sixty (60) days of its issuance or 12 hours for those warrants issued pursuant to Chapter III, B(5), (6) if the constable is unable to execute or effectuate service within those time periods. Failure to return the warrant within the time period set forth herein may, at the discretion of the

President Judge, result in a revocation/restriction of one's right to perform judicial duties.

2. A constable shall not, under any circumstance, make a duplicate or copy of any warrant for purposes of service.

D. Warrant Service on Incarcerated Parties

1. Unless expressly approved in advance by the Issuing Authority, President Judge or Court Administrator, warrant service on parties already incarcerated or otherwise in the custody of prison officials [is not authorized and] will not be compensated.

2. The Court may authorize payment in Summary Warrant matters in the event, through the efforts of a constable seeking a defendant, the constable learns that a defendant is incarcerated in a County jail outside of Carbon County but within the Commonwealth, and relays that information to the issuing authority.

a. The Magisterial District Judge must indicate that he/she was unaware that the defendant was incarcerated in a County jail outside of Carbon County but within the Commonwealth when the warrant was issued.

IV. Compensation

A. Preliminary Provisions—Constables shall be paid fees in compliance with the fee schedule set forth in 44 Pa.C.S.A. § 7161 or subsequent legislative act or rule of court. Constables shall not be paid a fee for any judicial act committed in violation of the provisions of this manual. Fees shall not be paid unless the request for fees is made in compliance with the procedures set forth in this chapter. When three or more warrants are served on the same subject of the warrant, compensation shall be paid for a maximum of three warrants served.

B. Reimbursement Procedure—Constables shall comply with the procedures of this section in seeking reimbursement for services. A request for reimbursement of services not in compliance with the procedures of this section may be denied on that basis.

1. *Magisterial District Judge Warrants*—Payment for the performance of judicial duties related to the issuance of a warrant by a Magisterial District Judge shall be submitted to the Magisterial District Judge who authorized the service on the form prescribed by the Court Administrator's Office or the Administrative Office of the Pennsylvania Courts. See Exhibit "B" attached to this manual. The Magisterial District Judge shall acknowledge receipt of the request by executing the same and promptly forwarding the request to the County Controller's Office for payment. Execution of a constable's fee request by a Magisterial District Judge evidences that the Magisterial District Judge authorized the service for which fee reimbursement is being requested.

2. All reimbursement forms shall be completed in their entirety. A form which is incomplete will be returned to the constable by the Magisterial District Court promptly and shall be considered as not having been filed for purposes of the time period set forth in Section IV(C) of this manual.

C. Time of Invoice—Request for payment of all fees shall be made to the Magisterial District Judge in the manner directed by this manual within 30 days of the date of the performed service. Although the County's liability for the payment of fees submitted after 30 days of the date of service shall be controlled by prevailing law, failure to submit requests for payment of fees within the time period set forth herein may result in the revocation of a constable's privilege to perform judicial duties.

D. Mileage—The following rules shall apply to reimbursement for actual mileage:

1. Actual mileage for travel by motor vehicle shall be reimbursed at a rate equal to the highest rate allowed by the Internal Revenue Service.

2. No constable shall undertake travel in the performance of judicial duties by any mode other than motor vehicle, unless prior written consent for the same is authorized by the Court Administrator.

3. In effectuating service of a warrant, actual mileage for travel by motor vehicle for purposes of the payment of fees shall be the number of miles from the issuing authority's office to the location where the warrant is served plus the number of miles to the location of commitment, if necessary, plus the number of miles from the commitment location to the issuing authority's office. Where commitment does not occur, actual mileage for travel by motor vehicle for purposes of the payment of fees shall be the number of miles from the issuing authority's office to the location where the warrant is served plus the number of miles to the location where acceptance of payment or collateral is made, plus the number of miles from this location to the issuing authority's office.

E. Hours Worked—All work that calculates reimbursement by the hour shall be rounded to the nearest quarter-hour.

F. Second Constable—Except for those circumstances described in 44 Pa.C.S.A. § 7161(c), upon prior approval by the issuing authority, when a second constable is utilized in the service of a warrant, the second constable shall also examine the warrant to ensure that service of the warrant is in compliance with the provisions of this Manual. The second constable shall follow all requirements as described in the Manual and will be held to the same standards as the constable who obtained the warrant for service.

V. Constable Code of Conduct

A. Introduction—A fair and independent court system is essential to the administration of justice. Although constables are not employees of the Commonwealth, the judiciary or any municipal agency, as an independent contractor, they provide services and aid to the judicial process. Proper conduct by those involved in assisting the judicial process inspires public confidence and trust in the Courts and conveys the values of impartiality and fairness that promote the integrity of our system of justice. A constable's conduct reflects upon the Court's commitment to serving the public. A constable performing judicial duties shall observe high standards of conduct so that the integrity and independence of the judicial system are preserved. The provisions of this code shall be applied to further those objectives. All constables performing judicial duties shall observe the standards of conduct set forth in this section. These standards however shall not limit or preclude, nor be interpreted to limit or preclude, other more stringent standards as established by law or by Court order or rule.

B. Performance of Judicial Duties—Constables performing judicial duties shall conduct themselves in an appropriate and lawful manner at all times and shall adhere to the following standards. Constables performing judicial duties:

1. Shall not engage in any form of discrimination, harassment, or retaliation against any person as prohibited by law or Court policy;

2. Shall not engage in any form of violence, threat of violence, or disruptive conduct;

3. Shall not make intentionally false or misleading statements when performing judicial duties. Specifically, a constable may not make a false statement of material fact or law or fail to correct a false statement of material fact or law to any party for purposes of obtaining compliance or forfeiture by a person of their legal rights;

4. Shall not falsify, or improperly alter or destroy work-related documents or records;

5. Shall not be impaired by alcohol, drugs, medications, or other intoxicating substances while performing judicial duties;

6. Shall not give legal advice while performing judicial duties beyond an explanation of the duty they are performing and one's right to be represented by counsel;

7. Shall not illegally possess weapons or controlled substances while performing judicial duties;

8. Shall avoid impropriety or the appearance of impropriety in the performance of all judicial duties;

9. Shall not commit any violation of the law while performing their judicial duties;

10. Shall not be convicted of any crime which shall place their integrity, honesty, or credibility at issue or otherwise negatively reflect upon the integrity and independence of the Court or Court offices;

11. Shall not make any sexual advance, request for sexual favors, or perform other verbal or physical conduct of a sexual nature while in the performance of judicial duties. Such conduct shall include but is not limited to touching, fondling, patting, pinching, kissing, or other physical contact for sexual gratification;

12. Shall treat all those with whom they interact, including Court staff, with professionalism, dignity, respect, and impartiality;

13. Shall cooperate with all law enforcement agencies and their representatives including the Sheriff's Department, the C.C.C.F., and Carbon County staff;

14. Shall not use any means that has no substantial purpose other than to embarrass, delay, or burden the rights of another person or use methods that violate the legal rights of such person;

15. Shall not in any manner hold himself/herself out to be an agent, employee, or representative of any Court office; and

16. Shall not utilize a motor vehicle in the performance of judicial duties contrary to the provisions of the Pennsylvania Motor Vehicle Code.

C. Confidentiality—Constables shall not disclose or use confidential information obtained through the performance of judicial duties for any purpose not connected with the performance of their judicial duties.

D. Conflicts of Interest—

1. Constables shall not solicit, accept, or agree to accept anything of value from any person or entity doing or seeking to do business with, or having an interest in a matter related to the performance of judicial duties.

2. Constables shall not permit family, social, or other relationships to influence their official conduct or judgment, or to create the appearance of influence in the exercise of their official conduct or judgment, while in the performance of judicial duties. Constables performing judicial duties shall inform the Court Administrator of any situation creating undue influence or the appearance of undue influence.

3. Constables shall not use the resources, employees, property, facilities, time, or any funds under their control while in the performance of their judicial duties to improperly benefit them or any other person.

E. Use of Force—A constable's use of force shall be consistent with Pennsylvania law and in compliance with training and education provided by the C.E.T.B. A constable shall never employ unnecessary force or violence and shall use only such force in the discharge of duty as is reasonable under the circumstances. While the use of force is occasionally unavoidable, every constable in the performance of judicial duties shall refrain from applying any unnecessary infliction of pain or suffering and shall never engage in cruel, degrading, or inhuman treatment of any person. A constable shall not fire, unholster, or otherwise remove a firearm from its holster in the performance of judicial duties unless the same is necessary for the defense of the constable or others in response to the threat or use of deadly force against the constable or another where the action is consistent with firearms training provided by P.C.C.D. In no event shall a firearm be unholstered for purposes of intimidation.

F. Appearance—

1. *Dress*—All constables shall dress in customary law enforcement uniform or casual business dress while performing judicial duties. Denim jeans are considered neither customary law enforcement uniform nor casual business dress and are prohibited.

2. *Sign of Authority*—While in the performance of judicial duties, all constables shall prominently display a badge of authority on their outermost clothing. The badge of authority shall consist of either a Pennsylvania state constable patch or a badge pinned to the outermost garment, displayed around the neck, or attached to a belt. Additionally, while performing judicial duties, a constable shall carry at all times a constable certification card issued by C.E.T.B. indicating certification number and expiration date.

G. Duty to Report—Constables who are arrested, charged with, or convicted of a crime, including summary offenses, which occurred while the constable was acting in the course of performing judicial duties, shall report this fact to the Court Administrator at the earliest opportunity, however, in no event shall this report be made later than three (3) business days from the date of arrest or receipt of charges. Constables who are arrested, charged with, or convicted of a crime, other than summary traffic offenses not committed while in the performance of judicial duties, regardless of the jurisdiction in which the conduct occurred, shall report this fact to the Court Administrator at the earliest reasonable opportunity, however, in no event shall this report be made later than three (3) business days from the date of the arrest or receipt of charges.

Exhibit A
ACKNOWLEDGMENT

I, _____, have received a copy of the Pennsylvania Unified Judicial System Constable Policies, Procedures, and Standards of Conduct. I also acknowledge receipt of a copy of the Fifty-Sixth Judicial District Constable Manual. I understand that in order to perform judicial duties, or to be paid for work performed for the Fifty-Sixth Judicial District, I must abide by the procedures and requirements set forth in the Pennsylvania Unified Judicial System Constable Policies, Procedures, and Standards of Conduct and the Fifty-Sixth Judicial District Constable Manual, including the Code of Conduct, and hereby agree to abide by those procedures and requirements.

Print Name _____ Date _____

Signature _____

Witness _____

Exhibit B
CARBON COUNTY CONSTABLE PAYMENT SHEET

CONSTABLE NAME _____ CONSTABLE NUMBER _____
DISTRICT COURT NUMBER _____ DISTRICT JUDGE _____
DEFENDANT'S NAME _____ DOCKET NUMBER _____
DEFENDANT'S ADDRESS _____

Table with columns: SERVICE, FEE, DATE(S) SERVICES PERFORMED. Rows include: WARRANT, HOW WAS SERVICE MADE?, ARRANGEMENT, COMMIT TO, RETURN OF SERVICE, CONVEY (FINGERPRINTING), FINGERPRINTING..., RELEASED ON, BOND, OTHER, OTHER, OTHER, TOTAL \$.

* MAY ONLY BE CHARGED ONCE PER DEFENDANT PER DATE HANDLED

NAME OF ASSISTING CONSTABLE OR DEPUTY _____

Table with columns: DATE, FROM/TO, MILES. Multiple rows for recording travel data.

MILEAGE @ _____ CENTS PER MILE TOTAL MILES _____ MILES \$ _____

ATTACH ADDITIONAL SHEETS, IF NECESSARY.

CETA \$ _____

TOTAL AMOUNT DUE \$ _____

I HEREBY CERTIFY THAT THE ABOVE SERVICES HAVE BEEN PERFORMED.

THE UNDERSIGNED HEREBY CERTIFIES THAT THE ABOVE SERVICES HAVE BEEN PERFORMED AND THAT NO OTHER REQUESTS FOR PAYMENT FOR THESE SERVICES HAS BEEN MADE.

_____ DAY OF _____, _____

DISTRICT JUDGE (DISTRICT COURT SEAL)

SIGNATURE OF CONSTABLE

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Disbarment

Notice is hereby given that Thomas F. Bello (# 73540) having been disbarred from the practice of law in the State of New York by Opinion and Order of the supreme Court of the State of New York, Appellate Division, Second Judicial Department dated October 23, 2013, the Supreme Court of Pennsylvania issued an Order on September 15, 2016, disbaring Thomas F. Bello from the Bar of this Commonwealth, effective October 15, 2016. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

JULIA FRANKSTON-MORRIS, Esq.,
Secretary
The Disciplinary Board of the
Supreme Court of Pennsylvania

[Pa.B. Doc. No. 16-1673. Filed for public inspection September 30, 2016, 9:00 a.m.]

Notice of Suspension

Notice is hereby given that by Order of the Supreme Court of Pennsylvania dated September 14, 2016, Kristan Elizabeth Peters a/k/a Kristan Peters a/k/a Kristan Peters-Hamlin (# 50741) has been Suspended from the practice of law in this Commonwealth for a period of five years, to

take effect October 14, 2016. This reciprocal suspension is based on a five year suspension that was imposed in the United States District Court for the Southern District of New York. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

JULIA FRANKSTON-MORRIS, Esq.,
Secretary
The Disciplinary Board of the
Supreme Court of Pennsylvania

[Pa.B. Doc. No. 16-1674. Filed for public inspection September 30, 2016, 9:00 a.m.]

Notice of Suspension

Notice is hereby given that by Order of the Supreme Court of Pennsylvania dated September 21, 2016, Cesar Alvarez-Moreno (# 41128) whose registered address is 5066 G Street, SE, Washington, DC, is Suspended from the Bar of this Commonwealth for a period of two years. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

JULIA M. FRANKSTON-MORRIS, Esq.,
Secretary
The Disciplinary Board of the
Supreme Court of Pennsylvania

[Pa.B. Doc. No. 16-1675. Filed for public inspection September 30, 2016, 9:00 a.m.]

RULES AND REGULATIONS

Title 67—TRANSPORTATION

DEPARTMENT OF TRANSPORTATION

[67 PA. CODE CH. 105]

Mechanical, Electrical and Electronic Speed-Timing Devices

The Department of Transportation (Department), under the authority in 75 Pa.C.S. §§ 3368 and 6103 (relating to speed timing devices; and promulgation of rules and regulations by department), amends Chapter 105, Subchapter C (relating to speedometers) to read as set forth in Annex A. The statutory provisions direct the Department to promulgate standards for speed-timing devices and testing, and authorize the Department to promulgate regulations to implement 75 Pa.C.S. (relating to Vehicle Code).

Purpose of Chapter

The purpose of Chapter 105, Subchapter C is to govern the calibrating and testing of mechanical electrical and electronic speed-timing devices by stations appointed by the Department.

Purpose of the Final-Form Rulemaking

The purpose of this final-form rulemaking is to delete outdated speed-timing testing devices and procedures, modernize the language and include provisions permitting the use of new technologies approved by the Department.

Summary of Significant Amendments

Section 105.31 (relating to appointment of speedometer testing station) is amended to require speedometer testing stations to prominently display a valid Certificate of Appointment provided by the Department. An identical requirement is deleted from § 105.34 (relating to manner of testing speedometers). Section 105.31 is also amended to require that a separate application be filed for each mobile testing unit that a station intends to operate.

Section 105.32 (relating to operation of speedometer testing station) is amended to delete a testing station's ability to delegate speedometer testing to another testing station. This amendment is made based upon recommendations from industry stakeholders.

Section 105.33 (relating to required equipment) is amended to allow for the use of new devices and technologies in speedometer testing and calibration that have been approved by the Department and are necessitated by advances in technology. The former language did not allow for the introduction and approval of new devices and technologies. Section 105.33 has been further amended to delete outdated testing devices and procedures.

Section 105.34 is amended to: allow for electronic generation and signature of Certificates of Accuracy and to permit their reproduction; require testing devices in accordance with the testing equipment manufacturer's specifications, if the manufacturer specifies a testing schedule; require a station to document the testing and calibration of its testing equipment; and require that this documentation is made available at the request of the Department. Section 105.34 is also amended to provide greater detail regarding the standard for accuracy and specifications for testing accuracy.

Summary of Comments and Changes in in this Final-Form Rulemaking

Notice of proposed rulemaking was published at 44 Pa.B. 4500 (July 19, 2014) with a 30-day public comment period. The proposed rulemaking was also submitted to the Independent Regulatory Review Commission (IRRC) and the House and Senate Transportation Committees. Three comments were received from the public. IRRC submitted several comments. The House and Senate Committees did not comment.

Elam M. Herr, Pennsylvania State Association of Township Supervisors, commented that the proposed rulemaking did not directly affect the organization and that the provision for mobile testing units could have a positive impact on township police. Changes were not made in response to this comment.

Jim Cowden, YIS/Cowden Group, Inc., an approved speed timing station, submitted three substantive comments. These comments were incorporated into IRRC's comments. IRRC suggested that the Department either revise the final-form rulemaking in response or explain its reasons for not doing so. Regarding § 105.34(a), the commentator questioned the Department's addition of a required accuracy window of $2 \pm$ miles per hour to speedometer calibration. He pointed out that even new vehicles may not comply with this requirement, and this could potentially result in certain vehicles being unable to be certified. In response, the Department has withdrawn the proposed amendment and § 105.34(a) will retain the current language. Regarding § 105.34(b), the commentator requested clarity regarding "duplicate copy, executed and signed in the same manner as the original." In response the Department rephrased this subsection and deleted the phrase "duplicate copy," allowing instead for additional Certificates of Accuracy to be completed in the same manner as the original. Finally, he questioned if Certificates of Accuracy could be completed, signed and distributed electronically, which would lead to significant savings on mailing costs. The Department amended this subsection to allow electronic generation and signature of Certificates of Accuracy.

Lt. Robert J. Krol, Jr., Pennsylvania State Police (PSP), commented that the PSP no longer maintains a position called "Inspection Station Supervisor." In response, the Department deleted the reference to this position from § 105.34(b). IRRC incorporated this comment into its suggested changes.

IRRC provided a number of comments suggesting minor wording changes and requesting additional clarity in several places throughout the proposed rulemaking. The Department addressed these changes.

Persons and Entities Affected

This final-form rulemaking affects speedometer testing station owners and personnel, as well as future applicants who intend to have their stations appointed by the Department as a speedometer testing station.

Fiscal Impact

Implementation of this final-form rulemaking will not require the expenditure of additional funds by the Commonwealth or local municipalities. Speedometer testing stations may incur additional short-term compliance costs in the application process and implementation of mobile

testing units. However, short-term costs will be outweighed by more opportunities to calibrate a broader range of vehicles.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on July 8, 2014, the Department submitted a copy of the notice of proposed rulemaking, published at 44 Pa.B. 4500, to IRRC and the Chairpersons of the House and Senate Committees for review and comment.

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

Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on August 17, 2016, 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 August 18, 2016, and approved the final-form rulemaking.

Sunset Provisions

This final-form rulemaking is effective upon publication. The Department is not establishing a sunset date for these regulations, since these regulations are needed to administer provisions required under 75 Pa.C.S. The Department, however, will continue to closely monitor these regulations for their effectiveness.

Contact Person

The contact person for technical questions about this final-form rulemaking is Kay Kishbaugh, Manager, Vehicle Inspection Division, 1101 South Front Street, 4th Floor, Harrisburg, PA 17104, (717) 783-4597.

Findings

The Department finds that:

- (1) Public notice of the 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 regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2.
- (2) A public comment period was provided as required by law, and all comments were considered.
- (3) These regulations do not enlarge the purpose of the proposed rulemaking published at 44 Pa.B. 4500.

Order

The Department orders that:

- (a) The regulations of the Department, 67 Pa. Code, Chapter 105, are amended by amending §§ 105.31—105.34 to read as set forth in Annex A.
- (b) The Secretary of the Department shall submit this order and Annex A to the Office of General Counsel and the Office of Attorney General for approval as to legality and form, as required by law.
- (c) The Secretary shall submit this order and Annex A to IRRC and the Senate and House Committees as required under the Regulatory Review Act (71 P.S. §§ 745.1—745.14).

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

LESLIE S. RICHARDS,
Secretary

(*Editor's Note:* See 46 Pa.B. 5790 (September 3, 2016) for IRRC's approval order.)

Fiscal Note: Fiscal Note 18-460 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 67. TRANSPORTATION

PART I. DEPARTMENT OF TRANSPORTATION

Subpart A. VEHICLE CODE PROVISIONS

ARTICLE VI. OPERATION OF VEHICLES

CHAPTER 105. MECHANICAL, ELECTRICAL AND ELECTRONIC SPEED-TIMING DEVICES

Subchapter C. SPEEDOMETERS

§ 105.31. Appointment of speedometer testing station.

(a) *Application.* Application for appointment as a speedometer testing station or mobile testing unit to be operated by a speedometer testing station shall be made on a form provided by the Department and submitted for each speedometer testing station and each mobile testing unit to be operated by a speedometer testing station.

(b) *Applicant.* Each applicant intending to be appointed as a speedometer testing station or mobile testing unit to be operated by a speedometer testing station that is not a business entity, including a sole proprietor or partner in a general or limited partnership, shall be at least 18 years of age.

(c) *Place of business.* An applicant shall have an established place of business properly equipped to conduct speedometer tests and repairs or to operate as an approved mobile testing unit.

(d) *Certificate of Appointment.* A speedometer testing station and each mobile testing unit operated by a speedometer testing station shall prominently display a valid Certificate of Appointment provided by the Department.

§ 105.32. Operation of speedometer testing station.

(a) *Testing and repair.* Testing and repair of speedometers shall be provided, as necessary, upon notice by the police.

(b) *Hours.* Speedometer testing stations shall be open for business, at a minimum, Monday through Friday during the hours of 8 a.m. to 5 p.m., except for legal holidays or alternative business hours approved in writing by the Department.

(c) *Personnel.* A speedometer testing station shall employ at least one technician certified as follows:

- (1) An application of a technician for certification shall be made on a form provided by the Department.
- (2) The applicant shall present proof of education or experience in the testing and repair of speedometers.
- (3) The applicant shall be at least 18 years of age.

(d) *Location.* Speedometer testing and repair shall take place at an approved speedometer testing station, except that, upon application to and approval by the Department, a speedometer testing station may operate one or more mobile testing units of a type approved by the Department.

§ 105.33. Required equipment.

(a) *Items.* A speedometer testing station or mobile testing unit shall have sufficient tools to make repairs or adjustments and one or more of the following required equipment:

(1) A dynamometer of a type approved by the Department.

(2) A Speed-Master Quartz Speedometer Tester.

(3) A 650-H-1 Stewart-Warner Speedometer Calibrator with adaptive equipment needed to operate this device or any device.

(4) Any equipment or alternative technique approved by the Department and published in the *Pennsylvania Bulletin*.

(b) *Periodic testing of speedometer testing equipment.* Speedometer testing equipment shall be repaired, tested and adjusted for accuracy in accordance with the testing equipment manufacturer's specifications. If the testing equipment manufacturer does not specify a testing schedule, the speedometer testing equipment shall be tested and adjusted for accuracy at least once every 60 days.

§ 105.34. Manner of testing speedometers.

(a) *Accuracy.* A speedometer shall be tested for accuracy and, if necessary, repaired and adjusted to obtain the greatest possible degree of accuracy. Testing shall be conducted in accordance with the following:

(1) Testing equipment and alternative techniques set forth in or approved in accordance with § 105.33 (relating to required equipment) shall be used.

(2) Testing shall occur using manufacturer's specifications and procedures.

(3) It is necessary to have a measured or surveyed calibration course laid out and properly marked when using a technique that requires a calibration course for testing.

(b) *Forms.* A Certificate of Accuracy, on a form provided by the Department, shall be completed after a speedometer test or repair and signed by the certified technician that performed the speedometer test. The Certificate of Accuracy may be completed on an electronic fillable form provided by the Department and signed electronically by the certified technician. A copy of the certificate shall be kept on file at the speedometer testing station for at least 3 years, and be made available to the State Police or Department representatives, as necessary. Additional Certificates of Accuracy completed, executed and signed in the same manner as the original, have the same force and effect as the original.

[Pa.B. Doc. No. 16-1676. Filed for public inspection September 30, 2016, 9:00 a.m.]

STATEMENTS OF POLICY

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

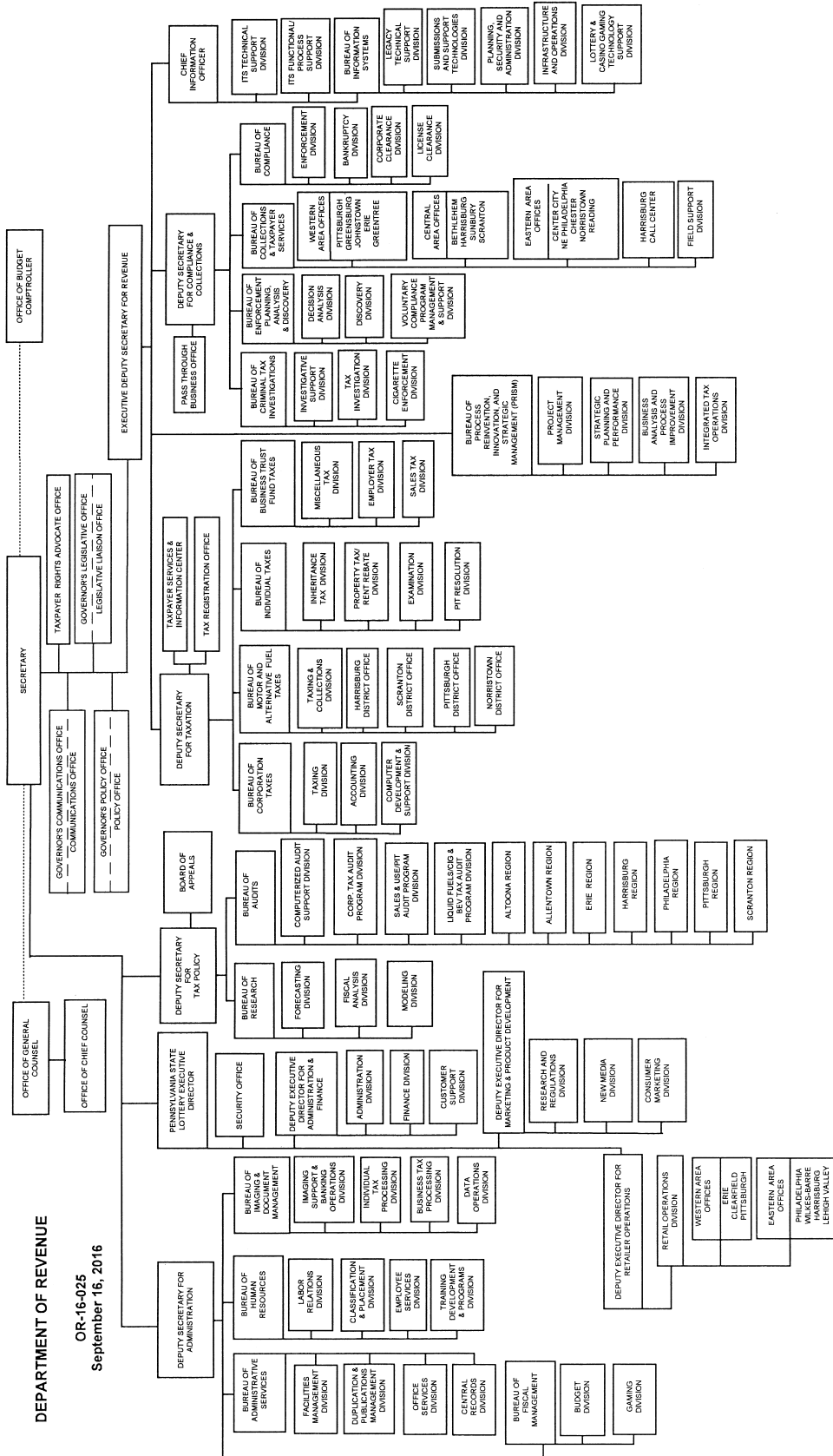
Reorganization of the Department of Revenue

The Executive Board approved a reorganization of the Department of Revenue effective September 16, 2016.

The organization chart at 46 Pa.B. 6130 (October 1, 2016) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of *Pennsylvania Code*) as a document general and permanent in nature which shall be codified in the *Pennsylvania Code*.)

[Pa.B. Doc. No. 16-1677. Filed for public inspection September 30, 2016, 9:00 a.m.]



NOTICES

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P.L. 847, No. 356), known as the Banking Code of 1965; the act of May 15, 1933 (P.L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P.L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending September 20, 2016.

Under section 503.E of the Department of Banking and Securities Code (71 P.S. § 733-503.E), any person wishing to comment on the following applications, with the exception of branch applications, may file his or her 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

Interim Incorporations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
9-20-2016	Monument Interim Bank Doylestown Bucks County	Approved
	The purpose of Monument Interim Bank, Doylestown, is to merge with Monument Bank, Doylestown, to facilitate the proposed reorganization of Monument Bank into a bank holding company structure whereby Monument Bank will become the wholly-owned subsidiary of Monument Bancorp, Inc., a new holding company in formation.	

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
8-25-2016	Coatesville Savings Bank Coatesville Chester County	625 Robert Fulton Highway Quarryville Lancaster County	Opened
9-1-2016	Jonestown Bank & Trust Company Jonestown Lebanon County	Route 72 and Anthony Drive Manheim Lancaster County (Correction)	Filed
9-9-2016	Republic First Bank Philadelphia Philadelphia County	230 Marter Avenue Moorestown Burlington County, NJ	Opened
9-19-2016	Mid Penn Bank Millersburg Dauphin County	1817 Oregon Pike Lancaster Lancaster County	Approved
9-19-2016	Washington Financial Bank Washington Washington County	173 Millers Run Road Bridgeville Allegheny County	Approved
9-20-2016	The Muncy Bank & Trust Company Muncy Lycoming County	2 West Central Avenue Avis Clinton County	Filed

Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
9-12-2016	Univest Bank and Trust Co. Souderton Montgomery County	<i>To:</i> 200 North High Street West Chester Chester County <i>From:</i> 137 North High Street West Chester Chester County	Effective

CREDIT UNIONS

No activity.

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

ROBIN L. WIESSMANN,
Secretary

[Pa.B. Doc. No. 16-1678. Filed for public inspection September 30, 2016, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Cyber Charter School Application; Public Hearings

The Department of Education (Department) has scheduled five dates for public hearings regarding cyber charter school applications that it received on or before October 3, 2016. The hearings will be held on October 25, 2016, November 1, 2016, November 8, 2016, and November 14, 2016, in Heritage Room A on the lobby level of 333 Market Street, Harrisburg, PA 17126, at 9 a.m. on each day. The hearings pertain to applicants seeking to operate a cyber charter school beginning in the 2017-2018 school year. The purpose of the hearings is to gather information from the applicants about the proposed cyber charter schools as well as receive comments from interested individuals regarding the applications. The names of the applicants, copies of the applications and a listing of the dates and times scheduled for the hearing on each application can be viewed on the Department's web site, after October 5, 2016, at www.education.pa.gov.

Individuals who wish to provide comments on an application during the hearing must provide a copy of their written comments to the Department and the applicant on or before October 20, 2016. Comments provided by this deadline and presented at the hearing will become part of the certified record. Failure to comply with this deadline will preclude the individual from providing comments at the hearings. Verbal comments may be limited based on the number of individuals requesting time to provide comments and may be limited if the comments are duplicative or repetitive of another individual's comments. Persons who are unable to attend the hearing may also provide the Department and the applicant with written comments on or before October 20, 2016. Any written comments provided to the Department by this deadline will also become part of the certified record.

During the public hearing on an application, the cyber charter applicant will have 30 minutes to present information about the proposed cyber charter school. Each hearing will be conducted by the panel of individuals who have completed an initial review of the application. The panel members may question the applicant on issues identified during their review, as well as issues raised in

the written comments filed by the deadline. Panel members may also question individuals who offer verbal comments. Commentators will not be permitted to question either the applicant or the panel members.

Comments should be addressed to Steve Carney, Charter Schools Office, 333 Market Street, 10th Floor, Harrisburg, PA 17126-0333. Hearing agendas will be prepared after October 20, 2016, when the Department is aware of the number of individuals who wish to provide verbal comments at each hearing. The hearing agenda will provide the order of presentation, as well as specify the amount of time allotted to each commentator. Hearing agendas will be posted under Charter School Applications on the Department's web site at <http://www.education.pa.gov/K-12/Charter%20Schools/Pages/Charter-Applications.aspx>.

For questions regarding these hearings, contact Steve Carney, (717) 787-9744, charterschools@pa.gov.

PEDRO A. RIVERA,
Secretary

[Pa.B. Doc. No. 16-1679. Filed for public inspection September 30, 2016, 9:00 a.m.]

Professional Educator Discipline Fee

The Department of Education (Department) is increasing the professional educator discipline fee under section 1216.1 of the Public School Code of 1949 (24 P.S. § 12-1216.1) based upon the Department's determination that the cost of enforcement exceeds the revenue generated by the fee and by all other fees, fines and civil penalties provided under the Educator Discipline Act (24 P.S. §§ 2070.1a—2070.18c). Effective November 1, 2016, the professional educator discipline fee paid by an applicant for certification from the Department shall be \$100. This fee is in addition to any other application fee established by the Department.

Additional information concerning this notice, the professional educator discipline fee or the reasons for the Department's determination that the increase in the fee is required can be obtained by contacting Carol Hrobak or Sarah Castillo, Department of Education, Office of Chief Counsel, 333 Market Street, 9th Floor, Harrisburg, PA 17126-0333, (717) 787-5500.

Persons with a disability who require an alternative format of this listing (for example, large print, audiotope, Braille) or require the notice in another language should contact Carol Hrobak or Sarah Castillo, Department of Education, Office of Chief Counsel, 333 Market Street, 9th Floor, Harrisburg, PA 17126-0333, (717) 787-5500, or for speech and/or hearing impaired persons V/TT (717)

783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

PEDRO A. RIVERA,
Secretary

[Pa.B. Doc. No. 16-1680. Filed for public inspection September 30, 2016, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

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

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0112704 (Sewage)	Susquehanna RV 2084 Route 522 Selinsgrove, PA 17870-8727	Columbia County Montour Township	Montour Run (5-C)	Yes
PA0209201 (Sewage)	DMP Northern Tier LP 1952 Waddle Road State College, PA 16803-1649	Bradford County Wyalusing Township	Wyalusing Creek (4-D)	Yes
PA0114961 (Sewage)	Hughesville & Wolf Township Joint Municipal Authority 547 Woolen Mill Road Hughesville, PA 17737-9091	Lycoming County Wolf Township	Muncy Creek (10-D)	No
PA0113051 (Industrial)	DuBois Water Treatment Plant 16 W Scribner Avenue PO Box 408 Dubois, PA 15801-2210	Clearfield County Sandy Township	Laborde Branch (17-C)	No

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0221708 (Sewage)	Chicora Borough STP PO Box 35 110 Firehouse Cartway Chicora, PA 16025-0035	Butler County Chicora Borough	Buffalo Creek (18-F)	Yes
PA0103276 (Sewage)	Shippenville Borough STP 425 Waterworks Road Clarion, PA 16241	Clarion County Elk Township	Deer Creek (17-B)	Yes

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

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

PA0026492, Sewage, SIC Code 4952, **Scranton Sewer Authority**, 312 Adams Avenue, Scranton, PA 18503. Facility Name: Scranton Sewer Authority Wastewater Treatment Plant. This existing facility is located in Scranton City, **Lackawanna 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, Lackawanna River, is located in State Water Plan watershed 5-A and is classified for cold water fishes, migratory fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed concentration effluent limits for Outfall 001 are based on an annual average flow of 20 MGD. The proposed mass effluent limits for Outfall 001 are based on a design hydraulic capacity of 25 MGD.

(From Permit Effective Date to Permit Expiration Date)

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.37	XXX	1.34
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	3,750	5,600	XXX	18.0	27.0	36.0
Total Suspended Solids	6,255	9,380	XXX	30.0	45.0	60.0

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Ammonia-Nitrogen						
May 1 - Oct 31	625	XXX	XXX	3.0	XXX	6.0
Nov 1 - Apr 30	1,875	XXX	XXX	9.0	XXX	18.0
Total Dissolved Solids	XXX	XXX	XXX	Report	XXX	XXX
Bromide	XXX	XXX	XXX	Report	XXX	XXX
Chloride	XXX	XXX	XXX	Report	XXX	XXX
Sulfate, Total	XXX	XXX	XXX	Report	XXX	XXX
Aluminum, Total	XXX	XXX	XXX	Report	XXX	XXX
Manganese, Total	XXX	XXX	XXX	Report	XXX	XXX
Iron, Total	XXX	XXX	XXX	Report	XXX	XXX
Cadmium, Total (µg/L)	XXX	XXX	XXX	Report	XXX	XXX
Acrolein (µg/L)	XXX	XXX	XXX	Report	XXX	XXX
1,4-Dioxane (µg/L)	XXX	XXX	XXX	Report	XXX	XXX
Chlorodibromomethane (µg/L)	XXX	XXX	XXX	Report	XXX	XXX
Chloroform (µg/L)	XXX	XXX	XXX	Report	XXX	XXX
Influent Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	Report	Report	XXX
Influent Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX

The proposed concentration effluent limits for Outfall 001 are based on an annual average flow of 20 MGD. The proposed mass effluent limits for Outfall 001 are based on a design hydraulic capacity of 25 MGD.

(From Permit Effective Date to 4 Years after Permit Effective Date)

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (g/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Dichlorobromomethane (µg/L)	XXX	XXX	XXX	Report	XXX	XXX
Arsenic, Total (µg/L)	XXX	XXX	XXX	Report	XXX	XXX
Bis(2-Ethylhexyl)Phthalate (µg/L)	XXX	XXX	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	Report

The proposed concentration effluent limits for Outfall 001 are based on an annual average flow of 20 MGD. The proposed mass effluent limits for Outfall 001 are based on a design hydraulic capacity of 25 MGD.

(From 4 Years after Permit Effective Date to Permit Expiration Date)

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (µg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Dichlorobromomethane (µg/L)	XXX	XXX	XXX	2.86	XXX	5.72
Arsenic, Total (µg/L)	XXX	XXX	XXX	18.56	XXX	37.12
Bis(2-Ethylhexyl)Phthalate (µg/L)	XXX	XXX	XXX	6.25	XXX	12.50
Fecal Coliform (No./100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000

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

(From Permit Effective Date to Permit Expiration Date)

<i>Parameters</i>	<i>Mass Units (lbs)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
Ammonia-Nitrogen						
May 1 - Oct 31	Report	Report	XXX	3.0	XXX	6.0
Nov 1 - Apr 30	Report	Report	XXX	9.0	XXX	18.0
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Net Total Nitrogen	Report	365,292	XXX	XXX	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
Net Total Phosphorus	Report	48,706	XXX	XXX	XXX	XXX

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

The NPDES Permit also includes 80 combined sewage overflow outfalls that may discharge under wet weather conditions to the following waters of the Commonwealth: Lackawanna River (CWF-MF), Roaring Brook (CWF-MF), Stafford Meadow Brook (WWF-MF), Little Roaring Brook (CWF-MF), Keyser Creek (CWF-MF), Leggetts Creek (TSF-MF), and Meadow Brook (CWF-MF).

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

- Chesapeake Bay Nutrient Requirements
- Operating and Monitoring Protocols for Outfall 003
- Combined Sewer Overflows
- POTW Pretreatment Program Implementation
- Solids Management
- Toxics Reduction Evaluation (TRE)
- Whole Effluent Toxicity (WET)
- Requirements for Facilities with Built-In Excess Hydraulic Capacity
- Permit Transfer to Pennsylvania American Water Company

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.

PA0009911, Industrial, SIC Code 2015, **Papettis Hygrade Egg Products Inc.**, 68 Spain Road, Klingerstown, PA 17941-9656. Facility Name: Michael Foods Egg Products. This existing facility is located in Upper Mahantango Township, **Schuylkill County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.295 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	1.0	Max XXX	2.0
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	Report	Report	XXX	25.0	50.0	62
Total Suspended Solids	Report	Report	XXX	30.0	60.0	75
Oil and Grease	XXX	XXX	XXX	15.0	30.0	XXX
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen						
Oct 1 - Mar 31	Report	XXX	XXX	Report	XXX	XXX
May 1 - Sep 30	37	74	XXX	15.0	30.0	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Phosphorus (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs) Effluent Net	Report Total Mo	XXX	XXX	XXX	XXX	XXX

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

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

The proposed effluent limits for Outfall 003 are based on a design flow of 0 MGD—Limits.

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

The proposed effluent limits for Outfall 004 are based on a design flow of 0 MGD.—Limits.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
Total Nitrogen (Total Load, lbs) (lbs) Effluent Net	XXX	8,104	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	XXX	Total Annual Report	XXX	XXX	XXX	XXX
		Total Annual Report				
Ammonia-Nitrogen (Total Load, lbs) (lbs)	XXX	Total Annual Report	XXX	XXX	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	<i>Instant. Maximum</i>
Total Phosphorus (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs) Effluent Net	XXX	532 Total Annual	XXX	XXX	XXX	XXX

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

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

- Chemical Additions
- Stormwater Requirements
- Become an eDMR user

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.

PA0027081, Sewage, SIC Code 4952, **Lackawanna River Basin Sewer Authority**, P.O. Box 280, Olyphant, PA 18447-0280. Facility Name: LRBSA Clinton Township WWTP. This existing facility is located in Clinton Township, **Wayne 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, the Lackawanna River, is located in State Water Plan watershed 05A and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.7 MGD.

<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 Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.9	XXX	2.1
CBOD ₅	146	234	XXX	25	40	50
BOD ₅ Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	175	263	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	58	XXX	XXX	10	XXX	20

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	XXX	Report	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX
Nitrite-Nitrate 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	12,786	XXX	XXX	XXX
Net Total Phosphorus	Report	1,705	XXX	XXX	XXX

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

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

- Chesapeake Bay Nutrient Requirements
- Combined Sewer Overflows
- Solids Management
- Requirement to Use eDMR System

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.

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

PA0264652, Sewage, SIC Code 8800, **Barbara McGuigan**, 106 Arbor Lane, McCormick, SC 29835. Facility Name: Barbara McGuigan SRSTP. This proposed facility is located in North East Township, **Erie County**.

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

The receiving stream is an unnamed tributary to Lake Erie, located in State Water Plan watershed 15-A and classified for Cold Water Fish, Migratory Fish, 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.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		

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.

PA0264571, Sewage, SIC Code 8800, **Warnick Joseph**, 10624 Station Road, North East, PA 16428. Facility Name: Joseph Warnick SRSTP. This proposed facility is located in Greenfield Township, **Erie County**.

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

The receiving stream(s), Unnamed Tributary to West Branch French Creek, is located in State Water Plan watershed 16-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.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Average Monthly</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
			Min			
Total Residual Chlorine (TRC)	XXX	XXX	Report	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	10.0	XXX	XXX	20
Total Suspended Solids	XXX	XXX	10.0	XXX	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	200	XXX	XXX	XXX

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

- Prohibition of Stormwater Discharges
- Right of Way
- Department Revocation of Permit/Abandonment of the Treatment System
- Submittal of an Annual Maintenance & Discharge Monitoring Reports
- Solids Handling

- Septic Tank Pumping Requirement
- Chlorine Optimization

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

PA0264601, Sewage, SIC Code 8800, **William P Shaffer, Jr.**, 9660 Old Route 99, McKean, PA 16426. Facility Name: William Shaffer SRSTP. This proposed facility is located in McKean Township, **Erie County**.

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

The receiving stream, Lamson Run, is located in State Water Plan watershed 15 and is classified for cold water fishes and migratory fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/l)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX
				Geo Mean		

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

- Prohibition of Stormwater Discharges
- Right of Way
- Department Revocation of Permit
- Aerobic Tank Pumping Requirement
- Abandonment of the Treatment System
- Requirement to Submit Annual Maintenance & Discharge Monitoring Reports
- Solids Handling

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

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

WQM Permit No. 0216201, Industrial, **Libertas Copper, LLC**, 100 Washington Street, Leetsdale, PA 15056-1000.

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

Description of Proposed Action/Activity: Installation of MYCELX filter unit as an upgrade to the existing wastewater treatment plant.

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

WQM Permit No. 1516405, Sewage, **HMS Host Corporation**, 6905 Rockledge Drive, Bethesda, MD 20817.

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

Description of Action/Activity: Construction and operation of a sewage treatment plant.

WQM Permit No. 4616402, Sewage, **Towamencin Municipal Authority**, 2225 Kriebel Road, Lansdale, PA 19446.

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

Description of Action/Activity: Requesting approval for reconstruction of 6,293 feet sanitary sewer interceptor.

WQM Permit No. WQG02151605, Sewage, **New Garden Township Sewer Authority**, 299 Starr Road, Landenberg, PA 19350.

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

Description of Action/Activity: Upgrades to existing pump station and extension of force main.

WQM Permit No. 4616403, Sewage, **Upper Montgomery Joint Authority**, P.O. Box 6, 1100 Mensch Dam Road, Pennsburg, PA 18073.

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

Description of Action/Activity: Upgrades to eliminate wet weather bypass of secondary treatment and implement both Total Nitrogen & Phosphorus removal.

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

WQM Permit No. 6616401, Sewage, **Factoryville Borough & Clinton Township Wyoming County Joint Municipal Sewer Authority**, PO Box 277, Factoryville, PA 18419-0277.

This proposed facility is located in Clinton Township, **Wyoming County**.

Description of Proposed Action/Activity: Refurbishment modifications to an existing Sludge holding lagoon.

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

WQM Permit No. 2116406, Sewerage, **South Middleton Township Municipal Authority**, PO Box 8, Boiling Springs, PA 17007-0008.

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

Description of Proposed Action/Activity: Seeking permit approval to upgrade existing pump station # 3.

WQM Permit No. 0516402, Sewerage, **Living Waters Camp & Conference Center**, 300 Camp Living Water Road, Schellsburg, PA 15559-8379.

This proposed facility is located in Napier Township, **Bedford County**.

Description of Proposed Action/Activity: Seeking permit approval to replace the effluent contact tank and upgrade the chlorine dosing system from pellets to liquid chlorine at existing plant.

WQM Permit No. 0601402, Amendment No. 3, Sewerage, **Leesport Borough Authority**, PO Box 201, Leesport, PA 19533.

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

Description of Proposed Action/Activity: Seeking permit approval for the upgrade to the existing SBR treatment process with increased aeration. Project involves installation of supplemental blowers, aeration piping, and diffusers.

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

WQM Permit No. 1905402 A-2, Sewage, SIC Code 4952, **Berwick Area Joint Sewer Authority**, 1108 Freas Avenue, Berwick, PA 18603-1710.

This existing facility is located in Berwick Borough, **Columbia County**.

Description of Proposed Action/Activity: The replacement of four aeration blowers and the installation of variable frequency drives.

WQM Permit No. 0816202, Industrial, SIC Code 2022, 2023, **Leprino Foods Co.**, 400 Leprino Avenue, Waverly, NY 14892-1351.

This proposed facility is located in South Waverly Borough, **Bradford County**.

Description of Proposed Action/Activity: The applicant is proposing to use their existing treatment facilities in addition to installing new treatment facilities to meet the effluent limitations established in NPDES PA0232700. Treatment will consist of an influent lift station, 3 equalization tanks, flocculation tank, chemical feed system, dissolved air floatation (DAF) unit, selector tank, 2 aeration basins with fine bubble diffusion, 2 gravity clarifiers, and biosolids handling (biosolids holding tank) and dewatering (sludge thickener and sludge press), tertiary treatment equalization tank, chemical feed system, one fixed media filter (with provisions for an additional media filter in the future), Ultraviolet (UV) disinfection, effluent lift station, effluent discharge pumps (2), and a 800,000 gallon calamity preparedness tank.

WQM Permit No. 1787409 A-1, Sewage, SIC Code 4952, **City of Dubois, Clearfield County**, 16 W Scribner Avenue, DuBois, PA 15801-2210.

This existing facility is located in City of DuBois, **Clearfield County**.

Description of Proposed Action/Activity: Installation of chemical addition facilities for removal of copper in wastewater.

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.

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024513001(6)	Kalahari Resorts 1305 Kalahari Dr. P.O. Box 590 Wisconsin Dells, WI 53965	Monroe	Tobyhanna Township and Pocono Township	Swiftwater Creek (EV) UNT to Swiftwater Creek (EV)
	Pocono Manor Investors PT-L1 P.O. Box 38 The Inn at Pocono Manor Pocono Manor, PA 18349			Indian Run Creek (EV) UNT to Indian Run Creek (EV)

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

Permit #	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI033615011	Wesley Nolt 989 Goshen Mill Road Peach Bottom, PA 17563	Lancaster	East Drumore Township	UNT Conowingo Creek (HQ-CWF) EV Wetlands

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570.327.3574.

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD140001	Michele Brandt 47 Marvin Street Port Matilda, PA 16870	Centre	Patton Twp	UNT Buffalo Run, HQ-CWF

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

Permit No.	Applicant & Address	County	Municipality	Stream Name
PAD650001	Barrington Heights, LLC 1209 Route 286 Export, PA 15632	Westmoreland County	Murrysville Municipality	Turtle Creek (TSF); Steels Run (HQ-CWF)

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

Jefferson County Conservation District, 1514 Route 28, Brookville, PA 15825.

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI063316001	Brookville Municipal Authority 18 Western Avenue Suite A Brookville, PA 15825	Jefferson	Brookville Borough	Sandy Lick Creek TSF; Redbank Creek TSF; North Fork Redbank Creek HQ-CWF; Clement Run CWF

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

PAG-12 CAFOs

CAFO Notices of Intent Received

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

NPDES Permit No. PAG124811, CAFO, **McClellan Matthew L**, 443 Coolbaugh Hill Road, Granville Summit, PA 16926-9216.

This existing facility is located in Granville Township, **Bradford County**.

Description of size and scope of existing operation/activity: .

The receiving stream, Unnamed Tributary to North Branch Towanda Creek, is in watershed 4-C and classified for: Cold Water Fishes and Migratory Fishes.

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

NPDES Permit No. PAG124804 A-1, CAFO, **Stones Hog Products, LLC**, 12547 Stage Rd, McClure, PA 17841.

This existing facility is located in Spring Township, **Snyder County**.

Description of size and scope of existing operation/activity: Transfer from John & Trisha Stone and Amendment for proposed addition of a new swine finishing barn.

The receiving stream, Unnamed Tributary to Middle Creek, is in watershed 6-A and classified for: Cold Water Fishes and Migratory Fishes.

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

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>
Curtis Lehman 514 Bricker Road Bernville, PA 19506	Berks	201.7	412.31	Poultry	NA	R
Keith Musser 300 Evergreen Road New Bloomfield, PA 17068	Perry	0	443.52	Turkey	Shermans Creek HQ	New
Robert Brubaker, Sr. 1051 Fairview Road Manheim, PA 17545	Lancaster	25.1	15.07	Broilers	NA	R
Hibred Swine Farm Dave Heisler Marengo, OH 43334	Lancaster	10.4	591.75	Swine	HQ	R
Dale Frank 3167 Bossler Road Elizabethtown, PA 17022	Lancaster	520	802.04	Swine/Beef	NA	R

PUBLIC WATER SUPPLY (PWS) PERMITS

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

Persons wishing to comment on permit applications are invited to submit statements to the office listed before the application within 30 days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding an application. A comment should include the

name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

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

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

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

SAFE DRINKING WATER

Applications Received Under the Pennsylvania Safe Drinking Water Act

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

Permit No. 4616521, Public Water Supply.

Applicant	Aqua Pennsylvania Inc./Superior Water Company
Municipality	Douglass
County	Montgomery
Responsible Official	David Rinehart Superintendent 1885 Swamp Pike Suite 109 Gilbertsville, PA 19525
Type of Facility	PWS
Consulting Engineer	Steven E. Riley, P.E. Entech Engineering, Inc. 201 Penn Street Reading, PA 19602
Application Received Date	August 9, 2016
Description of Action	Connect a new public water supply well to the Aqua PA Superior Main System (PWSID # 1460085)

Permit No. 4616524, Public Water Supply.

Applicant	Horsham Water & Sewer Authority
Township	Horsham
County	Montgomery
Responsible Official	Anthony W. Trotter Asst. Treasurer 617 Horsham Road Horsham, PA 19044
Type of Facility	PWS
Consulting Engineer	Theresa A. Funk, P.E. Gilmore & Associates, Inc. 65 East Butler Avenue Suite 100 New Britain, PA 18901
Application Received Date	September 19, 2016
Description of Action	Installation of GAC treatment at 5 wells and an interconnection for treatment of PFC's construct 2 million gallon elevated storage tank.

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

Permit No. 2816502 MA, Minor Amendment, Public Water Supply.

Applicant	Mercersburg Water Authority
Municipality	Peters Township
County	Franklin
Responsible Official	Derek Stoy Assistant Authority Manager 113 South Main Street Mercersburg, PA 17236
Type of Facility	Public Water Supply
Consulting Engineer	Lance S. Kegerreis, P.E. Dennis E. Black Engineering Inc. 2400 Philadelphia Avenue Chambersburg, PA 17201
Application Received:	9/6/2016
Description of Action	Replacement of filter media and inspection of underdrains, backwash, and air scour systems.

MINOR AMENDMENT

Applications Received Under the Pennsylvania Safe Drinking Water Act

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

Application No. 6106501-MA2, Minor Amendment.

Applicant	Cornplanter Township Venango County
Township or Borough	Cornplanter Township
Responsible Official	Richard Balas Chairman—Board of Supervisors 136 Petroleum Center Road Oil City, PA 16301
Type of Facility	Public Water Supply
Consulting Engineer	Joseph A. Roddy, P.E. Stiffler McGraw 115 West Spring Street Titusville, PA 16354
Application Received Date	September 2, 2016
Description of Action	Cleaning, blasting, and painting existing storage tank.

WATER ALLOCATIONS

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

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

WA 66-1000, Water Allocation, **Deans Dominion LLC/East Mountain Ridge**, 293 Rivers Edge Drive, Toms River, NJ 08755, Plains Township, **Luzerne County**. The applicant is requesting an allocation for the purchase of water from the Pennsylvania American Company's Water System with a quantity of allocation of up to 23,100 gpd. Application was received on September 7, 2016.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 1

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

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

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

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

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

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

2797 Fair Road Property, 2797 Fair Road, South Manheim Township, **Schuylkill County**, Pennsylvania Tectonics, Inc., 723 Main Street, Archbald, PA 18403, on behalf of Mr. Francis Courtney, 2797 Fair Road, Auburn, PA 17922, submitted a Notice of Intent to Remediate. A release of fuel oil # 2 impacted soil and groundwater at this site. The proposed future use of the property will be residential. The proposed cleanup standard for this site is Statewide Health. The Notice of Intent to Remediate was published in *The Republic-Herald* on August 25, 2016.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

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

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

General Permit Application No. WMGR096SE007. Waste Management of Fairless, LLC, 1000 New Ford Mill Road, Morrisville, PA 19067. This application for of applicability (DOA) under General Permit No. (WMGR096SE007) is for the beneficial use of regulated fill as construction material at the Fairless Landfill site located in Falls Township, **Bucks County**. The application for determination of applicability was accepted as administratively complete by the Southeast Regional Office on September 6, 2016.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit,

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

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

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

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

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

36-05092B: Greiner Industries Inc. (1650 Steel Way, Mount Joy, PA 17552) for the construction of a spray paint booth at the structural steel manufacturing facility located in Mount Joy Township, **Lancaster County**. The expected potential to emit increases in facility emissions as a result of the changes proposed are: 0.1 tpy of PM, 1.7 tpy of NO_x, 1.0 tpy of CO, 8.4 tpy of VOC and 5.9 tpy of HAPs. The facility is a State Only facility. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission

of air contaminants including 25 Pa. Code § 129.52, and the best available technology requirements (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval will be incorporated into an Operating Permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.

Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648.

55-00005B: Wood-Mode, Inc. (One Second Street, Kreamer, PA 17833) for the installation of two fabric collectors and combustion changes to two existing natural gas/woodwaste-fired boilers with heat inputs of 10.2 MMBtus/hr (Boiler # 1) and 32 MMBtus/hr (Boiler # 3), at the company's Kreamer facility located in Middlecreek Township, **Snyder County**. The installations and combustion changes are being made in order to allow the respective boilers to comply with all applicable requirements of 40 CFR Part 63, Subpart DDDDD.

The Department of Environmental Protection's (Department) review of the information submitted by Wood-Mode Inc. indicates that the installations and combustion changes will comply with all regulatory requirements, including monitoring, testing, recordkeeping, and reporting requirements, and pertaining to air contamination sources and the emission of air contaminants including the National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial and Institutional Boilers and Process Heaters, 40 CFR 63.7480—63.7575, and 25 Pa. Code Chapters 123 and 127. Based on this finding, the Department proposes to issue a plan approval for the proposed installations and combustion changes. The emissions from Boilers # 1 and # 3, following the proposed installations and combustion changes, will comply with the following limitations: 0.051 lb/MMBtu of PM and 2,400 ppmvd, corrected to 3% oxygen, of carbon monoxide. In addition to the emission limitations, the following is a brief description of the types of conditions the Department intends to place in the plan approval in order to ensure compliance with all applicable air quality regulatory requirements: source testing of both boilers and the fabric collectors, semi-annual compliance reporting, boiler startup via natural gas firing, boiler load limitations, bag leak detectors and pressure differential gauges on each fabric collector, oxygen monitors on each boiler.

The facility is a major (Title V) facility. If the Department determines that the boilers are operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 55-00005B, the requirements established in the plan approval will be incorporated into Title V Operating Permit 55-00005 pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

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

Contact: Edward Orris, P.E., Environmental Engineer Manager—Telephone: 412-442-4161.

PA-03-00244A: In accordance with 25 Pa. Code §§ 127.44—127.46, the Pennsylvania Department of Environmental Protection (DEP) is providing notice that it intends to issue an Air Quality Plan Approval to **Dominion Transmission, Inc.** (DTI) (5000 Dominion Boulevard, Glen Allen, VA 23060) to authorize the inclusion of emissions from the Solar Taurus turbine due to startup and shutdown events and low temperature operations as well as the continued operation of the previously authorized sources at their existing Rural Valley Compression Station located in Valley Township **Armstrong County**.

The previously installed air contamination sources for this project include one (1) Solar Taurus 70-10802S Turbine rated at 10,915 bhp controlled by one (1) oxidation catalyst. The NO_x emissions from Solar Turbine will be controlled by a SoLoNO_x burner and NMNEHC, CO, and HCHO emissions will be controlled by a catalytic oxidation system. The previously installed hot water boiler rated at 3.5 MMBtus/hr is being replaced with a new hot water boiler rated at 5.25 MMBtus/hr in this plan approval modification.

The project will result in a modification of the existing facility with a net facility wide emission increase of 0.6 tpy of VOC, 8.9 tpy of CO, and 0.3 tpy of NO_x. Upon authorization of this plan approval the facility potential to emit will not exceed 49.9 tons of VOC, 51.3 tons of NO_x, 22.6 tons of CO, 8.0 tons of PM₁₀, 1.0 ton of SO_x, 6.1 tons of HAP, and 2.9 tons of HCHO on an annual basis. The proposed Plan Approval includes a limitation on potential emissions, hours of operation, as well as LDAR, monitoring, record keeping, reporting, work practice, and performance testing requirements.

Previously installed equipment includes one (1) Cat G3606 engine rated at 1,775 bhp and controlled by an oxidation catalyst, one (1) Cat 3612 engine rated at 3,550 bhp and controlled by an oxidation catalyst, one (1) Cat G3412 emergency engine rated at 690 bhp and controlled by an oxidation catalyst, one (1) Natco glycol dehy attached to a reboiler rated at 0.275 MMBtu/hr, a thermal oxidizer rated at 4.0 MMBtus/hr, and one (1) Storage tank.

A person may oppose the proposed plan approval by filing a written protest with the Department through Jesse Parihar via mail to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; email to jparihar@pa.gov; or fax to 412.442.4194. Written comments may also be submitted via the same methods. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-03-00244A), and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based.

DTI's Plan Approval application, the Department's Air Quality Review Memorandum, and the Proposed Air Quality Plan Approval for this project are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the DTI Plan Approval Application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed air Quality Plan Approval for this project, a person may contact Jesse Parihar at jparihar@pa.gov or 412.442.4030.

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

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

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

25-923B: Erie Power, LLC (131 Varick St., Suite 1006, New York, NY 10013) for the reactivation of two (2) 35 MW natural gas-fired combustion turbines at their facility in North East Township, **Erie County**.

Notice is hereby given pursuant to 25 Pa. Code §§ 127.44(b) and 127.424(b), that the Pennsylvania Department of Environmental Protection (DEP) intends to issue Plan Approval 25-923A to Erie Power, LLC for the two (2) 35 MW natural gas-fired combustion turbines at the company's facility located at 10915 Ackerman Lane, North East Township, Erie County.

The facility currently has a Title V permit No. 25-00923. The Plan Approval will subsequently be incorporated into the Title V Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

The subject plan approval is for the reactivation of the two (2) existing 35 MW natural gas-fired combustion turbines at the facility (Source ID's 001 & 002). The subject sources were deactivated in October 2010. Therefore, in accordance with 25 Pa. Code § 127.11a(b), the permittee must both comply with the requirements of 25 Pa. Code § 127.11a(a), and demonstrate BAT for the subject source(s).

Proposed BAT for the combustion turbines will consist of steam injection and good combustion practices for control of NO_x, use of oxidation catalyst and good combustion practices for control of CO and VOC, and use of low sulfur fuels and good combustion practices for control of PM and SO₂.

Based on the information provided by the applicant and DEP's own analysis, the proposed source will result in potential emissions of 121.0 tons of nitrogen oxides (NO_x), 110.7 tons of carbon monoxide, 21.5 tons of particulate matter, 16.8 tons of volatile organic compounds (VOC), and 2.6 tons of sulfur dioxide per year for each source, which does not represent an increase over previously-authorized emission limits for these source(s). Additionally, the Plan Approval contains newly applicable RACT provisions of 25 Pa. Code §§ 129.96—129.100.

The Plan Approval will contain additional testing, monitoring, recordkeeping, reporting, and work practice requirements 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 are available for public inspection between the hours of 8 a.m. and 4 p.m. weekdays at the address shown below. To make an appointment, contact Records Management at 814-332-6340.

Anyone wishing to provide DEP with additional information they believe should be considered may submit the information to the address shown below. Comments must be received by the Department within 30 days of the last day of publication. Written comments should include the name, address, and telephone number of the person submitting comments, identification of the proposed Plan Approval; No. 25-923B and a concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted on the comments received during the public comment period. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a local newspaper of general circulation or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Christina S. Nagy, Regional Air Quality Manager, Department of Environmental Protection, Northwest Regional Office, 230 Chestnut St., Meadville, PA 16335, 814-332-6411.

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

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

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

22-03046: Pennsy Supply, Inc. (1 Clear Spring Road, Annville, PA 17003) to issue a State-Only Operating Permit for the operation of the Fiddler's Elbow North stone crushing facility in Lower Swatara Township, **Dauphin County**. Potential emissions from the facility are estimated to be 17.5 tpy PM, 6.7 tpy of PM₁₀, 1.0 tpy PM_{2.5}. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 60 Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

67-03154: Service Tire Truck Center, Inc. (2800 Concord Road, York, PA 17402) to issue a State Only Operating Permit for a truck tire retreading facility in Springettsbury Township, **York County**. The actual emissions for 2015 are approximately 0.67 tpy of VOC and 0.01 tpy of PM₁₀. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code Chapter 123.

36-05135: StyleCraft Corporation (400 Broad Street, Terre Hill, PA 17581) to issue a State-Only Operating Permit for the operation of their wood furniture manufacturing facility located in Terre Hill Borough, **Lancaster County**. Actual emissions from the facility in 2014 were estimated at 6.43 tons VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include surface coating provisions derived from 25 Pa. Code § 129.52.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.

Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648.

14-00016: Penns Valley Area School District (4528 Penns Valley Road, Spring Mills, PA 16875) to issue a

State-Only Operating Permit renewal for their elementary and intermediate school and the junior and senior high school buildings located in Penn Township, **Centre County**. The facility is currently operating under Plan Approval 14-00016A. The facility's main sources include a 9.70 MMBtu/hr, Challenger Energy Systems model CCU409-W, wood-fired boiler and a multi-clone collector, two 7.07 MMBtu/hr # 2 fuel oil fired boilers, and one 1.80 MMBtu/hr # 2 fuel oil fired boiler. The Department intends to incorporate into the operating permit all applicable conditions contained in the Plan Approval 14-00016A. This facility has the potential to emit 9.32 tons of carbon monoxide, 20.69 tons of nitrogen oxides, 9.57 tons of particulate matter (including particulate matter less than 10 microns) and 8.40 tons of particulate matter less than 2.5 microns, 4.63 tons of sulfur oxides, 0.82 ton of volatile organic compounds, 0.73 ton of hazardous air pollutants. The boilers are subject to Subpart JJJJJJ of the Federal National Emission Standards for Hazardous Air Pollutants for Source Categories (Industrial, Commercial, and Institutional Boilers Area Sources), 40 CFR 63.11193—63.11237. The emission limits, throughput limitations and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145 as well as 40 CFR Part 63. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

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

Contact: Tom Joseph, Permitting Chief—Telephone: 412-442-4336.

26-004520: NobelClad, A DMC Company (1138 Industrial Park Drive, Mt. Braddock, PA 15465), for a facility-wide Natural Minor Operating Permit renewal for the operation of a metals cladding facility, known as the Mt. Braddock Facility, located in Dunbar Facility, **Fayette County**. The facility clads, heat treats, cuts, and sandblasts metals. The plant contains a heat treating furnace (13.5 MMBtus/hr), plasma cutting machine, and sandblasting equipment. Air pollution prevention equipment at the facility consists of a cartridge filter dust collector. Facility emissions are 1.5 ton of NO_x, 1.5 ton of CO, 1.9 ton of PM₁₀, 1.0 ton of PM_{2.5}, 0.3 ton of chromium, and 0.5 ton of all HAPs combined per year. The facility is limited to a maximum opacity from any processing equipment of 20 percent. The facility is subject to the applicable requirements of 40 CFR Part 63, Subpart XXXXXX—National Emission Standards for Hazardous Air Pollutants Area Source Standards for Nine Metal Fabrication and Finishing Source Categories and 25 Pa. Code Chapters 121—145. The permit includes emission limitations, and operational, monitoring, reporting, and recordkeeping requirements for the facility.

NobelClad's State Only Operating Permit renewal application, the Department's Air Quality Review Memorandum, and the proposed Air Quality State Only Operating Permit for this project are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a

review of the State Only Operating Permit renewal application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed Air Quality State Only Operating Permit for this project, a person may contact Phil Bouse at pbouse@pa.gov or 412.442.4000.

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

All comments, requests for a public hearing, and protests to a proposed action, shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). Comments, requests for a public hearing, and protests must include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (State Only Operating Permit 26-00520) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

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

Comments, protests and requests for a public hearing should be directed to Martin L. Hochhauser, P.E., Air Quality Engineer, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. (mhochhause@pa.gov, fax 412-442-4194).

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

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

25-00911: Humane Society of Northwestern Pennsylvania (2407 Zimmerly Road, Erie, PA 16506-4905) for a renewal of the Natural Minor Operating Permit to operate a pet shelter and cremator located in Millcreek Township, **Erie County**. The emitting sources include the Incinerator equipped with a secondary chamber. The emission of pollutants from the facility is less than the Title V threshold-limits. Thus, the facility is natural minor. The emission of VOC and Criteria Pollutants from the facility is less than the Title V threshold.

25-00983: Rupp Auto Livery (303 East 32nd Street, Erie, PA 16504). The Department intends to renew a State Only Operating Permit for the human remains crematory located in the City of Erie, **Erie County**. The facility is a Natural Minor. The primary source at the facility is a human crematory. Potential emissions are as follows: 0.096 tpy NO_x; 0.0 tpy CO; 0.027 tpy PM; 0.018 tpy SO_x; 0.018 tpy VOC. The renewal permit contains emission restrictions, recordkeeping, and work practice

requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

42-00184: Keystone Powdered Metal Company, Lewis Run Plant (1 American Way, Sharon, PA 16146) for intent to renew a Natural Minor Operating Permit to operate a powder metal components manufacturing company located in Lewis Run Borough, **Mckean County**. The emitting sources include: Source ID # 105: # 4733 Induction Heat Treater, Source ID # 1461: 4' x 8' Electric Sintering Furnace, 48' Electric Sintering Furnace, Source ID # 2744: 48' Electric Sintering Furnace—Pusher, Source ID # 4206: 48' Electric Sintering Furnace—Belt, Source ID # 5417: 32' Electric Sintering Furnace—Belt, Source ID # 5941: # 5941 32' Electric Sintering Furnace—Belt, Source ID # 6490: Tempering Furnace, Source ID # 6617: Samsco Unit (Water Evaporator), Source ID # 6967: Emergency Generator, Source ID # 7001: Parts Washer, and Source ID # 7812: Induction Heat Treater. The two heat treat furnaces and the tempering furnace are controlled by individual smog hogs. The permit contains the requirements of the previous applicable plan approvals, as well as recordkeeping, work practice requirements and additional requirements to demonstrate compliance with the Clean Air Act. The emergency generator engine is subject to 40 CFR 63 Subpart ZZZZ pertaining to the National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. The potential emissions from the facility stated in the permit application are: Total Particulate Matter 0.45 Ton per year (TPY), Oxides of Nitrogen 0.86 TPY, Carbon Monoxide 0.72 TPY, and Volatile Organic Compound: 0.07 TPY.

43-00280: Chevron, Inc./Miller Industries (2755 Kirila Blvd, Hermitage, PA 16148-9019). The Department intends to issue a State Only Operating Permit renewal for the facility located in Lackawannock Township, **Mercer County**. The facility is a Natural Minor. The primary sources at the facility are 3 spray paint booths. Potential emissions are as follows: 0.64 tpy NO_x; 0.54 tpy CO; 23.7 tpy VOC; 9.8 tpy MIBK; 9.8 tpy glycol ethers; 9.8 tpy xylene; and 15.0 tpy all HAPs combined. The renewal permit contains emission restrictions, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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

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

S16-001: Naval Foundry and Propeller Center (1701 Kitty Hawk Ave, Philadelphia, PA 19112), for the operation of a foundry for the manufacture of propellers in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include sand mixing including two mixers, fourteen (14) electric induction furnaces, sand conveying operations, blasting, metal grinding, sawing, eighteen (18) combustion units burning natural gas each rated at 20 MMBTUs/hr or less, twenty-five (25) combustion units burning natural gas each rated at 3.0 MMBTUs/hr or less, propeller cleaning, paint spraying, film developing, and one (1) 795 kilowatt emergency generator burning diesel fuel. The facility's air emission control devices include six (6) baghouses.

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

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

S16-000: University of the Sciences in Philadelphia (600 South 43rd Street, Philadelphia, PA 19104), for the operation of a university in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include two (2) boilers each 15 MMBTUs/hr burning No. 2 or natural gas, one (1) boiler 5 MMBTUs/hr burning No. 2 or natural gas, two (2) boilers 8.29 MMBTUs/hr burning natural gas, thirty-five (35) combustion units burning natural gas each rated 3 MMBTUs/hr or less, one (1) boiler 0.80 MMBTU/hr burning No. 2 fuel oil, six (6) emergency generators burning No. 2 fuel oil each 450 kilowatts or less, and one (1) particulate source with mills, tablet presses, and extruders.

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

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

PLAN APPROVALS

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

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

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

40-00014A: Bimbo Bakeries USA, Inc. (541 White Birch Road, Hazleton, PA 18202) for construction of one (1) anaerobic digester to produce biogas fuel for their facility located in Hazle Township, **Luzerne County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a) the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Bimbo Bakeries USA, Inc., 541 White Birch Road, Hazleton, PA 18202 for their facility located in Hazle Township, Luzerne County. This Plan Approval No. 40-00014A will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 40-00014A is for the construction of one (1) new anaerobic digester to produce biogas fuel to be used as a supplementary fuel in two (2) existing 5.103 MMBth/hr boilers. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

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. 40-00014A 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, Phone 570-826-2511 within 30 days after publication date.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

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

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

Coal Applications Received

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

Permit No. 56960107 and NPDES No. PA0234231, PBS Coals, Inc., 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, permit renewal for reclamation only of a bituminous surface and auger mine in Jenner Township, **Somerset County**, affecting 135 acres. Receiving streams: unnamed tributaries to/and Quemahoning Creek classified for the following use: cold water fishes. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Quemahoning SWI. Application received: September 6, 2016.

Permit No. 56950108 and NPDES No. PA0213195, Fieg Brothers Coal Co., 3070 Stoystown Road, Stoystown, PA 15563, permit renewal for reclamation only of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 112.25 acres. Receiving streams: unnamed tributaries to Buffalo Creek classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: September 6, 2016.

Permit No. 56130111 and NPDES No. PA0269631, Coal Loaders, Inc., 210 East Main Street, P.O. Box 556, Ligonier, PA 15658, commencement, operation and restoration of a bituminous surface mine to add auger mining with minor permit boundary redistribution in Stonycreek Township, **Somerset County**, affecting 44.9 acres. Receiving stream: Stonycreek River classified for the following use: cold water fishes. The first downstream potable water supply intake from the point of discharge is Hooversville Borough. Application received: September 6, 2016.

Permit No. 56110102 and NPDES No. PA0263184, Marquise Mining Corporation, P.O. Box 338, Blairsville, PA 15717, permit renewal for reclamation only of a bituminous surface and auger mine in Lincoln Township, **Somerset County**, affecting 45.5 acres. Receiving streams: Quemahoning Creek (Kiski-Conemaugh TMDL) classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: September 9, 2016.

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

16090102. Reichard Contracting, Inc. (212 Olean Trail, New Bethlehem, PA 16242) Revision to an existing bituminous surface and auger mine to change the post-mining land use from forestland and forestland abandoned surface mine to unmanaged natural habitat on the Raymond C. Shreckengost property in Porter Township, **Clarion County**. Receiving streams: Three unnamed tributaries to Leisure Run and Leisure Run, one unnamed tributary to Long Run and Long Run, all classified for the following uses: CWF. The first downstream potable water supply intake from the point of discharge is Redbank Valley Municipal Authority. Application received: September 12, 2016.

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

17140103 and NPDES PA0269743. RES Coal LLC (224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920). Commencement, operation, and restoration of a bituminous surface and auger mine located in Chest and Burnside Townships, **Clearfield County** affecting 184.5 acres. Receiving stream(s): Unnamed Tributaries to Spring Run classified for the following use(s): CWF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: September 8, 2016.

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

Permit No. 5273SM2C7 and NPDES Permit No. PA0594261. H & K Group, Inc., (P.O. Box 196, Skip-pack, PA 19474), correction to an existing quarry operation to change the post-mining land use to either a water filled impoundment or a return to original contour through the use of imported reclamation fill in Aston Township, **Delaware County** affecting 50.02 acres, receiving stream: Chester Creek, classified for the following use: trout stock fishes. Application received: September 8, 2016.

Noncoal Applications Received

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

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

* The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applied to surface runoff resulting from a precipitation event of less than or equal to a 10-year 24-hour event. If coal will be extracted incidental to the extraction of noncoal

minerals, at a minimum, the technology-based effluent limitations identified under coal applications will apply to discharges of wastewater to streams.

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

37080305 and NPDES Permit No. PA0258636. 422 Aggregates, LLC (960 Penn Avenue, Suite 1200, Pittsburgh, PA 15222) Transfer of an existing large industrial minerals mine and associated NPDES permit from Terra Resources, LLC in Slippery Rock Township, **Lawrence County**, affecting 83.8 acres. Receiving streams: Unnamed tributary to Slippery Rock Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: September 13, 2016.

37070301 and NPDES Permit No. PA0258407. 422 Aggregates, LLC (960 Penn Avenue, Suite 1200, Pittsburgh, PA 15222) Transfer of an existing large industrial minerals mine and associated NPDES permit from Terra Resources, LLC in Slippery Rock Township, **Lawrence County**, affecting 74.0 acres. Receiving streams: Unnamed tributary to Slippery Rock Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: September 13, 2016.

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

53110301 and NPDES PA0257788. North Penn Supply Quarries, LLC (269 Route 6 West, Galeton, PA 16922). Transfer from Jerome Eckert, revision to add 2.9 acres, and NPDES renewal on an existing large noncoal surface mining site located in Sweden Township, **Potter County** affecting 20.9 acres. Receiving stream(s): Mill Creek. Application received: September 9, 2016.

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

26092001 and NPDES Permit No. PA0251658. Bullskin Stone and Lime, LLC (P.O. Box 528, Latrobe, PA 15650). NPDES renewal application for continued mining to an existing large noncoal surface mine, located in Bullskin Township, **Fayette County**, affecting 307.8 acres. Receiving streams: unnamed tributaries to Mounts Creek and Mounts Creek, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: September 12, 2016.

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

Permit No. 58002810. Richard A. Jenkins, (362 Grinnell Road, Kingsley, PA 18826), Stage I & II bond release of a quarry operation in Bridgewater Township, **Susquehanna County** affecting 3.0 acres on property owned by Dave & Lucy Lewis and Robert & Beverly Stankiewicz. Application received: September 6, 2016.

MINING ACTIVITY NPDES DRAFT PERMITS

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

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

Effluent Limits for Coal Mining Activities

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

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

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

Alkalinity greater than acidity*

*The parameter is applicable at all times.

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

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

Effluent Limits for Noncoal Mining Activities

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

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

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

More restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining that may occur are incorporated into an NPDES permit when necessary for compliance with water quality standards and 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. PA0236004 (Mining Permit No. 63091301), Tunnel Ridge, LLC, (2596 Battle Run Road, Triadelphia, WV 26059). A renewal to the NPDES and mining activity permit for the Tunnel Ridge Mine in Donegal and West Finley Townships, **Washington County**. Surface Acres Affected 12.8. Receiving stream: Little Wheeling Creek, classified for the following use: WWF. The application was considered administratively complete on February 25, 2016. Application received October 22, 2015.

The permittee is not authorized to discharge from any point source other than sediment traps specifically designed using Best Management Practices to capture and contain sediment from normal stormwater runoff.

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

NPDES No. PA0249122 (Mining Permit No. 56020101), Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201 renewal of an NPDES permit for surface coal mining in Jenner Township, **Somerset County**, affecting 57.3 acres. Receiving stream: unnamed tributary to Roaring Run, classified for the following use: cold water fishes. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: April 28, 2014.

The outfall listed below discharges to an unnamed tributary to Roaring Run:

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

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

<i>Outfall: 004 (All Weather Conditions)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
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	70	90
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

NPDES No. PA0262960 (Mining Permit No. 32100201), Robindale Energy Services, Inc., 224 Grange Hall Road, Armagh, PA 15920, renewal of an NPDES permit for discharge of water resulting from coal refuse reprocessing activities in Brush Valley Township, **Indiana County**, affecting 58.5 acres. Receiving stream: Blacklick Creek, classified for the following use: Trout Stocked Fishery. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: August 31, 2016.

The outfalls listed below discharge to Blacklick Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001 (ST-1)	N
002 (TF-1)	N
003 (ST-2)	N
004 (ST-3)	N
006 (ST-4)	N
007 (ATF)	N

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

<i>Outfalls: 001—007 (All Weather Conditions)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
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

NPDES No. PA0597457 (Mining Permit No. 32850114), Beilchick Brothers, P.O. Box 7, Heilwood, PA 15745, renewal of an NPDES permit for surface mining of coal in Pine Township, **Indiana County**, affecting 221.0 acres. Receiving streams: unnamed tributaries to Little Yellow Creek, classified for the following uses: High quality cold water fishes. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: March 18, 2016.

The outfalls listed below discharge to unnamed tributaries to Little Yellow Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001	N
002	N
003	N
004	N
005	N
006	N
007	N
008	N

The proposed effluent limits for outfalls 001, 002, 003 & 004 are as follows:

<i>Outfalls: (All Weather Conditions)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
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 milliosmoles/kg

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times

Alkalinity must exceed acidity at all times

The proposed effluent limits for outfalls 005, 006, 007 & 008 are as follows:

<i>Outfalls: (All Weather Conditions)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
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

NPDES No. PA0263087 (Mining Permit No. 11100104), RJC Kohl, Inc., 1927 Killen School Road, Nicktown, PA 15762, renewal of an NPDES permit for bituminous surface mine in Susquehanna, West Carroll and Elder Townships, **Cambria County**, affecting 76 acres. Receiving stream(s): unnamed tributaries to Fox Run, classified for the following use(s): cold water fishes. This receiving stream is included in the West Branch Susquehanna River TMDL. Application received: August 30, 2016.

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

The treated wastewater outfall(s) listed below discharge to unnamed tributary to unnamed tributaries to Fox Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
004	N
005	N
006	N

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

<i>Outfalls: 004, 005, 006</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>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
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The stormwater outfall(s) listed below discharge to unnamed tributary to unnamed tributaries to Fox Run:

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

NPDES No. PA0279404 (Mining Permit No. 56140106), Mountaineer Mining Corporation, 1010 Garrett Shortcut Road, Berlin, PA 15530, for a new NPDES permit for surface mining activities in Brothersvalley Township, **Somerset County**, affecting 36.0 acres. Receiving streams: unnamed tributaries to Piney Run, classified for the following use: cold water fishes. This receiving stream is subject to the Casselman River TMDL. Application received: June 27, 2016.

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

The treated wastewater outfall listed below discharge to an unnamed tributary to Piney Run:

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

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

<i>Outfall: 001</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Iron (mg/l)	1.8	3.6	4.5
Manganese (mg/l)	1.7	3.4	4.2
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			

The stormwater outfalls listed below discharge to an unnamed tributary to Piney Creek:

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

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

<i>Outfalls: 002 and 003</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>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
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

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

NPDES No. PA0220159. (Mining permit no. 17950113), Waroquier Coal Company, P.O. Box 128, Clearfield, PA 16830 renewal of an NPDES permit for surface coal mining in Greenwood Township, **Clearfield County**, affecting 60.2 acres. Receiving stream(s): Watts Creek classified for the following use(s): High Quality. Clearfield Creek TMDL. Application received: March 5, 2016.

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

The outfall(s) listed below discharge to Watts Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TP-1	N
TP-2	N

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

Parameter	Minimum	30-Day Average	Daily Maximum	Instant. Maximum
pH ¹ (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.6	1.2	1.5
Alkalinity greater than acidity ¹				
Total Suspended Solids (mg/l)		35.0	70.0	90.0

Noncoal NPDES Draft Permits

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

NPDES No. PA0259071 (Permit No. 16112803). Ancient Sun, Inc. (P.O. Box 129, Shippenville, PA 16254) Renewal of the existing NPDES permit for a small industrial minerals surface mine in Elk Township, **Clarion County**, affecting 5.0 acres. Receiving streams: Unnamed tributary to Canoe Creek, classified for the following uses: HQ-CWF. TMDL: Lower Clarion River. Application received: August 19, 2016.

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

There are no discharges from this permit.

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.

E15-873: Hankin Group, 707 Eagleview Boulevard, Exton, West Whiteland Township, **Chester County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities within the floodway of Lionville Run (CWF, MF) associated with the Marquis at Exton Project, Residential Subdivision.

1. To construct and maintain a 6-foot wide pedestrian Bridge situated above the floodway and measuring approximately 100 feet in length associated within the subdivision.

2. To expand and maintain about 18-foot culvert extension along the upstream side of the existing West Lincoln Highway culvert.

3. To construct and maintain 4 stormwater outfall structures along the stream.

The site is located at about 2,500 feet northeast of the intersection of Lincoln Highway (SR 3070) and Whitford Road (USGS Downingtown, PA Quadrangle Latitude 40.027790; Longitude -75.637076).

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

E06-703: Plenary Walsh Keystone Partners, Cumru Township, **Berks County**, U.S. Army Corps of Engineers Philadelphia District.

To remove the existing structure and to (1) construct and maintain a 74.2 foot long, 26.0 foot wide concrete box culvert depressed 1.0 foot with baffles and place R-8 riprap scour protection choked with native stream bed material in Wyomissing Creek (HQ-CWF, MF) and its associated floodway and floodplain and (2) temporarily impact 7 linear feet of a UNT to Wyomissing Creek (HQ, CWF) for construction activities (Latitude 40°16'55.6", Longitude -75°59'31.2") for the purpose of replacing a structurally deficient bridge as part of the Public Private Partnership (P3) Rapid Bridge Replacement Program. The project is located along S.R. 3009 (Wyomissing Road) in Cumru Township, Berks County.

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

E53-449. Plenary Walsh Keystone Partners, 2000 Cliff Mine Road, Park West Two, 3rd Floor, Pittsburgh, PA 15275. SR 0044, Section A10, Bridge to Bridge Replacement Project, Abbott Township, **Potter County**. USACOE Baltimore District (Galeton, PA Quadrangle Latitude: 41° 37' 30.1"; Longitude: 77° 43' 03.6").

The applicant is seeking authorization to remove an existing single span bridge and construct, operate and maintain single span bridge to carry SR 0044, Section A10, across Little Kettle Creek. Chapter 93 Rules and Regulations designate Little Kettle Creek and associated wetlands as Exceptional Value-Migratory Fish. The single span concrete bridge to carry SR 0044 across Little Kettle Creek Run shall be constructed to minimally have a normal clear span of 41.8-feet and underclearance of 5.8-feet. As proposed, SR 0044, Section A10, Bridge to Bridge Replacement Project will incur maximum 120-feet of temporary stream impact and 50-feet of permanent stream impact, whereas 0.08-acre of temporary wetland impact and 0.05-acre of permanent wetland impact will be incurred. The project is located along the eastern and western right-of-ways of SR 0044 approximately 0.3-mile south of SR 0144 and SR 0044 intersection in Abbott Township, Potter County. The Department has deemed 0.05-acre of reported Exceptional Value wetland impacts as de minus, for which replacement wetlands shall not be required for mitigation.

E14-571. Potter Township, 124 Short Road, Spring Mills, PA 16875. Bloom Road Sewer Treatment, in Potter Township, **Centre County**, ACOE Baltimore District (Spring Mills, PA Quadrangle N: 40°47'22.55"; W: 77°37'18.69").

To construct and maintain a small flow sewer treatment facility in order to replace the function of 4 malfunctioning Bloom Road residential on-lot sewer treatment systems located in the FEMA mapped Zone A 100-year flood plain. This project proposes to: 1) temporarily impact 20 linear feet of Potter Run and 0 acres of wetland, 2) permanently impact 10 linear feet of Potter Run and 0 acres of wetland, which is classified as High Quality Fishery.

E08-496. Plenary Walsh Keystone Partners, 2000 Cliff Mine Road, Park West Two, 3rd Floor, Pittsburgh, PA 15275. The site is situated off of S.R. 4013/Berwick Turnpike, Ridgebury Township, **Bradford County**, ACOE Baltimore District (Columbia Cross Roads, PA, Quadrangle Latitude: 41.9309; Longitude: -76.701799).

The Pennsylvania Department of Transportation (PennDOT), through the P3 Rapid Bridge Replacement Project (RBRP), proposes to replace S.R. 4013, Section 016 (Berwick Turnpike) bridge over Miller Run on the existing alignment. The project entails replacement of the deteriorating structure with the following: guiderail updates, drainage improvements, and the mill and overlay of the approaches. Minor profile adjustments along the roadway approaches are anticipated. The normal stream flow does not overtop the temporary conditions cofferdam. Two 18" diameter temporary pipes will be installed. Additionally, a permanent right-of-way will be acquired directly around the bridge to accommodate any bridge and roadway widening and the wing walls, in addition to temporary construction easements (TCE) needed to access the bridge location.

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

E02-1737, FJIC, LLC, 109 Dark Hollow Road, Oakmont, PA 15139, Oakmont Borough, **Allegheny County**, Pittsburgh ACOE District.

The applicant is proposing to:

Remove an existing 48"-steel culvert and construct and maintain a replacement 160 lf culvert, consisting of two—48" diameter CMP culverts in an Unnamed Tributary (UNT) to Plum Creek (WWF),

Remove an existing 42" diameter steel culvert and restore 60 LF of the aforementioned UNT to Plum Creek,

For the purpose of replacing one structurally deficient culvert for site access and remove and restore a second structurally deficient culvert currently not needed. The project is located near the intersection of New London Lane and Dark Hollow Road (Quadrangle: New Kensington West, PA, Latitude: 40° 30' 51.3"; Longitude: -79° 49' 36.7") in Oakmont Borough, Allegheny County. The project will cumulatively result in 220LF of permanent impact to the UNT to Plum Creek.

E32-520, PennDOT District 10-0, 2550 Oakland Avenue, PO Box 429, Indiana, PA 15701, Center Township, **Indiana County**, Pittsburgh ACOE District.

The applicant is proposing to:

Remove the existing 73.08' wide, 130.39' long two span bridge having a minimum underclearance of 28.22' carrying SR 119 over Yellow Creek (CWF) with a drainage area of 65.8 square miles; construct and maintain a replacement 81.875' wide, 174.54' long single span bridge with a minimum underclearance of 27.03' in the same location.

Place and maintain fill in 600' of an unnamed tributary to Yellow Creek (UNT 7, CWF) with a drainage area of less than 100 acres and construction and maintain a 787' long replacement channel. In addition, construct and maintain a 48 inch diameter, 50' culvert crossing of UNT7 for stormwater basin access.

Permanently impact an additional 393' of unnamed tributaries to Yellow Creek (CWF) with drainage areas of less than 100 acres;

In addition place and maintain fill in 0.23 acre of PEM wetland, install and maintain road associated stormwater outfalls, and temporarily impact 0.11 acre of PEM wetland and 491' of stream for the purpose of constructing these encroachments. Wetland mitigation will occur at the Indiana County Wetland Bank.

This work is associated with the SR 119 Homer City Road project, with these encroachments located approximately 0.5 mile south of the work being completed under E32-506 and with road work extending another 0.5 mile south from Center Township into Homer City Borough, in Indiana County (Indiana PA quadrangle; Latitude: 40° 32' 55" and Longitude: -79° 9' 16").

E63-642, Investors Mark Acquisitions, LLC, 124 Windermere Court, McMurray, PA 15317, Peters Township, **Washington County**, Pittsburgh ACOE District.

The applicant is proposing to:

Amend permit number E63-642 which authorized the construction of a box culvert having a span of 10.0 ft. with an underclearance of 6.0 feet approximately 96.0 feet in length located under Villa Drive, to realign 50.0 linear feet of stream channel in an unnamed tributary to Brush Run (WWF), to impact 95.0 linear feet of unnamed tributary to Brush Run (WWF) and 0.17 acre associated wetlands to construct and maintain a 36.0 inch diameter culvert approximately 84.0 feet in length, to impact 90.0

linear feet of an unnamed tributary to Brush Run (WWF) to construct and maintain a 36.0 inch diameter culvert approximately 80.0 feet in length in located under Villa Drive near the cul de sac of Villa Drive, and to construct and maintain an 8.0 inch diameter sewer line under the bed and across the channels of said streams and associated wetlands, to place and maintain 11,989 square feet of fill within the floodway of the aforementioned UNT to Brush Run.

The project is located on the north side of Just About Road, approximately 1,400.0 feet north from the intersection of Just About Road, Farm Road and Sienna Trail (Bridgeville, PA Quadrangle; N: 10.5 inches; W: 2.75 inches; Latitude: 40° 18' 24"; Longitude: 80° 01' 11") in Peters Township, Washington County.

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

E20-600, John Hudson, 4393 Whippoorwill Drive, Hermitage, PA 16148. Conneaut Lake Wolf Island Access, in Sadsbury Township, **Crawford County**, ACOE Pittsburgh District (Conneaut Lake, PA Quadrangle N: 41° 37', 09.01"; W: 80°, 18', 43.99").

To construct a 1,026 ft long by 18 ft wide timber bridge across a wetland to provide access for a planned single family home on the peninsula locally known as Wolf Island along the western shore of Conneaut Lake. The proposed bridge will be elevated on wooden piers approximately 5 feet above the wetland and will be built using deck level construction to minimize impacts. The project also includes a 30' by 42' boat house, a 10' by 30' dock, installation of four 4-inch conduits through the wetland adjacent to the bridge for residential utilities, and approximately 950 linear feet of shoreline protection. Project impacts include 0.028 acre of permanent wetland impact, 0.022 acre of temporary wetland impact, 1,560 ft² of permanent lake impacts, and 950 ft of shoreline.

ENVIRONMENTAL ASSESSMENTS

Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 2, 400 Market Street, P.O. Box 8460, Harrisburg, PA 17105-8460.

EA3614-002. Oak Tree Development Group, 2450 Marietta Avenue, Lancaster, PA 17601, East Hempfield Township, **Lancaster County**, USACOE Baltimore District.

Project proposes to excavate and remove approximately 53,000 cubic yards of legacy sediment from an approximately 11 acre floodway area of Brubaker Run (WWF) for the purpose of restoring natural aquatic ecosystems; realign the stream for the purpose of restoring approximately 4,000 lineal feet of stream channel; and place wood grade control structures and other large woody debris in restored channels and floodway areas. The project is located between Running Pump Road and Rohrerstown Road (SR 741) (USGS Quadrangle: Lancaster, PA; Latitude: 40°02'43"; Longitude: -76°22' 1.2").

EROSION AND SEDIMENT CONTROL PERMITS

The following parties have applied for Erosion and Sediment Control Permits for earth disturbance activities associated with either road maintenance or timber harvesting operations.

Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department proposes to issue a permit to

discharge, subject to certain limitations in the permit conditions. These proposed determinations are tentative. Limitations are provided as erosion and sediment control best management practices which restrict the rate and quantity of sediment discharged.

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

Following the 30-day comment period, the appropriate regional office water management program manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board (Board).

The application and related documents, including the erosion and sediment control plan for the earth disturbance activity, are on file and may be inspected at the appropriate regional office.

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

Applications received under sections 5 and 402 of The Clean Streams Law (35 P.S. §§ 691.5 and 691.402)

Southwest District: Oil & Gas Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222.

ESCGP-2 # ESG16-059-0030
Applicant Name Rice Poseidon Midstream, LLC
Contact Person Kyle Shirey
Address 2200 Rice Drive
City, State, Zip Canonsburg, PA 15317
County Greene County
Township(s) Center Township
Receiving Stream(s) and Classification(s) UNTs of Claylick Run (HQ-WWF)/South Fork Ten Mile Creek Watershed

ESCGP-2 # ESG16-129-0033
Applicant Name CNX Gas Company, LLC
Contact Person Sarah Baughman
Address 1000 Consol Energy Drive
City, State, Zip Canonsburg, PA 15317
County Westmoreland
Township(s) Washington
Receiving Stream(s) and Classification(s) Beaver Run Reservoir/Tributary 42954 to Beaver Run (HQ/EV)

ESCGP-2 # ESX16-125-0006
Applicant Name MarkWest Liberty Midstream & Resources, LLC
Contact Person Rick Lowry
Address 4600 J. Barry Court, Suite 500
City, State, Zip Canonsburg, PA 15317

County Washington County
Township(s) Smith Township
Receiving Stream(s) and Classification(s) UNTs to Rac-

coon Creek, Raccoon Creek, Raccoon Creek Watershed
(WWF);
Secondary Receiving Water: Ohio River

ACTIONS

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

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

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

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

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

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

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

I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0043036 (Sewage)	Laurel Lake Camp & Retreat Center 76 Lodge Road Rossiter, PA 15772	Indiana County Banks Township	Straight Run (17-D)	Yes
PA0026336 (Sewage)	Wickham Village STP 1700 Clark Boulevard Aliquippa, PA 15001-4205	Beaver County Hopewell Township	Unnamed Tributary to Boggs Run (20-G)	Yes
PA0047228 (Sewage)	Pennsbury Village Borough 1043 Pennsbury Boulevard Pittsburgh, PA 15205-1643	Allegheny County Pennsbury Village Borough	Unnamed Tributary of Campbells Run (20-F)	Yes

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

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

NPDES Permit No. PA0028738, Sewage, SIC Code 4952, **Ralpho Township Municipal Authority**, 206 S Market Street, Suite 1, Elysburg, PA 17824-9782.

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

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

NPDES Permit No. PA0232751, Sewage, SIC Code 4952, **Potter Township Centre County**, 124 Short Road, Spring Mills, PA 16875-9326.

This proposed facility is located in Potter Township, **Centre County**.

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

NPDES Permit No. PA0008419, Industrial, SIC Code 2833, 2834, **Cherokee Pharmaceuticals, LLC**, P.O. Box 367, Riverside, PA 17868-0367.

This existing facility is located in Riverside Borough, **Northumberland County**.

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

NPDES Permit No. PA0025933, Sewage, SIC Code 4952, **City of Lock Haven Clinton County**, 20 E. Church Street, Lock Haven, PA 17745-2527.

This existing facility is located in City of Lock Haven, **Clinton County**.

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

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

NPDES Permit No. PA0024716, Sewage, SIC Code 4952, **Borough of Freeland Municipal Authority**, 711 Birkbeck Street, Freeland, PA 18224.

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

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

NPDES Permit No. PA0060097, Sewage, SIC Code 4952, **PA American Water Co.**, 800 West Hershey Park Drive, Hershey, PA 17033.

This existing facility (Pocono Country Place WWTP) is located in Coolbaugh Township, **Monroe County**.

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

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

NPDES Permit No. PA0264512, Sewage, SIC Code 8800, **Benjamin L Eckstrom**, 12014 Route 957, Sugar Grove, PA 16350-3830.

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

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

NPDES Permit No. PA0264521, Sewage, SIC Code 8800, **Adam J McAvoy**, 3301 W Washington Street, Bradford, PA 16701.

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

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

NPDES Permit No. PA0264504, Sewage, SIC Code 4952, 8800, **Nina Wilber**, 5052 Route 46, Smethport, PA 16749.

This proposed facility is located in Keating Township, **McKean 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. 0216402, Sewage, SIC Code 4952, **West Mifflin Sanitary Sewer Municipal Authority**, 1302 Lower Bull Run Road, West Mifflin, PA 15122-2902.

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

Description of Proposed Action/Activity: Installation of temporary Outfall 005. Installation of Ultraviolet Disinfection System.

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

WQM Permit No.1516405, Sewage, **HMS Host Corporation**, 6905 Rockledge Drive, Bethesda, MD 20817.

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

Description of Action/Activity: Construction and operation of a sewage treatment plant.

WQM Permit No. 1515403, Sewage, Transfer, **Stuart W. Ember**, 10 Jug Hollow Road, Phoenixville, PA 19460.

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

Description of Action/Activity: Permit transfer from Phillip Sanderson to Stuart Ember.

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

WQM Permit No. 6216402, Sewage, SIC Code 8800, **Benjamin L Eckstrom**, 12014 Route 957, Sugar Grove, PA 16350-3830.

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

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

WQM Permit No. 3796201 A-5, Industrial, **Dairy Farmers of American Inc.**, 800 W Tampa Street, Springfield, MO 65802.

This existing facility is located in Wilmington Township, **Lawrence County**.

Description of Proposed Action/Activity: Upgrades and modifications to the existing WWTP aeration system.

WQM Permit No. 4216403, Sewage, **Adam J McAvoy**, 3301 W Washington Street, Bradford, PA 16701.

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

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

WQM Permit No. 4216402, Sewage, **Nina Wilber**, 5052 Route 46, Smethport, PA 16749.

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025415001	Heisler's Egg Farm, Inc. 757 Valley Road Tamaqua, PA 18252	Schuylkill	Walker Township	Beaver Creek (HQ-CWF, MF) UNT to Beaver Creek (HQ-CWF, MF)
PAI023916004	J&M, LLC c/o John E. Brunner 4696 Springside Court Allentown, PA 18104	Lehigh	Lynn Township	School Creek (EV, MF)
PAI023516003	Pennsylvania Department of Transportation Engineering District 4-0 55 Keystone Industrial Park Dunmore, PA 18512	Lackawanna	Covington Township	Langan Creek (HQ-CWF, MF)
PAI023915032	BT Stone Hill, LLP c/o Mr. Bruce Thaler 116 Union Ave. Altoona, PA 16602	Lehigh	Lower Macungie Township	Swabia Creek (HQ-CWF, MF) UNT to Swabia Creek (HQ-CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI056316003	First Pennsylvania Resource, LLC 33 Terminal Way Suite 431A Pittsburgh, PA 15219	Washington County	Donegal Township	UNTs to Buck Run (HQ-WWF)

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

Clarion County Conservation District, Clarion County Admin Building, 330 West Main, Room 9, Clarion, PA 16214.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI061616001	CBF Contracting Inc 13844 Route 68 PO Box 186 Sligo, PA 16255	Clarion	Beaver Township	UNT Canoe Creek HQ-CWF

Butler County Conservation District, Clarion County Admin Building, 330 West Main, Room 9, Clarion, PA 16214.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI061010004R	F and H Development LLC 4359 Gibsonia Road Gibsonia, PA 15044	Butler	Buffalo Township	Sarver Run HQ-TSF

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>
Hanover Township Luzerne County	PAG02004012003R(1)	Mericle 3 Great Valley, LLC c/o Robert Mericle 100 Baltimore Drive Wilkes-Barre, PA 18702	Garringer Creek (CWF, MF) Warrior Creek (CWF, MF)	Luzerne Conservation District 570-674-7991
Hanover Township Northampton County	PAG02004816004	Mr. Steven Mortazavi 4250 Fritch Drive Bethlehem, PA 18020	Catasauqua Creek (CWF, MF)	Northampton County Conservation District 610-746-1971

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>
Littlestown Borough Adams County	PAG02000116007	Littlestown Area School District 162 Newark Street Littlestown, PA 17340	Alloway Creek/WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 (717) 334-0636

NOTICES

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<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>
Butler Township Adams County	PAG02000116011	Christopher Rossman 13 Country Drive Gettysburg ,PA 17325	Unnamed Tributaries to Conewago Creek/ WWF Rock Creek/WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 (717) 334-0636
Reading Township Adams County	PAG02000116010	Fletcher Farms LP 18001 Georgia Avenue Olney, MD 20832	Conewago Creek/ WWF Tributary 08758 Conewago Creek/ WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 (717) 334-0636
Greenwich Township Berks County	PAG02000616022	Timothy J. Moyer 679 Luella Drive Kutztown, PA 19530	UNT Maiden Creek/ TSF, MF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657
Ontelaunee Township Berks County	PAG02000616022	Ryder Systems, Inc. 1 Jefferson Boulevard Warwick, RI 02888	Schuylkill River/ WWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657
Catherine Township Blair County	PAG02000716006	Randy Brubaker 121 Hemlock Lane Williamsburg, PA 16693	UNT Roaring Run/ WWF	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877
Greenfield Township Blair County	PAG02000716010	Central States Manufacturing, Inc. 302 Jane Place Lowell, AR 72745	Beaverdam Creek/ CWF Smoky Run/CWF Wetlands	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877
Hampden Township Cumberland County	PAG02002116019	Golf Enterprises 4400 Deer Path Road Suite 201 Harrisburg, PA 17110	Conodoguinet Creek/ WWF	Cumberland County Conservation District 3410 Allen Road Suite 4301 Carlisle, PA 17013-9101 (717) 240-7812
Silver Spring Township Cumberland County	PAG02002116017	Exeter Property Group 140 Germantown Pike Suite 150 Plymouth Meeting, PA 19462	Hogestown Run/ CWF, MF	Cumberland County Conservation District 3410 Allen Road Suite 4301 Carlisle, PA 17013-9101 (717) 240-7812
Upper Allen Township Cumberland County	PAG02002116018	Upper Allen Township 100 Gettysburg Pike Mechanicsburg, PA 17055	Cedar Run/CWF	Cumberland County Conservation District 3410 Allen Road Suite 4301 Carlisle, PA 17013-9101 (717) 240-7812
Derry Township Dauphin County	PAG02002206034R(1)	DSG Development Corp and Abel Construction Company, Inc. 17033 and 3925 Columbia Avenue Mountville, PA 17554	Swatara Creek/WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100

<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>
Lower Paxton Township Dauphin County	PAG02002216012	DOLI Construction Corporation 120 Independence Lane Chalfont, PA 18914	Paxton Creek/ WWF, MF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Susquehanna Township Dauphin County	PAG02002216023	Susquehanna Township Authority 1900 Linglestown Road Harrisburg, PA 17110	Paxton Creek/ WWF, MF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Penn Township Lancaster County	PAG02003616006(1)	Dale Rohrer 750 Doe Run Road Lititz, PA 17543	UNT Santo Domingo Creek/WWF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 (717) 299-5361
Earl Township Lancaster County	PAG02003616072	Samuel Blank 603 South Custer Avenue New Holland, PA 17557	Mill Creek/TSF, MF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 (717) 299-5361
Penn Township Lancaster County	PAG02003616073	ArtGroff 1043 Mountain Road Manheim, PA 17545	UNT Chiques Creek/ WWF, MF Boyers Run/ WWF, MF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 (717) 299-5361
East Lampeter Township Lancaster County	PAG02003616076	Fredrick Frattaroli 973 East Main Street Palmyra, PA 17078	UNT Mill Creek/ WWF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 (717) 299-5361
Caernarvon Township Lancaster County	PAG02003615107(1)	Calvin King 217 New Holland Pike Kinzers, PA 17535	Conestoga River/ WWF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 (717) 299-5361
Mount Joy Borough Lancaster County	PAG02003616069	Steve Johns 43 Sarah Lane Mount Joy, PA 175562	UNT Donegal Creek/ CWF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 (717) 299-5361
Conestoga Township Lancaster County	PAG02003616054	Timothy Search 2095 Mallard Drive Lancaster, PA 17601	Conestoga River/ CWF, MF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 (717) 299-5361
Warwick Township	PAG02003616077	Todd Whitmer 359 West Woods Drive Lititz, PA 17543	Bachman Run/ TSF, MF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 (717) 299-5361

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<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>
East Hanover Township Lebanon County	PAG02003816010	Shawn Martin 1098 Gravel Hill Road Grantville, PA 17028	UNT Raccoon Creek/ WWF UNT Raccoon Creek/ WWF Wetlands	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 (717) 277-5275
Millcreek Township Lebanon County	PAG02003816021	Lloyd and Tina Oberholtzer 117 Richland Road Millcreek, PA 17067	UNT Tulpehocken Creek/TSF	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 (717) 277-5275
Spring Garden Township York County	PAG02006715090	York Water Company Mark Snyder 103 East Market St York, PA 17401	East Branch Codorus Creek/WWF UNT to Codorus Creek/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
East Manchester Township York County	PAG02006716025	Mount Wolf DPP, LLC Jason Horowitz 9010 Overlook Blvd Brentwood, TN 37027	Wetlands—UNT to Codorus Creek/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Spring Garden Township York County	PAG02006716033	Matthew Shorb 1740 Wyndham Drive South York, PA 17401	UNT to Codorus Creek/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Wrightsville Borough York County	PAG02006716034	Wissler, LLC Damian Wissler 950 Hellam Street Wrightsville, PA 17368	Kreutz Creek/ WWF-MF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
East Manchester Township York County	PAG02006716049	Columbia Gas of Pennsylvania Jonathan M. Kilmer 1600 Colony Road York, PA 17408	UNT to Susquehanna River/ WWF-MF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Springfield Township York County	PAG02006716035	Keith Walter 2159 White Street Suite 3 York, PA 17404	UNT to East Branch Codorus Creek/CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Dillsburg Borough York County	PAG02006711055R-2	Borough of Dillsburg Karen Deibler 151 S. Baltimore Street Dillsburg, PA 17019	Fisher Run/CWF-MF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430

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

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Mifflinburg Borough, Union County	PAC600002	Dominick Adamo 247 Chestnut Street Mifflinburg, PA 17844	Buffalo Creek, CWF	Union County Conservation District Union County Government Center 155 N 15th St Lewisburg, PA 17837 (570) 524-3860

Central Office: Bureau of Abandoned Mine Reclamation, 400 Market Street, Floor 13, P O 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>
Gilberton Borough & Schuylkill County	PAC690001	DEP—BAMR P.O. Box 69205 Harrisburg, PA 17106-9205	Mahanoy Creek (WWF); Mahanoy—Shamokin Creeks Watershed (6B)	DEP—BAMR P.O. Box 69205 Harrisburg, PA 17106-9205 717-783-1311

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>
Industry Borough	PAC040001	WPLX Terminals, LLC Midland Terminal 539 South Main Street Findlay, OH 45840	Ohio River (WWF)	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 (724) 378-1701
North Sewickley Township	PAG02000415002(1)	Connoquenessing Country Club 1512 Mercer Road Ellwood City, PA 16117	UNT to Connoquenessing Creek (WWF)	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 (724) 378-1701
South Union Township	PAG02002616010	Speedway, LLC 500 Speedway Drive Enon, OH 45323	UNT to Coal Lick Run (WWF)	Fayette County Conservation District 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497
North Union Township	PAG02002616004	Penn State University 139J Physical Plant Building University Park, PA 16802-1118	UNT to Redstone Creek (WWF)	Fayette County Conservation District 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497
Georges Township and Nicholson Township	PAG02002616005	Columbia Gas of Pennsylvania 2021 West State Street New Castle, PA 16101	York Run (WWF) and Gossip Run (WWF)	Fayette County Conservation District 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497
Brady Township Butler County	PAG02001015001	PTV Brady LLC c/o Mr. Timothy Weinman 1563 Woodward Drive Extension Greensburg, PA 15601	Big Run CWF	Butler County Conservation District 724-284-5270
Jackson Township Butler County	PAG02001016005	Future Development Group LP c/o Mr. Christopher Kaclik 1272 Mars Evans City Rd Evans City, PA 16033	UNT Glade Run WWF	Butler County Conservation District 724-284-5270
Forward Township Butler County	PAG02001016011	Plenary Walsh Keystone Partners 2000 Cliff Mine Rd Park West Two— 3rd Floor Pittsburgh, PA 15275	Glade Run WWF	Butler County Conservation District 724-284-5270
Brady Township Butler County	PAG02001015043(1)	PVT Brady LLC c/o Mr. Timothy Weinman 1563 Woodward Drive Extension Greensburg, PA 15601	Big Run CWF	Butler County Conservation District 724-284-5270

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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>
Connoquenessing Township Butler County	PAG02001016025	Grandview Development Group PO Box 217 Curwensville, PA 16833	UNT Little Connoquenessing Creek CWF and Little Connoquenessing Creek CWF	Butler County Conservation District 724-284-5270
City of Erie Erie County	PAG02002516024	McDonald's USA, LLC Attn: Chuck Peperak 1000 Omega Drive Suite 1390 Pittsburgh, PA 15202	Presque Isle Bay WWF	Erie County Conservation District 814-825-6403
City of Erie Erie County	PAG02002516017(1)	Erie Water Works 240 West 12th Street Erie, PA 16501	Mill Creek CWF; MF	Erie County Conservation District 814-825-6403
Bradford Township McKean County	PAG02004209003R(2)	University of Pittsburgh at Bradford 300 Campus Drive Bradford, PA 16701	West Branch Tunungwant Creek CWF	McKean County Conservation District 814-887-4001

General Permit Type—PAG-3

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Philadelphia City Philadelphia County	PAR600115	Kuusakoski Philadelphia LLC 3150 Orthodox Street Philadelphia, PA 19137	Delaware River 3-J	DEP Southeast Regional Office Clean Water Program 2 E. Main Street Norristown, PA 19401 484.250.5970
Uwchlan Township Chester County	PAS800001	FedEx Freight Inc. 2200 Forward Drive Dc:2219 Harrison, AR 72601	Unnamed Tributary to Marsh Creek 3-H	DEP Southeast Regional Office Clean Water Program 2 E. Main Street Norristown, PA 19401 484.250.5970

General Permit Type—PAG-4

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
West Caln Township Chester County	PAG040184 A-1	Matthew W. Lamberti, Jr. 218 Valley Green Drive Coatesville, PA 19320-1917	Unnamed Tributary of Rock Run 3-H	DEP Southeast Regional Office Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
South Huntingdon Township Westmoreland County	PAG046460	E. D. Lewis 100 Lincoln Highway Imperial, PA 15126	Lick Run—19-D	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

*General Permit Type—PAG-7**Facility Location:
Municipality &
County**Permit No.**Applicant Name &
Address**Site Name &
Location**Contact Office &
Phone No.*Mansfield Borough,
Tioga County

PAG074829

Mansfield Municipal Authority
14 South Main Street
Mansfield, PA 16933Mansfield Municipal
Authority
Wastewater
Treatment Facility
Mansfield Borough
Tioga CountyDEP Northcentral
Regional Office
Clean Water Program
208 W Third Street
Suite 101
Williamsport, PA
17701-6448
570.327.3636*General Permit Type—PAG-10**Facility Location
Municipality &
County**Permit No.**Applicant Name &
Address**Receiving
Water / Use**Contact Office &
Phone No.*Blairsville Borough
Indiana County

PAG106198

Texas Eastern
Transmission LP
890 Winter Street
Suite 30
Waltham, MA 02451Primary: Blacklick
CreekAlternatives:
Unnamed Tributary
to East Branch
Richards Run, East
Branch Richards
Run, Unnamed
Tributary of
Boatyard Run,
Roaring Run, Toms
Run, West Branch
Richards Run, and
Unnamed Tributary
to Whitethorn
Creek-18-D and 18-CDEP Southwest
Regional Office
Clean Water Program
400 Waterfront Drive
Pittsburgh, PA 15222-4745
412.442.4000West Finley
Township
Washington County

PAG106196

Columbia Gibraltar
Gathering LLC
5151 San Felipe
Suite 2400
Houston, TX 77056Unnamed Tributary
to Robinson Fork—
20-EDEP Southwest
Regional Office
Clean Water Program
400 Waterfront Drive
Pittsburgh, PA 15222-4745
412.442.4000Speers Borough
Washington County

PAG106195

Guttman Realty Co.
200 Speers Street
Belle Vernon, PA 15102Monongahela
River—19-CDEP Southwest
Regional Office
Clean Water Program
400 Waterfront Drive
Pittsburgh, PA 15222-4745
412.442.4000*General Permit Type—PAG-12**Facility Location &
Municipality**Permit No.**Applicant Name &
Address**Receiving
Water / Use**Contact Office &
Phone No.*Lebanon County/
Millcreek Township

PAG123592

Malcolm J. Sonnen
Sonnen Springs Poultry
Farm
101 Sonnens Road
Richland, PA 17087

UNT Mill Creek/TSF

DEP—SCRO—CW
909 Elmerton Ave.
Harrisburg, PA 17110
717-705-4707Lancaster County/
Rapho Township

PAG123666

Harold Weaver
2693 North Colebrook
Road
Manheim, PA 17545UNT Brubaker
Run/WWFDEP—SCRO—CW
909 Elmerton Ave.
Harrisburg, PA 17110
717-705-4707

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>
Steve Wenger Wen-Crest Farms 549 Schaeffer Road Lebanon, PA 17042	Lebanon	1,406	1,074.29	Poultry & Beef Cattle	NA	Approved
Leslie Burkholder Leslie Burkholder Poultry Farm 52 Burkholder Lane Fredericksburg, PA 17026	Lebanon	5.7	271.84	Poultry & Beef Cattle	NA	Approved
Joel Krall Furnace Hill Holsteins 480 Schaeffer Road Lebanon, PA 17042	Lebanon	9.4	429.30	Dairy Cattle	NA	Approved
Marlin Martin Heidelberg Pig Family Farm 425 North Market Street Myerstown, PA 17067	Lebanon	41.8	525.58	Swine, Beef Cattle, Poultry	NA	Approved

PUBLIC WATER SUPPLY PERMITS

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropri-

ate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act (35 P.S. 721.1—721.17).

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

Permit No. 0916506, Public Water Supply.

Applicant **Oldcastle Precast**
200 Keystone Drive
Telford, PA 18969

Municipality Hilltown

County **Bucks**

Type of Facility PWS

Consulting Engineer Jason Sinsel, Plant Manager
200 Keystone Drive
Telford, PA 18969

Permit to Construct Issued September 7, 2016

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

Permit No. 2580557, Operations Permit Public Water Supply.

Applicant **Oneida Campground and Lodge, LLC**
P.O. Box 537
New Milford, PA 18834

[Borough or Township] New Milford Township

County **Susquehanna**

Type of Facility PWS

Consulting Engineer Mr. Dennis Kutch, PE
KBA Engineering PC
25 S. Washington Ave.
Jermyn, PA 18433

Permit to Operate Issued 9/7/2016

Permit No. 2359008, Operations Permit Public Water Supply.

Applicant **Pennsylvania American Water Company**
800 West Hershey Park Dr.
Hershey, PA 17033

[Borough or Township] South Abington Township

County **Lackawanna**

Type of Facility PWS

Consulting Engineer Mr. James Shambaugh, PE
Gannett Fleming, Inc.
P.O. Box 67100
Harrisburg, PA 17106-7100

Permit to Operate Issued 8/24/16

Permit No. 2359008, Operations Permit Public Water Supply.

Applicant **Pennsylvania American Water Company**
800 West Hershey Park Dr.
Hershey, PA 17033

[Borough or Township] South Abington Township

County **Lackawanna**

Type of Facility PWS

Consulting Engineer Mr. James Shambaugh, PE
Gannett Fleming, Inc.
P.O. Box 67100
Harrisburg, PA 17106-7100

Permit to Operate Issued 9/15/16

Permit No. 2359008, Public Water Supply.

Applicant **PA American Water**
800 W. Hershey Park Drive
Hershey, PA.17033

[Township or Borough] Scott Township
Lackawanna County

Responsible Official Mr. David Kaufman
Vice President-Engineering

Type of Facility Public Water Supply

Consulting Engineer Mr. Daniel Rickard, PE
PA American Water Company
100 N Pennsylvania Avenue
Wilkes-Barre, PA

Operation Permit Issued 08/08/2016

Permit No. 2580023, Public Water Supply.

Applicant **PA American Water**
800 W. Hershey Park Drive
Hershey, PA 17033

[Township or Borough] Bridgewater Township
Susquehanna County

Responsible Official Mr. David Kaufman
Vice President-Engineering

Type of Facility Public Water Supply

Consulting Engineer Mr. Daniel Rickard, PE
PA American Water Company
100 N Pennsylvania Avenue
Wilkes-Barre, PA

Operation Permit Issued 08/26/2016

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

Permit No. 0116501 MA, Minor Amendment, Public Water Supply.

Applicant **Littlestown Borough Authority**

Municipality Littlestown Borough

County **Adams**

Responsible Official Chuck Kellar, Borough Manager
10 South Queen Street
Littlestown, PA 17340-1612

Type of Facility Repainting of the Cemetary
Street and the Maple Avenue
Water Tanks.

Consulting Engineer Corbert G. Martin SIT, P.E.
Herbert, Rowland & Grubic, Inc.
369 East Park Drive
Harrisburg, PA 17111

Permit to Construct Issued 9/20/2016

Permit No. 5016504 MA, Minor Amendment, Public Water Supply.

Applicant **Duncannon Borough**
 Municipality Duncannon Borough
 County **Perry**
 Responsible Official Chris Courogen, Borough Manager
 428 High Street
 Duncannon, PA 17020
 Type of Facility Relining of the Trout Run Reservoir
 Consulting Engineer Greg Rogalski, P.E.
 Pennoni
 1215 Manor Drive
 Mechanicsburg, PA 17055
 Permit to Construct Issued 9/6/2016

Operation Permit No. 2214501 issued to: **United Water Pennsylvania (PWS ID No. 7220015)**, Lower Paxton Township, **Dauphin County** on 9/7/2016 for facilities approved under Construction Permit No. 2214501.

Operation Permit No. 2211507 issued to: **Pillow Borough Authority (PWS ID No. 7220046)**, Pillow Borough, **Dauphin County** on 9/15/2016 for facilities approved under Construction Permit No. 2211507.

Operation Permit No. 3814507 MA issued to: **Myerstown Water Authority (PWS ID No. 7380025)**, Jackson Township, **Lebanon County** on 9/15/2016 for facilities approved under Construction Permit No. 3814507 MA.

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

Permit No. 1714503—Operation—Public Water Supply.

Applicant **Brady Township—Troutville Borough Water Association**
 Township/Borough Brady Township
 County **Clearfield**
 Responsible Official Lester G. Wachob, President
 Brady Township—Troutville
 Borough Water Association, Inc.
 3309 Shamokin Trail
 Luthersburg, PA 15848-4019
 Type of Facility Public Water Supply
 Consulting Engineer N/A
 Permit Issued September 15, 2016
 Description of Action Operation of the iron and manganese filter tank that contains GreensandPlus™ with an anthracite cap that has been installed in a 16 ft. x 21 ft. addition to the west side of the Luthersburg-Salem Water Treatment Plant to replace the greensand iron and manganese filter tank for water from Beatty 4 Well.

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

Operations Permit issued to: **Pittsburgh Water & Sewer Authority**, 1200 Penn Avenue, Pittsburgh, PA 15222, (**PWSID # 5020038**) City of Pittsburgh, **Allegheny County** on September 16, 2016 for the operation of facilities approved under Construction Permit # 0216507MA.

Operations Permit issued to: **Pittsburgh Water & Sewer Authority**, 1200 Penn Avenue, Pittsburgh, PA 15222, (**PWSID # 5020038**) City of Pittsburgh, **Allegheny County** on September 7, 2016 for the operation of facilities approved under Construction Permit # 0216522MA.

Operations Permit issued to: **Center Township Water Authority**, 224 Center Grange Road, Aliquippa, PA 15001, (**PWSID # 5040007**) Potter Township, **Beaver County** on September 15, 2016 for the operation of facilities approved under Construction Permit # 0415505.

Operations Permit issued to: **Center Township Water Authority**, 224 Center Grange Road, Aliquippa, PA 15001, (**PWSID # 5040007**) Potter Township, **Beaver County** on September 15, 2016 for the operation of facilities approved under Construction Permit # 0415506.

Operations Permit issued to: **Center Township Water Authority**, 224 Center Grange Road, Aliquippa, PA 15001, (**PWSID # 5040007**) Potter Township, **Beaver County** on September 15, 2016 for the operation of facilities approved under Construction Permit # 0416503.

Operations Permit issued to: **Southwestern Pennsylvania Water Authority**, PO Box 187, 1442 Jefferson Road, Jefferson, PA 15344, (**PWSID # 5300017**) Luzerne and Redstone Townships, **Fayette County** on September 15, 2016 for the operation of facilities approved under Construction Permit # 3015503MA.

Operations Permit issued to: **GW Services, Inc., d/b/a Glacier Water**, 1385 Park Center Drive, Vista, CA 92081, (**PWSID # 5026467**) Waynesburg, **Greene County** on September 13, 2016 for the operation of facilities approved under Construction Permit # 5026467-186.

Operations Permit issued to: **GW Services, Inc., d/b/a Glacier Water**, 1385 Park Center Drive, Vista, CA 92081, (**PWSID # 5026467**) Rices Landing, **Greene County** on September 13, 2016 for the operation of facilities approved under Construction Permit # 5026467-187.

Operations Permit issued to: **Indian Creek Valley Water Authority**, 2019 Indian Head Road, Indian Head, PA 15446, (**PWSID # 5260011**) Springfield Township, **Fayette County** on September 15, 2016 for the operation of facilities approved under Construction Permit # 2615503.

Permit No. 1116502MA, 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 pressure reducing vault
 Consulting Engineer Gibson-Thomas Engineering Co., Inc.
 1004 Ligonier Street
 PO Box 853
 Latrobe, PA 15650
 Permit to Construct September 16, 2016
 Issued

Permit No. 0216520MA, Minor Amendment. Public Water Supply.

Applicant **Pittsburgh Water & Sewer Authority**
 1200 Penn Avenue
 Pittsburgh, PA 15222
 [Borough or Township] City of Pittsburgh and Borough of Millvale

County **Allegheny**
 Type of Facility Water system
 Consulting Engineer Pittsburgh Water & Sewer Authority
 1200 Penn Avenue
 Pittsburgh, PA 15222
 Permit to Operate September 15, 2016
 Issued

Permit No. 0316502GWR, Minor Amendment. Public Water Supply.

Applicant **Quality Life Services**
 120 Lakeside Drive
 Worthington, PA 16262
 [Borough or Township] Sugar Creek Township
 County **Armstrong**
 Type of Facility Sugarcreek Rest Home
 Consulting Engineer Olsen Craft Associates
 126 South Main Street
 Butler, PA 16001

Permit to Operate September 15, 2016
 Issued

Permit No. 5615511GWR-A1, Minor Amendment. Public Water Supply.

Applicant **Municipal Authority of the Borough of Somerset**
 347 West Union Street
 Somerset, PA 15501
 [Borough or Township] Somerset Borough
 County **Somerset**
 Type of Facility Water system
 Consulting Engineer The EADS Group, Inc.
 450 Aberdeen Drive
 Somerset, PA 15501
 Permit to Operate September 15, 2016
 Issued

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

Operation Permit issued to **Warren County School District, PWSID No. 6620300**, Pine Grove Township, **Warren County**. Permit Number 6215502 issued September 14, 2016 for the operation of the Warren County School District's Central Office and Learning Enrichment

Center. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on August 25, 2016.

Operation Permit issued to **Summerville Borough Municipal Authority, PWSID No. 6330012**, Summerville Borough, **Jefferson County**. Permit Number 3313503 issued September 14, 2016 for the operation of the Barium strong cation exchange treatment system. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on June 29, 2016 and subsequent information submitted to the Department on August 1, 2016.

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.

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

WA-09-1009, Water Allocations. Warminster Municipal Authority, 415 Gibson Avenue, Warminster, PA 18974, Warminster Township, **Bucks County**. Modification to the referenced subsidiary water allocation permit application was received by DEP on July 22, 2016. The applicant is now requesting the right to purchase 3,000,000 gallons per day through their interconnection with the North Wales Water Authority.

WA-15-239E, Water Allocations. Aqua Pennsylvania, Inc., 762 W. Lancaster Avenue, Bryn Mawr, PA 19010, West Goshen Township, **Chester County**. Renewal Water Allocation for the right to withdraw 1,200,000 gallons per day (gpd), as a 30-day average, from the Fern Hill/Airport Road Reservoir.

WA-46-156C, Water Allocations. Pennsylvania American Water, 800 West Hershey Park Drive, Hershey, PA 17033, Municipality of Norristown, **Montgomery County**. Granting the right to withdraw 18.0 million gallons per day, based on a peak day basis, from the Schuylkill River.

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

WA 61-886A, Water Allocations. Sandycreek Township General Authority, 878 Pone Lane, Franklin, PA 16323, Sandycreek Township, **Venango County**. Permit grants the Authority the right to purchase 200,000 gallons per day as a 30-day average from the General Authority of the City of Franklin.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 2

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

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at

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

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

The Department has received the following plans and reports:

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

Ryder Truck Rental, Inc., Mill Road, Upper Macungie Township, **Lehigh County**. Ransom Environmental, 2127 Hamilton Avenue, Hamilton, NJ 08619, on behalf of Ryder Truck Rental, Inc., 11690 NW 105 Street, Miami, FL 33178, submitted a Final Report concerning remediation of site soils contaminated with VOCs, SVOCs, and TPHCs. 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.

Safety-Kleen New Kingstown Service Center, 10 Eleanor Drive, New Kingstown, PA 17072, Silver Spring Township, **Cumberland County**. CB&I Environmental & Infrastructure, Inc., 13 British American Boulevard, Latham, NY 12110, on behalf of Safety-Kleen Systems, Inc., A Clean Harbors Company, 4120 Thunderbird Lane, Fairfield, OH 45014, submitted Final Report concerning remediation of site groundwater contaminated with VOCs. The report is intended to document remediation of the site to meet the Site Specific Standard.

Steico, Inc. Property/DC Goodman & Sons Release, 5538-5608 Sixth Avenue, Altoona, PA 16602, City of Altoona, **Blair County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16602, on behalf of Steico, Inc., 5700 Sixth Avenue, Altoona, PA 16602, and D.C. Goodman & Sons, Inc., 314 Allegheny Street, Huntingdon, PA 16652, submitted a Final Report concerning site soils and groundwater contaminated with hydraulic fluid released

in a vehicle accident. The report is intended to document remediation of the site to meet the Nonresidential Statewide Health Standard.

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

5301 Butler Street Property, 5301 Butler Street, City of Pittsburgh—10th Ward, **Allegheny County**. American Geosciences, Inc., 3925 Reed Boulevard, Suite 400, Murrysville, PA 15668 on behalf of Schreiber Real Estate, 5840 Ellsworth Avenue, Pittsburgh, PA 15232 has submitted a Cleanup Plan and Final Report (CP/FR) concerning site soils contaminated with petroleum related constituents from underground storage tanks and prior use of the property as a gasoline station. The report is intended to document remediation of the site to meet the Site Specific standard. Notice of the CP/FR was published in the *Tribune-Review* on September 2, 2016.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

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

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

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

The Department has received the following plans and reports:

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

Wenger Feeds, LLC—Hempfield Mill, 3579 Hempland Road, Lancaster, PA 17601, West Hempfield Township, **Lancaster County**. Zephyr Environmental Corporation, 1410 East Market Street, York, PA 17403, on behalf of Wenger Feeds, LLC, 101 West Harrisburg Avenue, Rheems, PA 17570, submitted a Final Report concerning remediation of site soils contaminated with hydraulic fluid. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on September 9, 2016.

Walmar Manor Manufactured Home Community Lot 74, 125 Walmar Manor, Dillsburg, PA 17019, Franklin Township, **York County**. EP&S of Vermont, Inc., 1539 Bobali Drive, Harrisburg, PA 17104, on behalf of Walmar MHC, LLC, 1006 Hammock Bend, Chapel Hill, NC 27517, submitted a Final Report to remediate site soils contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on September 16, 2016.

Former Garden State Tanning, 16 South Franklin Street, Fleetwood, PA 19522, Borough of Fleetwood, **Berks County**. BL Companies, 4242 Carlisle Pike, Suite 260, Camp Hill, PA 17011, on behalf of Borough of Fleetwood, 110 West Arch Street, Suite 104, Fleetwood, PA 19522, submitted a revised Remedial Investigation Report concerning remediation of site soils and groundwater contaminated with VOCs, Lead, and PAHs. The Report was approved by the Department on September 9, 2016.

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

Bender Residence, 2149 Glendale Lake Road, Clearfield Township, **Cambria County**. McKee Environmental, Inc., 218 Washington Ave., Bellefonte, PA 16823 on behalf of Christoff Mitchell Petroleum, Inc., 2719 Walton Street, Philipsburg, PA 16866 submitted a Final Report concerning the remediation of site soil and groundwater contaminated with benzene, ethylbenzene, cumene, MTBE, naphthalene, toluene, (1,2,4-TMB), (1,3,5-TMB) from a home heating oil spill. The Final report demonstrated attainment of the residential Statewide Health standard for soil and groundwater and was approved by the Department on September 9, 2016.

Nine Mile Run Development-Phase 2 (site of former Duquesne Slag Company), Browns Hill Road, City of Pittsburgh, **Allegheny County**. GAI Consultants, Inc., 385 East Waterfront Drive, Homestead, PA 15120 on behalf of Urban Redevelopment Authority, 200 Ross Street, Pittsburgh, PA 15219 submitted a Final Report concerning the remediation of site soils contaminated with Antimony, Boron (and compounds), Iron, Manganese,

Thallium, Aluminum, Copper, Lead, Mercury, and Selenium from slag related disposal. The Final report demonstrated attainment of the Site Specific for soils and was approved by the Department on September 15, 2016.

HAZARDOUS WASTE TRANSPORTER LICENSE

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

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

Hazardous Waste Transporter License Voluntarily Terminated

CETCO, LLC, 3091 Rockefeller Avenue, Cleveland, OH 44115. License No. PA-AH 0790. Effective Sep 19, 2016.

Hazardous Waste Transporter License Reissued

Altom Transport, Inc., 1646 Summer Street, Hammond, IN 46320. License No. PA-AH 0693. Effective Sep 14, 2016.

Maumee Express, Inc., PO Box 278, Somerville, NJ 08876. License No. PA-AH 0420. Effective Sep 13, 2016.

Vickery Transportation, Inc., 3956 State Route 412, Vickery, OH 43464. License No. PA-AH 0698. Effective Sep 13, 2016.

Renewal Applications Received

Neier, Inc., PO Box 151, Coatesville, IN 46121. License No. PA-AH 0777. Effective Sep 13, 2016.

Vickery Transportation, Inc., 3956 State Route 412, Vickery, OH 43464. License No. PA-AH 0698. Effective Sep 13, 2016.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

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

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

General Permit Application No. WMGR028, Program I.D. WMGR028NE007, Eureka Stone Quarry, Inc., P.O. Box 249, Chalfont, PA 18914. A General Permit Determination of Applicability (DOA) for the beneficial use of asphalt plant baghouse fines as a soil additive in Hamilton Township, **Monroe County**. The application for Determination of Applicability was approved by the Regional Office on August 18, 2016.

General Permit Application No. WMGR028, Program I.D. WMGR028NE008, Pennsy Supply, Inc., P.O. Box 3331, Harrisburg, PA 17105. A General Permit Determination of Applicability (DOA) for the beneficial use of asphalt plant baghouse fines from the Lawton Asphalt Plant located in Middletown Township, **Susquehanna County** as an aggregate in roadway construction, a soil additive, a soil conditioner, or a component or ingredient in the manufacturing of con-

struction products. The application for Determination of Applicability was approved by the Regional Office on September 16, 2016.

Persons interested in reviewing the permit may contact Roger Bellas, Environmental Program Manager, Waste Management Program, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915 at 570-826-2511. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

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.

Northwest Region: Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Permit Application No. 100403. Seneca Landfill, Inc., 421 Hartmann Road, Evans City, PA 16033, Jackson Township, **Butler County**. On September 14, 2016 the Department approved a major permit modification to the Seneca Landfill Permit. The approved modification allows for a reduction to the number of wells in the Seneca Landfill groundwater monitoring plan, approval for temporary exceedance of final grades (under the Department's Settlement Accommodation Plan (SAP)), and reduction of the calculated bond.

The major permit modification to the existing municipal waste landfill permit was received on April 2, 2013. The application was considered complete by the Northwest Regional Office on May, 16, 2013.

Permit Application No. 101684. Meadville Redi-Mix Concrete Construction/Demolition Transfer Station, 19824 Cochran Road, Meadville, PA 16335, West Mead Township, **Crawford County**. On September 14, 2016 the Department approved the permit renewal application for the Meadville Redi-Mix Construction/Demolition Transfer Station. The renewal allows the transfer station to operate under the same conditions for another ten years. The new expiration date on the permit is now September 14, 2026. No changes to the facilities operation were requested.

The permit renewal application for the existing facility was received on January 11, 2016. The application was considered complete by the Northwest Regional Office on March 11, 2016.

Permits issued under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

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

Permit No. 100345 Delaware County Solid Waste Authority, 583 Longview Road, Boyertown, PA 19512-7955. This major permit modification approves the ability to truck leachate offsite generated by the Rolling Hills Landfill located in Earl Township, **Berks County**. This major permit modification was issued on September 19, 2016 for Solid Waste Permit No. 100345 for the operation of the Rolling Hills Landfill, in accordance with Article V of the Solid Waste Management Act, 35 P.S. § 6018.101, et seq.

Compliance with the terms and conditions set forth in the permit is mandatory. You have the right to file an appeal as to these terms and conditions.

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

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

Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2531.

GP1-54-006: Van Hoekelen Greenhouse, Inc. (P.O. Box 88, 86 Plant Road, McAdoo, PA, 18237) on September 20, 2016, for the operation of Two (2) boilers manufactured by Hurst Boilers & Welding Co, Inc, Each rated at 33.7 mmBtus/Hr at their facility in Kline Township, **Schuylkill County**.

GP9-66-006: Dobrinski Brothers, Inc (1018 White Ferry Road, Falls, PA 18615) on September 14, 2016, for the construction and operation of (3) Three ICI Engines at their Fall Quarry facility in Falls Township, **Wyoming County**.

GP3-66-006: Dobrinski Brothers, Inc (1018 White Ferry Road, Falls, PA 18615) on September 14, 2016, for the construction and operation of a crushing operations at their Fall Quarry facility in Falls Township, **Wyoming County**.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.

Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648.

GP9-08-339: M.R. Dirt, Inc (21189 Route 187, Towanda, PA 18848) on September 16, 2016, to construct and operate one 350 bhp Caterpillar C9 diesel-fired engine, one 60 bhp John Deere model 4045TF150D diesel-fired engine, one 95 bhp Caterpillar model 3054C diesel-fired engine, one 63 bhp Cummins model B3.3 diesel-fired engine, and one 55 bhp Deutz model F4L1011F diesel-fired engine pursuant to the General Plan Approval and/or General Operating Permit BAQ-GPA/GP-9: Diesel or No. 2 fuel-fired Internal Combustion Engines at their Camptown Quarry facility located in Wyalusing Township, **Bradford County**.

GP3-08-339: M.R. Dirt, Inc (21189 Route 187, Towanda, PA 18848) on September 16, 2016, to construct and operate one portable 250 tons per hour (tph) TEREX Pegson model 1165HA Premiertrak crusher, one 125 tph Parker Screen model SR 105 vibratory screen (# 1), one 200 tph Powerscreen Warrior model 1800 vibratory screen (# 2), one 400 tph Powerscreen model M85 stacker (# 1), and one 300 tph Emerald Radial Stacker model 5030 stacker (# 2) with associated water spray dust suppression systems pursuant to the General Plan Approval and/or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at their Camptown Quarry facility located in Wyalusing Township, **Bradford County**.

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

Contact: Edward Orris, P.E., Environmental Engineer Manager—Telephone: 412-442-4161.

GP5-30-00228A: CONE Midstream Partners, LP (1000 Consol Energy Drive, Canonsburg, PA 15317) on

August 25, 2016, to allow the construction and operation of the proposed sources which include one (1) Caterpillar compressor rated at 2,370 bhp controlled by an oxidation catalyst, two (2) dehy units each rated at 200 MMscfd and associated reboilers each rated at 2.86 MMBtu/hr controlled by enclosed flares each rated at 6.0 MMBtus/hr; one (1) emergency blow down flare rated at 150 MMBtus/hr; one (1) Cummins emergency generator rated at 755 bhp, and to allow the continued operation of the previously installed four (4) Caterpillar engines each rated at 2,370 bhp controlled by oxidation catalysts and four (4) storage tanks of various capacities at their existing Hopewell Compressor Station located in Center Township, **Greene County**.

GP5-30-00174E: CONE Midstream Partners, LP (1000 Consol Energy Drive, Canonsburg, PA 15317) on September 16, 2016, for the continued operation of previously installed equipment and construction and/or operation of an additional 80 MMscfd dehydrator controlled by a 7.0 MMBtu/hr flare at the McQuay Station located in Center Township, **Greene County**.

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

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

GP4-43-385A: Cronimet Specialty Metals/Greenville (209 Reynolds Industrial Park Rd.) on September 13, 2016, for the authority to use a controlled pyrolysis furnace manufactured by Pollution Control Products, model ARC-287 (BAQ-GPA/GP-4) located at their facility in Fairview Township, **Mercer County**.

GP4-42-076B: Kane Innovations (515 North Fraley Street) on September 9, 2016, for the authority to use one natural gas fuel fired burn off oven, manufactured by Armeture Coil Equipment, Model 472-RKG-R. (BAQ-GPA/GP-4) located at their facility in Kane Borough, **McKean County**.

Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

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

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

48-00032A: Grand Central Sanitary Landfill Inc. (910 W Pennsylvania Avenue, Pen Argyl, PA 18072) issued on September 07, 2016 to update the Department's Best Available Technology (BAT) requirements in the current Title V Operating Permit (TVOP) related to fugitive dust control from roads at the facility located in Plainfield Twp., **Northampton County**.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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

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

15-0149A: Vanguard Group Inc: (PO Box 2600n NA16, Valley Forge, PA 19482-2600) On September 16,

2016 for an extension of a plan approval/temporary operating permit to operate two (2) existing, diesel-fired emergency generator sets in Tredyffrin Township, **Ches-ter County**.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.

Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648.

14-00003H: Pennsylvania State University (101P Physical Plant Bldg, University Park, PA 16802) on September 2, 2016, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from September 4, 2016 to March 3, 2017, at their University Park Campus located in College Township and State College Borough, **Centre County**. The plan approval has been extended.

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

Contact: Edward Orris, P.E., Environmental Engineer Manager—Telephone: 412-442-4161.

PA-03-00244A: Dominion Transmission, Inc. (5000 Dominion Blvd-2NW Glen Allen, VA 23060) on September 19, 2016, as a result of equipment startup, to establish 180-day period of temporary operation of Solar Taurus 70-10802S Turbine authorized under plan approval PA-03-00244A, until January 28, 2017, at their Rural Valley Compressor Station located in Valley Township, **Armstrong County**.

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

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

10-381B: Mountain Gathering LLC, Forward Compressor Station (810 Houston Street, Fort Worth, TX 76102-6203) on September 16, 2016, effective September 30, 2016, will issue a plan approval extension for the modification of facility wide VOC limits, short term VOC and formaldehyde emission limits for sources 101 through 108 and the addition of a Section C condition specifying the equipment authorized for installation at the facility. To expire March 31, 2017. These modifications were required by the December 3, 2013 Settlement Agreement by and among The Group Against Smog and Pollution, Inc. (GASP), Mountain Gathering LLC (Mountain Gathering) and the Department. This facility is a compressor station, located at 275 Powder Mill Road, Renfrew, PA 16053, in Forward Township, **Butler County**. Upon completion of this project, this facility will be issued a state only operating permit.

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

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

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

21-05002: Vitro Flat Glass LLC (400 Park Drive, Carlisle, PA 17013-9271) on September 13, 2016, for the flat glass manufacturing facility located in North Middleton Township, **Cumberland County**. The Title V permit was renewed.

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

Contact: M. Gorog & B. Hatch, Environmental Engineer Managers—Telephone: 412-442-4150/5226.

TVOP-26-00402: Advanced Disposal SVC Chestnut Valley LDFL Inc. (1184 McClellandtown Road, McClellandtown, PA 15458) Title V Operating Permit renewal issuance date effective September 19, 2016, for their Chestnut Valley Land Fill facility located in German Township, **Fayette County**.

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.

15-00122: Kennett Square Specialties, LLC (556 East South St., Kennett Square, PA 19348) On September 15, 2016 for the renewal of a non-Title V, State Only, Synthetic Minor operating permit for a mushroom growth media fired boiler at their facility located in Kennett Township, **Chester County**.

46-00288: Anderson Prints, LLC (601 General Washington Avenue, Norristown, PA 19403) On September 16, 2016, for the initial issuance of a non-Title-V, State Only, Synthetic Minor operating permit for their printing facility located in West Norriton Township, **Montgomery County**.

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

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

36-05153: Pierson Rheems, LLC (5 Heisey Quarry Road, Elizabethtown, PA 17022-9760) on September 13, 2016, for the stone quarry operations located in West Donegal 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.

49-00065: Polar Tech Industries, Inc. (1017 West Valley Avenue, Elysburg, PA 17824-7259) on September 16, 2016 issued a state only operating permit for their facility located in Ralpho Township, **Northumberland County**. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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.

15-00078: Janssen Biotech Inc. (200 Great Valley Parkway, Malvern, PA 19355) On September 15, 2016 for a minor modification to increase the No.2 fuel oil usage for 2 boilers at their facility located in East Whiteland Township, **Chester County**.

46-00038: Exelon Generation Company: (3146 Sanatoga Road, Pottstown, PA 19464) On September 15, 2015 for a modification to limit the nitrogen oxide emissions and the volatile organic compound emissions at their facility, as a result will not be subject to RACT Phase II regulations. This facility is located in Limerick Township, **Montgomery County**.

De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.

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

Contact: Edward Orris, P.E., Environmental Engineer Manager—Telephone: 412-442-4161.

65-051: Elliott Turbomachinery, Inc. (901 North Fourth Street, Jeanette, PA 15644) Per 25 Pa. Code § 127.449(i), this notice is for the de minimis emission increases at the Elliott Turbomachinery Company, Inc. Jeanette Plant located in Penn Township, **Westmoreland County**, authorized on September 14, 2016. The list of de minimis increases for this facility includes two (2) emergency generator engines: 0.60 tpy NO_x, 0.051 tpy CO, 0.009 tpy PM, 0.016 tpy VOC, 0.02 tpy SO₂; and one (1) thermal spray booth controlled by a dust collection system.

TV-03-00027: GenOn Northeast Management Company (121 Champion Way, Canonsburg, PA 15317). Per 25 Pa. Code § 127.449(i), this Notice is for the following de minimis emission increase at GenOn Northeast Management Company's Keystone Generating Station located in Plumcreek Township, **Armstrong County**:

One new 5,000 ton gypsum storage pile with truck load out not to exceed 28,750 tons annually is included as this project's de minimis emission increase. Total emissions from this project will not exceed 0.48 ton of PM₁₀ per year.

The list of de minimis increases for this facility includes only this project.

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. 56150103 and NPDES No. PA0269468. Berwind Coal Sales Co., 509 15th Street, Windber, PA 15963, commencement, operation and restoration of a bituminous surface mine in Paint Township, **Somerset County**, affecting 72.5 acres. Receiving stream: unnamed tributaries to Stonycreek River classified for the following use: warm water fishes. The first downstream potable water supply intake from the point of discharge is Conemaugh Township Municipal Authority—Somerset County. Application received: July 2, 2015. Permit issued: September 8, 2016.

Permit No. 32810135 and NPDES No. PA0607606. MB Energy Inc., 175 McKnight Road, Blairsville, PA 15717, transfer of an existing bituminous surface mine from North Cambria Fuel Co., 175 McKnight Road, Blairsville, PA 15717, located in West Wheatfield Township, **Indiana County**, affecting 20.0 acres. Receiving stream: unnamed tributary to Blacklick Creek classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: February 11, 2015. Permit issued: September 15, 2016.

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

10110102. K & A Mining, P.O. Box 288, Grove City, PA 16127, renewal of an existing bituminous surface mine in Marion Township, **Butler County**, affecting 41.3 acres. Receiving streams: Unnamed tributary A to North Branch Slippery Rock Creek and North Branch Slippery Rock Creek. This renewal is for reclamation only. Application received: July 14, 2016. Permit Issued: September 15, 2016.

61110102. Ben Hal Mining Company, 389 Irishtown Road, Grove City, PA 16127, renewal of an existing bituminous surface mine in Clinton Township, **Venango County**, affecting 35.2 acres. Receiving streams: Unnamed tributaries to Scrubgrass Creek. This renewal is issued for reclamation only. Application received: July 14, 2016. Permit Issued: September 15, 2016.

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

17080113 and NPDES PA0256943. Rob Holland Enterprises (52 Holland Lane, Curwensville, PA 16833). Permit renewal for continued operation and restoration of a bituminous surface mine located in Bloom Township, **Clearfield County** affecting 8.2 acres. Receiving stream(s): Unnamed Tributary to Little Anderson Creek classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: March 25, 2016. Permit issued: September 7, 2016.

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

65140102 and NPDES Permit No. PA0278165. Amerikohl Mining, Inc. (1384 State Route 711, Stahlstown, PA 15687). Permit issued for commencement, operation and restoration of a bituminous surface mine, located in East Huntingdon Township, **Westmoreland County**, affecting 131.6 acres. Receiving streams: unnamed tributaries to Stauffer Run and Stauffer Run. Application received: August 4, 2015. Permit issued: September 15, 2016.

02-03-02 and NPDES Permit No. PA0250473. Collier Land & Coal Development, LP (960 Penn Avenue, Suite 1200, Pittsburgh, PA 15222). Revised GFCC and associated NPDES issued for continued operation and restoration of a Government Financed Construction Contract, located in Collier Township, **Allegheny County**, affecting 13.9 acres. Receiving streams: unnamed tributaries to Robinson Run & Robinson Run. Application received: October 10, 2015. Permit issued: September 15, 2016.

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

Permit No. 54060102R2. Kuperavage Enterprises, Inc., (PO Box 99, Middleport, PA 17953), renewal of an existing anthracite surface mine and coal refuse disposal operation in Blythe Township, **Schuylkill County** affecting 66.0 acres, receiving stream: Bushy Creek. Application received: April 28, 2016. Renewal issued: September 13, 2016.

Permit No. PAM116018. Kuperavage Enterprises, Inc., (PO Box 99, Middleport, PA 17953), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54060102 in Blythe Township, **Schuylkill County**, receiving stream: Bushy Creek. Application received: April 28, 2016. Permit issued: September 13, 2016.

Permit No. 49871602R5. Lenig & Kosmer Coal Washery, (2993 Lower Road, Shamokin, PA 17972), renewal of an existing anthracite coal preparation plant operation in West Cameron Township, **Northumberland County** affecting 3.6 acres, receiving stream: Mahanoy Creek. Application received: May 10, 2016. Renewal issued: September 14, 2016.

Permit No. PAM111061R. Lenig & Kosmer Coal Washery, (2993 Lower Road, Shamokin, PA 17972), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 49871602 in West Cameron Township, **Northumberland County**, receiving stream: Mahanoy Creek. Application received: May 10, 2016. Renewal issued: September 14, 2016.

Permit No. 54060101R2. Blaschak Coal Corp., (PO Box 12, Mahanoy City, PA 17948), renewal of an existing anthracite surface mine and coal refuse disposal operation in Mahanoy Township, **Schuylkill County** affecting 1,043.2 acres, receiving stream: Mahanoy Creek. Application received: March 1, 2016. Renewal issued: September 16, 2016.

Permit No. PAM111027R, Blaschak Coal Corp., (PO Box 12, Mahanoy City, PA 17948), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54060101 in Mahanoy Township, **Schuylkill County**, receiving stream: Mahanoy Creek. Application received: March 1, 2016. Renewal issued: September 16, 2016.

Noncoal Permits Issued

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

24112802. North Star Aggregates, Inc. (P.O. Box 51, Penfield, PA 15849) Renewal of existing NPDES Permit No. PA0259179 in Ridgway Township, **Elk County**. Receiving streams: Little Mill Creek. Application received: June 3, 2016. Permit Issued: September 13, 2016.

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

41110301 and NPDES PA025791. Glenn O. Hawbaker, Inc. (1952 Waddle Road, State College, PA 16803). Renewal of an NPDES Permit located in McNett Township, **Lycoming County**. Receiving stream(s): Unnamed Tributary to North Pleasant Stream and North Pleasant Stream classified as the following use(s): HQ—CWF. Application received: May 5, 2016. Permit issued: September 8, 2016.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Issued

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

Permit No. 39164104. American Rock Mechanics, Inc., (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Springview Drive in South Whitehall and Upper Macungie Townships, **Lehigh County** with an expiration date of August 31, 2017. Permit issued: September 16, 2016.

Permit No. 45164109. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting for Skytop Resort in Price and Barrett Townships, **Monroe County** with an expiration date of September 11, 2017. Permit issued: September 16, 2016.

Permit No. 58164109. Meshoppen Blasting, Inc., (P.O. Box 127, Meshoppen, PA 18630), construction blasting for SWN RU-74 Tretter Pad and access road in Great Bend, Oakland and New Milford Townships, **Susquehanna County** with an expiration date of September 6, 2017. Permit issued: September 16, 2016.

Permit No. 58164110. Maurer & Scott Sales, Inc., (122 Thomas Street, Coopersburg, PA 18036), construction blasting for Macnew Compressor Station and Silos in Brooklyn Township, **Susquehanna County** with an expiration date of December 1, 2016. Permit issued: September 16, 2016.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street,

PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E66-163. Tunkhannock Township, 113 Tunkhannock Township Drive, Tunkhannock, PA 18657. Tunkhannock Township, **Wyoming County**, Army Corps of Engineers Baltimore District.

To place approximately 0.85 acre of fill in a floodplain of Tunkhannock Creek in Lazy Brook Park. The project is located along the right side of Lazy Brook Creek and on the southeast side of SR 0006 (Tunkhannock, PA Quadrangle Latitude: 41°33'18.3"; Longitude: -75°53'44.2"). Subbasin: 4F.

E66-161. Clinton Township, 161 College Avenue, Factoryville, PA 18419. Clinton Township/Factoryville Borough, **Wyoming County**, Army Corps of Engineers Baltimore District.

To construct and maintain a joint municipal park with a soccer field, gravel parking, concrete sidewalks and stormwater collection system. The project includes the excavation within the floodway/floodplain of the South Branch of Tunkhannock Creek (TSF, MF). The project is located on the south side of Creek Road approximately 2,000 feet west of its intersection with State Route 1017 (Factoryville, PA Quadrangle Latitude: 41°33'47.9"; Longitude: -75°47'37.2"). Subbasin: 4F.

E64-306. Mr. John Esposito, 588 Bloomfield Avenue, Apartment 18B, West Caldwell, NJ 07006. Lehigh Township, **Wayne County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a 5-foot wide × 20-foot long pile-supported wooden dock in Pocono Peak Lake (EV). The project is located at Lot 17B in Pocono Springs

Estates, approximately 400 feet northeast of the intersection of Pocono Drive and Fern Lane (Sterling, PA Quadrangle Latitude: 41°16'27.23"; Longitude: -75°24'33.43"). Subbasin: 1C.

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

E41-674. Transcontinental Gas Pipe Line Company, 99 Farber Road, Princeton, NJ 08540. Muncy Creek Stabilization in Wolf Township, **Lycoming County**, ACOE Baltimore District (Picture Rocks, PA Quadrangle Lat: 41° 16' 13.8"; Long: -76° 42' 56.6").

The project proposes to have the following impacts

ID	Stream Name	Chapter 93 Classification	Temporary Impact area Length (LF)	Permanent Impact area Length (LF)	Latitude/ Longitude
Rock Weir	Muncy Creek	TSF, MF	0	240	41° 16' 13.8" 76° 42' 56.6"

The total estimated permanent stream disturbance for the project is approximately 17,535 SF of permanent impacts.

The proposed crossings will not permanently impact cultural or archaeological resources, national/state/local parks, forests recreational areas, landmarks wildlife refuge, or historical sites. Muncy Creek is classified with a designated use of Trout Stocked Fishery (TSF).

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

E03-466, PennDOT District 10-0, 2550 Oakland Avenue, Indiana, PA 15701, Manor Township and Kittanning Township, **Armstrong County**, Pittsburgh ACOE District.

Has been given consent to:

1. Place and maintain fill in 1,216' of an unnamed tributary to Rupp Run (WWF) with a drainage area of less than 100 acres; construct and maintain a 921' long relocated replacement channel;

2. Abandon in place an existing 295' long 24" reinforced concrete enclosure carrying the aforementioned UNT to Rupp Run (WWF); construct and maintain a replacement 228' long 3' diameter enclosure in a parallel location under SR 422;

3. In addition, place and maintain fill in 0.5 acre of PEM wetland, construct and remove temporary encroachments associated with project construction, and construct and maintain roadway associated stormwater outfalls. Stream and wetland mitigation will take place onsite.

This work is associated with the SR 422 Improvement Project, beginning approximately 0.5 miles east of the intersection of SR 422 and SR 28/66 and extending east 1.1 miles along SR 422 (Mosgrove Quadrangle, Latitude: 40° 41' 50.96", Longitude: -79° 28' 38.07") in Manor and Kittanning Townships, Armstrong County.

E32-519, PennDOT District 10-0, 2550 Oakland Avenue, P.O. Box 429, Indiana, PA 15701, Plumville Borough, **Indiana County**, Pittsburgh ACOE District.

Has been given consent to:

Remove the existing SR 0085 25' span by 28.53' long single span concrete arch bridge having an underclear-

ance of 8.3' and construct and maintain a replacement 18.5' wide by 60.5' long, concrete box culvert having a underclearance of 9.5' over North Branch of Plum Creek (CWF) with a drainage area of 3.27 square miles; construct and maintain roadway associated stormwater outfalls; construct and remove construction related temporary encroachments. The project is associated with the SR 0085 improvement project, and is located at the intersection of S.R. 0085 and Rossmoyne Road (Plumville Quadrangle, Latitude: 40° 47' 47.04", Longitude: -79° 10' 21.72") in Plumville Borough, Indiana County.

ID	Stream Name	Chapter 93 Classification	Temporary Impact area Length (LF)	Permanent Impact area Length (LF)	Latitude/ Longitude

E63-682, Pennsylvania Turnpike Commission, 700 South Eisenhower Boulevard, Harrisburg, PA 17057, Robinson Township, **Washington County**, Pittsburgh ACOE District.

Has given consent to:

1. Place and maintain fill in 58 LF of an Unnamed Tributary (UNT) to Saint Patrick Run (aka UNT 9 Saint Patrick Run) (WWF);

2. Place and maintain fill in 828 LF of an Unnamed Tributary to Saint Patrick Run (aka UNT 7 Saint Patrick Run) (WWF);

3. Construct and maintain an 843' x 7.5' culvert in a UNT to Little Raccoon Run (aka UNT 2 Little Raccoon Run) (WWF);

4. Place and maintain 37,340 SF of fill in the floodplain of a UNT to Little Raccoon Run (aka UNT 2 Little Raccoon Run) (WWF);

5. Relocate and maintain 133 LF of a UNT to Little Raccoon Run (aka UNT 2 Little Raccoon Run) (WWF);

6. Relocate and maintain 298 LF of a UNT to Little Raccoon Run (aka UNT 1 Little Raccoon Run) (WWF);

7. Construct and maintain a 25 LF temporary crossing of a UNT to Little Raccoon Run (aka UNT 1 Little Raccoon Run) (WWF);

8. Place and maintain 24,441.5 SF of fill in the floodplain of a UNT to Little Raccoon Run (aka UNT 1 Little Raccoon Run) (WWF);

9. Place and maintain fill in 434 LF of a UNT to Little Raccoon Run (aka UNT 7 Little Raccoon Run) (WWF);

10. Construct and maintain a 1018' x 5' culvert in a UNT to Little Raccoon Run (aka UNT 4 Little Raccoon Run) (WWF);

11. Place and maintain a 30 LF temporary stream crossing in a UNT to Little Raccoon Run (aka UNT 10 Little Raccoon Run) (WWF);

12. Relocate and maintain 117.5 LF of a UNT to Little Raccoon Run (aka UNT 8 Little Raccoon Run) (WWF);

13. Restore and maintain 530 LF of the aforementioned UNT to Little Raccoon Run (aka UNT 8 Little Raccoon Run) (WWF) following removal of a man-made pond;

14. Place and maintain a 62.5 LF extension of an existing culvert in the aforementioned UNT to Little Raccoon Run (aka UNT 8 Little Raccoon Run) (WWF);

15. Place and maintain 14,972 SF of fill in the floodplain of a UNT to Little Raccoon Run (aka UNT 2 Little Raccoon Run) (WWF);

16. Relocate and maintain 75.5 LF of a UNT to Little Raccoon Run (aka UNT 8 Little Raccoon Run) (WWF);

17. Relocate and maintain 416 LF of a UNT to Little Raccoon Run (aka UNT 1 Little Raccoon Run) (WWF);

18. Place and maintain 1,838 SF of fill in the floodplain of a UNT to Little Raccoon Run (aka UNT 2 Little Raccoon Run) (WWF);

19. Place and maintain 7,100 SF of fill in the floodplain of a UNT to Little Raccoon Run (aka UNT 8 Little Raccoon Run) (WWF);

20. Place and maintain 5,633 SF of fill in the floodplain of a UNT to Little Raccoon Run (aka UNT 8 Little Raccoon Run) (WWF);

21. Place and maintain fill in 1,006 LF of a UNT to Little Raccoon Run (aka UNT 1 Little Raccoon Run) (WWF);

22. Place and maintain fill in 20 LF of a UNT to Little Raccoon Run (aka UNT Stream A to Little Raccoon Run) (WWF);

23. Place and maintain fill in 743 LF of a UNT to Little Raccoon Run (aka UNT 9 Little Raccoon Run) (WWF);

24. Place and maintain fill in 494 LF of a UNT to Little Raccoon Run (aka UNT 7 Little Raccoon Run) (WWF);

25. Construct and maintain a 697' × 4' culvert in a UNT to Little Raccoon Run (aka Tributary B to Little Raccoon Run UNT 12) (WWF);

26. Place and maintain fill in 50 LF of a UNT to Little Raccoon Run (aka UNT 7 Little Raccoon Run) (WWF);

27. Place and maintain fill in 50 LF of a UNT to Little Raccoon Run (aka UNT 10 Little Raccoon Run) (WWF);

28. Place and maintain a 6 LF extension of an existing culvert in a UNT to Little Raccoon Run (aka UNT 1 Little Raccoon Run) (WWF);

29. Place and maintain fill in several wetlands (PEM, PSS, and PFO), affecting approximately 3,388 acres of wetlands, and temporarily affecting an additional 1.094 acre of wetlands in the Saint Patrick Run and Little Raccoon Run watersheds;

30. Install and maintain road associated stormwater facilities and outfalls in the St. Patrick's Run and Little Raccoon Run Watersheds (WWF).

In association with constructing a new 3.2 mile section (Section 55A1) of the Pennsylvania Turnpike, between US 22 and Quicksilver Road, as a component of the overall construction of a new 13.3 mile section (aka The Southern Beltway Project) of the Pennsylvania Turnpike, between

U.S Route 22, and Interstate 79 (a.k.a. The Southern Beltway project). The structures and activities requiring authorization for Section 55A1 in Robinson Township, Washington County (Clinton, PA Quadrangle; starting at Latitude: 40° 25' 24" Longitude: -80° 19' 7"; and ending at Latitude: 40° 23' 21" Longitude: -80° 16' 48") will permanently impact a total of approximately 7289 linear feet (LF) of various watercourses and 3,388 acre of wetland, and temporarily impact a total of approximately 105 LF of various watercourses and 1.094 acre of wetland. Two mitigation projects will compensate for the impacts to aquatic resources from Section 55A1. To compensate for the watercourse impacts associated with Section 55A1 of the Southern Beltway Project, the stream mitigation plan includes the reconstruction, rehabilitation, and enhancement of approximately 9,092 LF of various tributaries in the Buck Run watershed, in Donegal Township, Washington County (West Middletown, PA Quadrangle; Latitude: 40° 8' 34" Longitude: -80° 25' 10"). Although final plans for future projects are not available, the applicant estimates that the aforementioned future subprojects and the current project will permanently affect a cumulative total of approximately for 4.56 acres of permanent wetland impacts. As compensation for these wetland impacts, the applicant will construct approximately 8.3 acres of wetlands, at a site approximately 0.5 mile west of the intersection of S.R. 18, and Joffre Bulger Road, in Smith Township, Washington County (Clinton, PA Quadrangle; Latitude: 40° 23' 16" Longitude: -80° 22' 24").

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

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

ESCP 2 # ESG 040001 50001 (1)
Applicant Name UGI, Sunbury, LLC
Contact Person Casey Monagan
Address 1525 SR 292 East
City, State, Zip Dallas, PA 18612
County Northumberland, Lycoming, Snyder

Township(s) East Chillisquaque Twp, Franklin Twp, Shamonkin Dam Borough
 Receiving Stream(s) and Classification(s) UNT to Beaver Run, CWF
 UNT to Chillisquaque Creek and UNTs, WWF
 UNT to Susquehanna River, WWF

Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

ESCGP-2 # ESX10-081-0083(02)
 Applicant Name Range Resources—Appalachia LLC
 Contact Person John Applegath
 Address 80 Health Drive
 City, State, Zip Lock Haven, PA 17745
 County Lycoming
 Township(s) Cogan House & Lewis
 Receiving Stream(s) and Classification(s) Wolf Run (HQ-CWF); Steam Valley Run (HQ-CWF); Trout Run (HQ-CWF)
 Secondary—Lycoming Ck (EV)

ESCGP-2 # ESX11-081-0134(01)
 Applicant Name Range Resources—Appalachia LLC
 Contact Person Chris Waddell
 Address 80 Health Drive
 City, State, Zip Lock Haven, PA 17745

County Lycoming
 Township(s) Anthony
 Receiving Stream(s) and Classification(s) UNTs to Larrys Ck (EV); UNTs to Stony Gap Run (HQ-CWF)
 Secondary—Larrys Ck (EV); Stony Gap Run (HQ-CWF)

ESCGP-2 # ESX11-081-0071(01)
 Applicant Name Range Resources—Appalachia LLC
 Contact Person John Applegath
 Address 80 Health Drive
 City, State, Zip Lock Haven, PA 17745
 County Lycoming
 Township(s) Cogan House
 Receiving Stream(s) and Classification(s) Hoagland Run (HQ-CWF)
 Secondary—Lycoming Ck (EV)

ESCGP-2 # ESX11-081-0093(01)
 Applicant Name Range Resources—Appalachia LLC
 Contact Person Mike Middlebrook
 Address 80 Health Drive
 City, State, Zip Lock Haven, PA 17745
 County Lycoming
 Township(s) Cogan House
 Receiving Stream(s) and Classification(s) Roaring Run (EV)
 Secondary—Larrys Ck (EV)

**STORAGE TANKS
 SITE-SPECIFIC INSTALLATION PERMITS**

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P.S. §§ 6021.304, 6021.504, 6021.1101—6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Environmental Cleanup and Brownfields, Director, PO Box 8763, Harrisburg, PA 17105-8763.

<i>SSIP Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
16-04-013	MPLX Terminals, LLC 539 South Main Street Findlay, OH 45480 Attn: William Moore	Beaver	Industry Borough	3 ASTs storing biodiesel and ethanol	120,800 gallons total

SPECIAL NOTICES

Public Hearing Regarding a Draft NPDES Permit to Authorize the Discharge of Treated Wastewater to Waters of the Commonwealth

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

The Department of Environmental Protection will host a public hearing regarding a draft National Pollution Discharge Elimination System (NPDES) Permit (Permit No. PA0026492) renewal to authorize the discharge of treated wastewater to waters of the Commonwealth from the Scranton Sewer Authority Waste Water Treatment Plant located at Cedar Avenue and Breck Street in Scranton, Lackawanna County by the Scranton Sewer Authority located at 312 Adams Avenue in Scranton, Lackawanna County.

The public hearing will be held on November 2, 2016 from 6:00—9:00 PM at Council Chambers, Scranton City Hall, 340 N Washington Ave., Scranton, PA 18503. The Department is holding the public hearing in response to a request from the Scranton Sewer Authority due to anticipated public interest in the draft NPDES Permit. The

purpose of the hearing will be to receive public comment regarding the draft NPDES Permit.

The draft NPDES Permit is for the continued discharge of 20 MGD annual average dry weather flow to the Lackawanna River, a designated cold water fishery (CWF) and migratory fishery (MF) through Outfall 001. The NPDES Permit also includes 80 combined sewage overflow outfalls that may discharge under wet weather conditions to the following waters of the Commonwealth: Lackawanna River (CWF-MF), Roaring Brook (CWF), Stafford Meadow Brook (warm water fishery), Little Roaring Brook (CWF), Keyser Creek (CWF), Leggetts Creek (CWF-trout stocking fishery), and Meadow Brook (CWF).

The Department published notice in the *Pennsylvania Bulletin* on October 1, 2016 and solicited written comment concerning draft effluent limits to be imposed through the permit. The Department requests that individuals wishing to testify at the hearing notify Colleen Connolly, Community Relations Coordinator: coconnolly@pa.gov. Individuals attending the hearing will have the opportunity to testify if they so desire; however, individuals who notify the Department in advance will be given priority on the agenda.

The Department requests that attendees limit their testimony to no more than 5 minutes per person so that all individuals have the opportunity to participate. Relinquishing time to others will not be allowed. Also, the Department requests that comments stay within the scope of the meeting, particularly comments related to draft NPDES Permit No. PA0026492. Written copies of anticipated oral testimony are requested and can be submitted at the meeting.

A copy of the draft permit, fact sheet, and application can be viewed at DEP's Northeast Regional Office in Wilkes-Barre. Those wishing to make an appointment to view the documents can do so between the hours of 8 a.m.—4 p.m. by calling 570-826-2511.

Individuals in need of an accommodation as provided for in the Americans with Disabilities Act of 1990 should contact Colleen Connolly or make accommodations through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD).

**Proposed Conditional State Water Quality
Certification for the Emsworth Back Channel
Hydroelectric Project; DEP File No. WQ05-004;
FERC Project No. 13761**

On March 14, 2014, FFP Missouri 6, LLC (Applicant) filed an application with the Federal Energy Regulatory Commission (FERC) for a license to construct and operate a 12-megawatt (MW) hydroelectric facility at the Emsworth back channel dam, which is owned and operated by the U.S. Army Corps of Engineers (Corps), on the Ohio River, at river mile 6.8, in Allegheny County, Pennsylvania (Project). The Applicant is required pursuant to section 401(a) of the Federal Clean Water Act (act) (33 U.S.C.A. § 1341(a)) to provide FERC with certification from the Commonwealth of Pennsylvania (Commonwealth) that any discharge from the Project to waters of the Commonwealth will comply with provisions of the act relating to water quality standards, and necessary measures to achieve and maintain those standards. The Commonwealth has established such standards and programs to achieve and maintain them under State law, which have been approved by the U.S. Environmental Protection Agency as consistent with the applicable provisions of the act. The Pennsylvania Department of Environmental Protection (Department) administers the Commonwealth's water quality standards programs under State law, and is responsible for the review of requests from applicants for water quality certification made pursuant to section 401 of the act.

On September 14, 2016, Rye Development, LLC provided the Department with a complete application for State Water Quality Certification, including an Environmental Assessment for the Project, on behalf of the Applicant. The Project would consist of a new, approximately 100-foot-long intake channel to be excavated into the riverbed, upstream of the proposed powerhouse. Two (2) 50-foot-wide, 40-foot-high spillway gate bays would be constructed along the river side of the excavated intake channel, to pass flow equivalent to the Corps' existing gate bay that will be replaced. The intake channel would lead to a concrete intake structure that would convey flows past a trash rack with 5-inch bar spacing, to a new reinforced concrete powerhouse that is 30 feet long, 180 feet wide and 63.5 feet in height. The powerhouse would house two (2) identical horizontal pit Kaplan turbine generator units with a combined capacity of 12 MW. Flows would exit the powerhouse into an approximately 190-foot-long tailrace excavated into the riverbed. Project power would be transmitted from the powerhouse to a

new project substation with a 188-foot-long, medium-voltage buried cable, and then from the new substation to an existing substation with a 3,758-foot-long, 69-kilovolt overhead transmission line.

The Department, by this notice, proposes to certify that the construction, operation and maintenance of the Project complies with the applicable provisions of sections 301—303, 306 and 307 of the act (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), and will not violate the Commonwealth's water quality standards, provided that the construction, operation and maintenance of the Project complies with the conditions for this certification as listed below, and the terms and conditions of the State law permits required to demonstrate compliance with Pennsylvania Water Quality Standards:

1. *Discharge Permit*—If the proposed facility will result in a discharge into waters of the Commonwealth, the Applicant shall, prior to construction, obtain and comply with a National Pollutant Discharge Elimination System (NPDES) permit from the Department for discharges to waters of the Commonwealth pursuant to the Clean Streams Law (35 P.S. §§ 691.1—691.1001), and applicable regulations implementing the Clean Streams Law, including, but not limited to, 25 Pa. Code Chapters 91, 92a, 93 and 96. As part of the NPDES permit application for the Project, the Applicant shall provide the Department with information on the potential impacts of the Project on water quality and measures that will be taken to avoid, minimize and/or mitigate those impacts, including information on the type, volume and concentration of pollutants that may be discharged, impacts to Federal and State threatened and endangered species and other species of special concern, impacts on the flow and dissolved oxygen levels of the impacted waters, and measures to be taken to avoid water quality impacts, and impingement, entrainment, habitat destruction, and other adverse impacts on fish and wildlife species. The applicant shall also submit a plan as part of the permit application to prevent pollutants from directly or indirectly reaching waters of the Commonwealth through accident, carelessness, maliciousness, hazards of weather or from other causes consistent with 25 Pa. Code § 91.34. The Applicant shall assess impacts and develop best management practices as part of its permit application consistent with applicable Department technical guidance.

2. *Erosion and Sediment Control*—The Applicant shall comply with the rules and regulations of 25 Pa. Code Chapter 102. The Applicant shall obtain and comply with an NPDES permit from the Department for the discharge of stormwater if the earth disturbance activities associated with the Project will result in a total disturbance equal to or greater than 1 acre. Earth disturbance activities associated with discharging dredged or fill material from the Project to waters of the United States which require permit coverage under Section 404 of the Clean Water Act (33 U.S.C.A. § 1344) need not obtain an additional NPDES Permit from the Department for earth disturbance activities covered by the Section 404 permit. The Applicant shall submit final detailed erosion and sediment control and post construction stormwater management plans for all Project activities to the Department and County Conservation District for their review and approval prior to commencement of construction. Specific guidance on the requirements of the NPDES Permit for Stormwater Discharges Associated with Construction Activities can be obtained from the County Conservation District or the DEP Regional Office.

3. *Water Obstruction and Encroachment Permit*—The Applicant shall comply with the rules and regulations of 25 Pa. Code Chapter 105 relating to dam safety and waterway management. The Applicant shall obtain and comply with a Chapter 105 Water Obstruction and Encroachment Permit (WO&EP) issued by the Department for the construction, operation and maintenance of any water obstruction or encroachment associated with the Project that is not part of the Corps' dam or its appurtenant works pursuant to the Clean Streams Law, Dam Safety and Encroachments Act (32 P.S. §§ 673.1—693.27), and Flood Plain Management Act (32 P.S. §§ 679.101—679.601), and all applicable implementing regulations. Project activities requiring a WO&EP may include, but are not limited to, access roads, buildings, penstocks, outfalls, utility lines, pipelines, and staging areas.

4. *Submerged Lands License Agreement*—The Applicant shall obtain and comply with a Submerged Lands License Agreement pursuant to Pennsylvania's Dam Safety and Encroachments Act (32 P.S. § 693.15) from the Department to occupy submerged lands of the Commonwealth in navigable waters as necessary to construct, operate and maintain the Project.

5. *Water Resource Planning Act Registration*—In accordance with the Pennsylvania Water Resources Planning Act (27 Pa.C.S. § 3118) and the regulations thereunder (25 Pa. Code Chapter 110), FFP Missouri 5, LLC must register the hydropower facility with the Department and report water usage to the Department annually.

6. *Limited Power Permit*—The Applicant shall obtain and comply with a permit from the Department as required by the act of June 14, 1923 (32 P.S. §§ 591—625) related to the construction of a power dam or for a change in stream to develop power. The Applicant shall submit an application for this permit to the Department on the form available from the Department.

7. *Water Quality Monitoring*—The Department retains the right to specify additional studies or monitoring to ensure that the receiving water quality is not adversely impacted by the Applicant's construction, operation or maintenance of the Project.

8. *Preparedness, Prevention and Contingency Plan*—The Applicant shall develop and maintain on site a Preparedness, Prevention and Contingency Plan (PPC Plan) for any project activities utilizing pollutants pursuant to 25 Pa. Code § 91.34. The PPC Plan shall be developed in accordance with the "Guidelines for the Development and Implementation of Environmental Emergency Response Plans" which can be found at: <http://www.elibrary.dep.state.pa.us/dsweb/Get/Document-48522/400-2200-001.pdf>.

9. *Operation*—The Applicant shall at all times properly operate and maintain all Project facilities and systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this State Water Quality Certification and all required permits, authorizations and approvals. Proper operation and maintenance includes adequate laboratory controls, appropriate quality assurance procedures, and the operation of backup or auxiliary facilities or similar systems installed by the Applicant.

10. *Inspection*—The Project, including all relevant records, are subject to inspection at reasonable hours and intervals by an authorized representative of the Department to determine compliance with this State Water Quality Certification, including all required State water quality permits and State water quality standards. A copy

of this certification shall be made available for inspection by the Department during such inspections of the Project.

11. *Transfer of Projects*—If the Applicant intends to transfer any legal or equitable interest in the Project which is affected by this State Water Quality Certification, the Applicant shall serve a copy of this certification upon the prospective transferee of the legal and equitable interest at least thirty (30) days prior to the contemplated transfer and shall simultaneously inform the Department Southwest Regional Office of such intent. Notice to the Department shall include a transfer agreement signed by the existing and new owner containing a specific date for transfer of certification responsibility, coverage, and liability between them. The existing owner shall continue to be responsible for construction and operations at the Project until a transfer to the new owner has been completed.

12. *Correspondence*—All correspondence with and submittals to the Department concerning this State Water Quality Certification shall be addressed to the Department of Environmental Protection, Southwest Regional Office, and shall reference DEP File No. WQ05-004, APS ID # 888631, or Authorization No. 1103951.

13. *Reservation of Rights*—The Department may suspend or revoke this State Water Quality Certification if it determines that the Applicant has not complied with the terms and conditions of this certification. The Department reserves the right to require additional measures to achieve compliance with applicable laws and/or regulations, subject to the Applicant's applicable procedural and substantive rights.

14. *Other Laws*—Nothing in this State Water Quality Certification shall be construed to preclude the institution of any legal action or relieve the Applicant from any responsibilities, liabilities, or penalties established pursuant to any applicable Federal or State law or regulation.

15. *Severability*—The provisions of this State Water Quality Certification are severable and should any provision of this certification be declared invalid or unenforceable, the remainder of the certification shall not be affected thereby.

The Department will consider all comments received on or before November 1, 2016, before taking final action on this conditional State Water Quality Certification. Comments submitted by facsimile will not be accepted. All comments, including comments submitted by electronic mail, must include the originator's name and address. Commentators are urged to submit comments using the Department's online eComment system at www.ahs.dep.pa.gov/eComment. Written comments should be submitted by email to ecomments@pa.gov, or by mail to the Department of Environmental Protection, Southwest Regional Office, Waterways and Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222.

**Proposed Conditional State Water Quality
Certification for the Montgomery Locks and Dam
Hydroelectric Project; DEP File No. WQ05-005;
FERC Project No. 13768**

On March 14, 2014, Solia 6 Hydroelectric, LLC (Applicant) filed an application with the Federal Energy Regulatory Commission (FERC) for a license to construct and operate a 42-megawatt (MW) hydroelectric facility at the Montgomery Locks and Dam, which is owned and operated by the U.S. Army Corps of Engineers (Corps), on the Ohio River, at river mile 31.7, in Beaver County, Pennsylvania (Project). The Applicant is required pursuant to section 401(a) of the Federal Clean Water Act (act) (33 U.S.C.A. § 1341(a)) to provide FERC with certification

from the Commonwealth of Pennsylvania (Commonwealth) that any discharge from the Project to waters of the Commonwealth will comply with provisions of the act relating to water quality standards, and necessary measures to achieve and maintain those standards. The Commonwealth has established such standards and programs to achieve and maintain them under State law, which have been approved by the U.S. Environmental Protection Agency as consistent with the applicable provisions of the act. The Pennsylvania Department of Environmental Protection (Department) administers the Commonwealth's water quality standards programs under State law, and is responsible for the review of requests from applicants for water quality certification made pursuant to section 401 of the act.

On September 14, 2016, Rye Development, LLC provided the Department with a complete application for State Water Quality Certification, including an Environmental Assessment for the Project, on behalf of the Applicant. The Project would consist of a new, approximately 340-foot-long intake channel to be excavated into the riverbed immediately downstream of two of the dam's existing bays. Two (2) new spillway gate bays, with a combined width of 200 feet, would be constructed along the river side of the excavated intake channel, to pass flow equivalent to one existing gate bay. The intake channel would lead to a concrete intake structure that would convey flows past a trash rack, with 5-inch bar spacing, to a new reinforced concrete powerhouse. The powerhouse would house three (3) identical horizontal pit Kaplan turbine-generator units, with a combined capacity of 42 MW. Flows would exit the powerhouse into an approximately 280-foot-long tailrace excavated into the riverbed. Project power would be transmitted from the powerhouse, to a new project substation, with a 15-foot-long, medium-voltage buried cable, and then from the new substation to an interconnection point in an existing distribution line, with a 392-foot-long, overhead transmission line, with a voltage between 69-kilovolt (kV) and 138 kV.

The Department, by this notice, proposes to certify that the construction, operation and maintenance of the Project complies with the applicable provisions of sections 301—303, 306 and 307 of the act (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), and will not violate the Commonwealth's water quality standards, provided that the construction, operation and maintenance of the Project complies with the conditions for this certification as listed below, and the terms and conditions of the State law permits required to demonstrate compliance with Pennsylvania Water Quality Standards:

1. *Discharge Permit*—If the proposed facility will result in a discharge into waters of the Commonwealth, the Applicant shall, prior to construction, obtain and comply with a National Pollutant Discharge Elimination System (NPDES) permit from the Department for discharges to waters of the Commonwealth pursuant to the Clean Streams Law (35 P.S. §§ 691.1—691.1001), and applicable regulations implementing the Clean Streams Law, including, but not limited to, 25 Pa. Code Chapters 91, 92a, 93 and 96. As part of the NPDES permit application for the Project, the Applicant shall provide the Department with information on the potential impacts of the Project on water quality and measures that will be taken to avoid, minimize and/or mitigate those impacts, including information on the type, volume and concentration of pollutants that may be discharged, impacts to Federal and State threatened and endangered species and other species of special concern, impacts on the flow and dissolved

oxygen levels of the impacted waters, and measures to be taken to avoid water quality impacts, and impingement, entrainment, habitat destruction, and other adverse impacts on fish and wildlife species. The applicant shall also submit a plan as part of the permit application to prevent pollutants from directly or indirectly reaching waters of the Commonwealth through accident, carelessness, maliciousness, hazards of weather or from other causes consistent with 25 Pa. Code § 91.34. The Applicant shall assess impacts and develop best management practices as part of its permit application consistent with applicable Department technical guidance.

2. *Erosion and Sediment Control*—The Applicant shall comply with the rules and regulations of 25 Pa. Code Chapter 102. The Applicant shall obtain and comply with an NPDES permit from the Department for the discharge of stormwater if the earth disturbance activities associated with the Project will result in a total disturbance equal to or greater than 1 acre. Earth disturbance activities associated with discharging dredged or fill material from the Project to waters of the United States which require permit coverage under Section 404 of the Clean Water Act (33 U.S.C.A. § 1344) need not obtain an additional NPDES Permit from the Department for earth disturbance activities covered by the Section 404 permit. The Applicant shall submit final detailed erosion and sediment control and post construction stormwater management plans for all Project activities to the Department and County Conservation District for their review and approval prior to commencement of construction. Specific guidance on the requirements of the NPDES Permit for Stormwater Discharges Associated with Construction Activities can be obtained from the County Conservation District or the DEP Regional Office.

3. *Water Obstruction and Encroachment Permit*—The Applicant shall comply with the rules and regulations of 25 Pa. Code Chapter 105 relating to dam safety and waterway management. The Applicant shall obtain and comply with a Chapter 105 Water Obstruction and Encroachment Permit (WO&EP) issued by the Department for the construction, operation and maintenance of any water obstruction or encroachment associated with the Project that is not part of the Corps' dam or its appurtenant works pursuant to the Clean Streams Law, Dam Safety and Encroachments Act (32 P.S. §§ 673.1—693.27), and Flood Plain Management Act (32 P.S. §§ 679.101—679.601), and all applicable implementing regulations. Project activities requiring a WO&EP may include, but are not limited to, access roads, buildings, penstocks, outfalls, utility lines, pipelines, and staging areas.

4. *Submerged Lands License Agreement*—The Applicant shall obtain and comply with a Submerged Lands License Agreement pursuant to Pennsylvania's Dam Safety and Encroachments Act (32 P.S. § 693.15) from the Department to occupy submerged lands of the Commonwealth in navigable waters as necessary to construct, operate and maintain the Project.

5. *Water Resource Planning Act Registration*—In accordance with the Pennsylvania Water Resources Planning Act (27 Pa.C.S. § 3118) and the regulations thereunder (25 Pa. Code Chapter 110), FFP Missouri 5, LLC must register the hydropower facility with the Department and report water usage to the Department annually.

6. *Limited Power Permit*—The Applicant shall obtain and comply with a permit from the Department as required by the act of June 14, 1923 (32 P.S. §§ 591—625) related to the construction of a power dam or for a change in stream to develop power. The Applicant shall

submit an application for this permit to the Department on the form available from the Department.

7. *Water Quality Monitoring*—The Department retains the right to specify additional studies or monitoring to ensure that the receiving water quality is not adversely impacted by the Applicant's construction, operation or maintenance of the Project.

8. *Preparedness, Prevention and Contingency Plan*—The Applicant shall develop and maintain on site a Preparedness, Prevention and Contingency Plan (PPC Plan) for any project activities utilizing pollutants pursuant to 25 Pa. Code § 91.34. The PPC Plan shall be developed in accordance with the "Guidelines for the Development and Implementation of Environmental Emergency Response Plans" which can be found at: <http://www.elibrary.dep.state.pa.us/dsweb/Get/Document-48522/400-2200-001.pdf>.

9. *Operation*—The Applicant shall at all times properly operate and maintain all Project facilities and systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this State Water Quality Certification and all required permits, authorizations and approvals. Proper operation and maintenance includes adequate laboratory controls, appropriate quality assurance procedures, and the operation of backup or auxiliary facilities or similar systems installed by the Applicant.

10. *Inspection*—The Project, including all relevant records, are subject to inspection at reasonable hours and intervals by an authorized representative of the Department to determine compliance with this State Water Quality Certification, including all required State water quality permits and State water quality standards. A copy of this certification shall be made available for inspection by the Department during such inspections of the Project.

11. *Transfer of Projects*—If the Applicant intends to transfer any legal or equitable interest in the Project which is affected by this State Water Quality Certification, the Applicant shall serve a copy of this certification upon the prospective transferee of the legal and equitable interest at least thirty (30) days prior to the contemplated transfer and shall simultaneously inform the Department Southwest Regional Office of such intent. Notice to the Department shall include a transfer agreement signed by the existing and new owner containing a specific date for transfer of certification responsibility, coverage, and liability between them. The existing owner shall continue to be responsible for construction and operations at the Project until a transfer to the new owner has been completed.

12. *Correspondence*—All correspondence with and submittals to the Department concerning this State Water Quality Certification shall be addressed to the Department of Environmental Protection, Southwest Regional Office, and shall reference DEP File No. WQ05-005, APS ID # 889165, or Authorization No. 1104889.

13. *Revocation of Rights*—The Department may suspend or revoke this State Water Quality Certification if it determines that the Applicant has not complied with the terms and conditions of this certification. The Department reserves the right to require additional measures to achieve compliance with applicable laws and/or regulations, subject to the Applicant's applicable procedural and substantive rights.

14. *Other Laws*—Nothing in this State Water Quality Certification shall be construed to preclude the institution of any legal action or relieve the Applicant from any responsibilities, liabilities, or penalties established pursuant to any applicable Federal or State law or regulation.

15. *Severability*—The provisions of this State Water Quality Certification are severable and should any provision of this certification be declared invalid or unenforceable, the remainder of the certification shall not be affected thereby.

The Department will consider all comments received on or before November 1, 2016, before taking final action on this conditional State Water Quality Certification. Comments submitted by facsimile will not be accepted. All comments, including comments submitted by electronic mail, must include the originator's name and address. Commentators are urged to submit comments using the Department's online eComment system at www.ahs.dep.pa.gov/eComment. Written comments should be submitted by email to ecomments@pa.gov, or by mail to the Department of Environmental Protection, Southwest Regional Office, Waterways and Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222.

**Proposed State Water Quality Certification
Required by Section 401 of the Clean Water Act for
the Rover Pipeline Project—Burgettstown Lateral
Pipe and Compressor Station**

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Rita A. Coleman, 412-442-4314.

WQ05-007, Rover Pipeline, LLC (Applicant), 1300 Main Street, Houston, TX 77002. Burgettstown Lateral Pipe and Compressor Station (Project). The proposed project begins southeast of the intersection of Creek Road and Point Pleasant Road in Smith Township, and continues into West Virginia near the intersection of Aunt Clara Road and Hudson Hill Road in Hanover Township, (Start: Clinton, PA USGS Topographic Quadrangle N: 40°, 24', 49"; W: -80°, 21', 26"; End: Burgettstown, PA USGS Topographic Quadrangle N: 40°, 27', 39"; W: -80°, 31', 3"), in **Washington County**, Pittsburgh Corps District.

On February 20, 2015, Applicant filed an application with the Federal Energy Regulatory Commission (FERC) under Section 7 of the Natural Gas Act (15 U.S.C.A. § 717f) seeking a certificate of public convenience and necessity to construct and operate its Project (FERC Docket No. CP15-93-000). This application may be viewed on FERC's website at www.ferc.gov (search eLibrary; Docket Search; CP15-93).

On January 12, 2016, Applicant requested a state water quality certification from the Pennsylvania Department of Environmental Protection (Department), as required by Section 401 of the Clean Water Act (33 U.S.C.A. § 1341), to ensure that the construction, operation and maintenance of the Project will protect water quality in Pennsylvania through compliance with State water quality standards and associated State law requirements, which are consistent with the requirements of the Clean Water Act.

The Project in Pennsylvania, as proposed, includes approximately 10.4 miles of new 36-inch-diameter pipeline (Burgettstown Lateral) system that will cross 31 streams and nine wetlands; a new compressor station and meter station on the same site; and two temporary gravel access roads. The proposed Project in Pennsylvania, will require approximately 177.3 acres of earth disturbance, and impacts to 139 linear feet of streams including Raccoon Creek and twelve Unnamed Tributaries (UNT's) to Raccoon Creek (WWF); Kings Creek and five UNT's to Kings Creek (WWF); Aunt Clara Fork and seven UNT's to Aunt Clara Fork (CWF), 4.8 acres of floodway, 0.92 acre of temporary wetland impacts, and 0.062 acre of permanent wetland impacts that are associated with permanent right-of-way maintenance.

The Department anticipates issuing a state water quality certification to Applicant for the Project that will require compliance with the following State water quality permitting programs, criteria and conditions established pursuant to State law to ensure the Project does not violate applicable State water quality standards set forth in 25 Pa. Code Chapter 93:

1. *Discharge Permit*—Applicant shall obtain and comply with a Department National Pollutant Discharge Elimination System (NPDES) permit for the discharge of water from the hydrostatic testing of the pipeline pursuant to Pennsylvania's Clean Streams Law (35 P.S. §§ 691.1—691.1001), and all applicable implementing regulations (25 Pa. Code Chapter 92a).

2. *Erosion and Sediment Control Permit*—Applicant shall obtain and comply with the Department's Chapter 102 Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment issued pursuant to Pennsylvania's Clean Streams Law and Storm Water Management Act (32 P.S. §§ 680.1—680.17), and all applicable implementing regulations (25 Pa. Code Chapter 102).

3. *Water Obstruction and Encroachment Permits*—Applicant shall obtain and comply with a Department Chapter 105 Water Obstruction and Encroachment Permits for the construction, operation and maintenance of all water obstructions and encroachments associated with the project pursuant to Pennsylvania's Clean Streams Law, Dam Safety and Encroachments Act (32 P.S. §§ 673.1—693.27), and Flood Plain Management Act (32 P.S. §§ 679.101—679.601), and all applicable implementing regulations (25 Pa. Code Chapter 105).

4. *Water Quality Monitoring*—The Department retains the right to specify additional studies or monitoring to ensure that the receiving water quality is not adversely impacted by any operational and construction process that may be employed by Applicant.

5. *Operation*—Applicant shall at all times properly operate and maintain all Project facilities and systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this State Water Quality Certification and all required permits, authorizations and approvals. Proper operation and maintenance includes adequate laboratory controls, appropriate quality assurance procedures, and the operation of backup or auxiliary facilities or similar systems installed by Applicant.

6. *Inspection*—The Project, including all relevant records, are subject to inspection at reasonable hours and intervals by an authorized representative of the Department to determine compliance with this State Water Quality Certification, including all required State water quality permits and State water quality standards. A copy of this certification shall be available for inspection by the Department during such inspections of the Project.

7. *Transfer of Projects*—If Applicant intends to transfer any legal or equitable interest in the Project which is affected by this State Water Quality Certification, Applicant shall serve a copy of this certification upon the prospective transferee of the legal and equitable interest at least thirty (30) days prior to the contemplated transfer and shall simultaneously inform the Department Regional Office of such intent. Notice to the Department shall include a transfer agreement signed by the existing and new owner containing a specific date for transfer of certification responsibility, coverage, and liability between them.

8. *Correspondence*—All correspondence with and submittals to the Department concerning this State Water Quality Certification shall be addressed to the Department of Environmental Protection, Southwest Regional Office, Rita A. Coleman, 400 Waterfront Drive, Pittsburgh, PA 15222.

9. *Reservation of Rights*—The Department may suspend or revoke this State Water Quality Certification if it determines that Applicant has not complied with the terms and conditions of this certification. The Department may require additional measures to achieve compliance with applicable law, subject to Applicant's applicable procedural and substantive rights.

10. *Other Laws*—Nothing in this State Water Quality Certification shall be construed to preclude the institution of any legal action or relieve Applicant from any responsibilities, liabilities, or penalties established pursuant to any applicable Federal or State law or regulation.

11. *Severability*—The provisions of this State Water Quality Certification are severable and should any provision of this certification be declared invalid or unenforceable, the remainder of the certification shall not be affected thereby.

Prior to issuance of the final state water quality certification, the Department will consider all relevant and timely comments, suggestions or objections submitted to the Department within 30 days of this notice. Comments should be directed to Rita A. Coleman, Program Manager, Waterways and Wetlands Program, at the above address or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD). Comments must be submitted in writing and contain the name, address and telephone number of the person commenting and a concise statement of comments, objections or suggestions on this proposal. No comments submitted by facsimile will be accepted.

[Pa.B. Doc. No. 16-1681. Filed for public inspection September 30, 2016, 9:00 a.m.]

Air Quality Technical Advisory Committee Meeting Cancellation

The Air Quality Technical Advisory Committee (Committee) meeting scheduled for October 13, 2016, has been cancelled. The next Committee meeting is scheduled for Thursday, December 8, 2016, at 9:15 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

For additional information contact Kirit Dalal at (717) 772-3436 or kdalal@pa.gov. The agenda and materials for the December 8, 2016, meeting will be available through the Public Participation tab on the Department of Environmental Protection's (Department) web site at <http://www.dep.pa.gov>.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Kirit Dalal at (717) 772-3436 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Acting Secretary

[Pa.B. Doc. No. 16-1682. Filed for public inspection September 30, 2016, 9:00 a.m.]

Bid Opportunity

OSM 37(4477)101.1, Abandoned Mine Reclamation Project, Duck Run, Wayne Township, Lawrence County. The principal items of work and approximate quantities include grading 72,000 tons, seeding 6.0 acres and tree planting 1,000 trees.

This bid issues on October 14, 2016, and bids will be opened on November 17, 2016, at 2 p.m. Bid documents, including drawings in PDF format and Auto-Cad Map 3D format, may be downloaded for free beginning on the issue date from the Department of Environmental Protection's web site at www.dep.pa.gov/ConstructionContracts. Bid documents and drawings can also be obtained upon payment of \$22, plus \$13 for postage, which includes sales tax, by calling (717) 787-7820. Auto-Cad Map 3D format drawings can also be purchased on a compact disc (CD) for an additional \$5 per CD. Money will not be refunded. 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—1328) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 for more information on this bid. Note this is a Small Construction Business Program bid opportunity.

PATRICK McDONNELL,
Acting Secretary

[Pa.B. Doc. No. 16-1683. Filed for public inspection September 30, 2016, 9:00 a.m.]

DEPARTMENT OF HEALTH

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.22(d), (e) and (j) (relating to prevention, control and surveillance of tuberculosis (TB)):

Guthrie Towanda Memorial Hospital Skilled Nursing Unit
91 Hospital Drive
Towanda, PA 18848
FAC ID # 650202

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

Golden LivingCenter—Scranton
824 Adams Avenue
Scranton, PA 18510
FAC ID # 010102

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be

reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the address or phone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 16-1684. Filed for public inspection September 30, 2016, 9:00 a.m.]

Organ Donation Advisory Committee Meeting

The Organ Donation Advisory Committee, established under 20 Pa.C.S. § 8622 (relating to The Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund), will hold a public meeting on Tuesday, October 18, 2016, from 10 a.m. to 3 p.m. This meeting is a rescheduling of the October 6, 2016, meeting, which has been cancelled. The purpose of the meeting is to review progress in the area of organ and tissue donation in this Commonwealth, recommend education and awareness activities, recommend priorities in expenditures from the Organ and Tissue Donation Awareness Fund (Fund) and advise the Secretary of Health on matters relating to the administration of the Fund. The meeting will be held at the Giant Community Center, 2nd Floor, Giant Food Store, 2300 Linglestown Road, Harrisburg, PA 17110.

For additional information or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact Christine Bayuk, Program Administrator, Organ and Tissue Donation Program, Division of Nutrition and Physical Activity, Bureau of Health Promotion and Risk Reduction, Room 1000, Health and Welfare Building, Harrisburg, PA, (717) 787-6214, or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

This meeting is subject to cancellation without notice.

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 16-1685. Filed for public inspection September 30, 2016, 9:00 a.m.]

Renal Disease Advisory Committee Meeting

The Renal Disease Advisory Committee, established by section 4 of the act of June 23, 1970 (P.L. 419, No. 140) (35 P.S. § 6204), will hold its quarterly public meeting on Friday, October 21, 2016, from 10 a.m. to 1 p.m. in Conference Room 907, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120. The purpose of the meeting is to discuss new and ongoing issues relating to treatment of chronic renal disease and the Department of Health's programs related to care and treatment.

For additional information or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact Tara Landis, Director, Division of Child

and Adult Health Services, 7th Floor East, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 772-2762, or for a speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

This meeting is subject to cancellation without notice.

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 16-1686. Filed for public inspection September 30, 2016, 9:00 a.m.]

Special Supplemental Nutrition Program for Women, Infants and Children (WIC Program); 2016-2017 WIC Food List

I. 2016-2017 WIC Food List

Under 28 Pa. Code § 1103.5(a) (relating to minimum inventory), the WIC Program publishes notice of the 2016-2017 WIC Food List which contains the required types of foods and, if applicable, names of the allowable brands of foods. Effective October 1, 2016, the 2016-2017 WIC Food List authorizes the following as allowable foods for the purpose of the WIC Program.

Cheese

Regular, reduced fat, low fat or fat free, low cholesterol, low sodium, lactose free, smoked or calcium fortified. Cheese must be marked with weight, type and cost. Cheese must be in the form of a block, sliced, shredded, stick or string cheese. Package size must be 8 or 16 ounces.

American (Pasteurized Process)	Cheddar
Cheddarella	Cojack
Colby (Longhorn)	Monterey Jack
Mozzarella	Muenster
Provolone	Swiss

Kosher cheese must be specified on the WIC check to be purchased using a WIC check.

Not Allowed: Individually wrapped slices, imported, deli service, cheese foods, imitation cheese, cheese products or spreads, cheese with added ingredients, organic cheese, cheese packed in water.

Cow's Milk

Fluid (pasteurized; quart, 1/2 gallons or gallons), any fat level, allowed as specified on the WIC check. Acidophilus milk allowed. Lactose free milk allowed, if specified on the WIC check. Evaporated (12-ounce cans), if specified on the WIC check. Dry milk allowed, if specified on the WIC check.

Not Allowed: Flavored milk, buttermilk, goat's milk, milk with added calcium, protein or plant sterols, vitamin C, omega 3s, organic milk, ultra high temperature processed milk, milk in glass bottles.

Soy Beverage

32-ounce or 64-ounce containers:	Pacific Natural Foods—Ultra Soy (Plain or Vanilla flavored)
	8th Continent Soymilk Original or Vanilla Flavor
	Silk Original

Not Allowed: Any other brand or type of soy beverage.

Yogurt (32-ounce containers only)

Whole Fat Yogurts:

Dannon	All Natural Plain
ShopRite	Plain
<i>Lowfat Yogurts:</i>	
America's Choice	Plain, Strawberry, Vanilla
Best Yet	Plain, Vanilla
Coburn Farms	Vanilla
Dannon	Plain, Vanilla
Essential Everyday	Peach, Plain, Raspberry, Strawberry, Strawberry Banana, Vanilla
Food Club	Vanilla
Giant	Plain
Giant Eagle	Plain, Vanilla
Great Value	Peach, Strawberry, Strawberry Banana, Vanilla
ShopRite	Plain, Vanilla
Shurfine	Plain, Vanilla
Weis Quality	Peach, Plain, Strawberry
Yoplait	Harvest Peach, Strawberry, Strawberry Banana, Vanilla

Nonfat Yogurts:

America's Choice	Plain
Best Yet	Plain, Vanilla
Coburn Farms	Plain
Dannon	All Natural Plain
Essential Everyday	Plain
Food Club	Plain
Giant	Plain, Vanilla
Giant Eagle	Plain
Great Value	Plain
Market Pantry	Plain
ShopRite	Plain, Vanilla
Shurfine	Plain, Vanilla
Weis Quality	Plain, Vanilla
Yoplait	Plain

Tofu

16-ounce containers:	House Foods Premium—Medium Firm, Firm, Extra Firm
	Nasoya—Silken

Not Allowed: Any other brand or type of tofu.

Chicken Eggs

Any Brand Grade A or AA Regular: large, medium or small raw shell brown or white chicken eggs in 1-dozen package.

Not Allowed: Specialty eggs such as, vegetarian fed, organic eggs, low cholesterol, fat modified, high in omega 3s and the like.

Legumes (Beans)

Black beans, black eye peas, garbanzo beans, great northern beans, kidney beans, lima beans, navy beans, pinto beans, soybeans, butter beans, pink beans, split peas and lentils.

1 pound dry or 15 1/2-ounce to 16-ounce canned any brand (canned kidney beans may contain sugar)

Not Allowed: Green beans, green peas, green lima beans, snap beans, yellow beans, wax beans, pork-n-beans, beans with added seasonings, sugars, oils, fats, sauces, meats, organic beans.

*Fruits and Vegetables**Fruits Allowed:*

Fresh, whole or cut without added sugars. Frozen, without added sugars. Canned, jarred or multipack without added sugars, fats, oils or sodium (salt).

Vegetables Allowed:

Fresh, whole or cut without added sugars, fats or oils. Frozen, without added sugars, fats or oils. Canned or jarred, without added sugars, fats or oils. Whole kernel corn and green peas can contain sugar.

Organic fruits and vegetables can be purchased.

Not allowed:

- Party trays, fruit baskets, salad bar items
- Items that contain dips or sauces
- Ingredients other than fruit—sugar, honey, high fructose corn syrup, heavy or light syrup, dextrose, sucrose, maple syrup, artificial sweeteners, fats, oils or sodium (salt)
- Ingredients other than vegetables—sugar, honey, high fructose corn syrup, cheese sauce, noodles, rice, nuts, spices, fats or oils
- Sauerkraut, pickled vegetables, olives
- Jarred salsa, pasta sauce
- Fresh herbs and spices, edible blossoms
- Dried fruit, dried vegetables, trail mix
- Fruit leathers, fruit snacks, fruit roll-ups
- Fruit and nut mixtures
- Fruit cocktails, cranberry sauce, pie filling
- Baked goods containing fruit or vegetables
- Infant or toddler fruits and vegetables
- Maraschino cherries or products containing maraschino cherries
- Squeezable fruit or vegetable pouches

Juice

Single Strength (48-ounce container, 100% pure juice):

Apple	Apple & Eve, Essentials Everyday, Giant Eagle, Juicy Juice, Lucky Leaf, Musselman's, Red & White, Seneca, Shurfine
Cranberry	Apple & Eve: Naturally Cranberry, Northland Traditional Cranberry
100% Grape (purple or white)	Juicy Juice, Red & White, Shurfine

Juice Blends	Apple & Eve: Cranberry Apple and Cranberry Raspberry Nestle Juicy Juice: All flavors
Pineapple	Essentials Everyday, Shurfine

Single Strength (64-ounce container, 100% pure juice):

Apple	America's Choice, Apple & Eve, Best Yet, Essential Everyday, Food Club, Giant, Giant Eagle, Great Value, Hytop, Krasdale, Lucky Leaf, Mott's, Musselman's, Market Pantry, Old Orchard, Red & White, Seneca, Shop Rite, Shurfine, Tipton Grove, Weis Quality
Cranberry	Best Yet, Essential Everyday, Food Club, Giant, Giant Eagle, Great Value, Shurfine
Grape (purple, red or white)	America's Choice, Best Yet, Essential Everyday, Food Club, Giant, Giant Eagle, Great Value, Hytop, Krasdale, Market Pantry, Red & White, Shop Rite, Shurfine, Tipton Grove, Value Time, Weis Quality, Welch's
Orange	Any Brand, calcium and vitamin D added allowed
Pineapple	Best Yet, Essential Everyday, Food Club, Giant, Giant Eagle, Great Value, Libby's, Shurfine
Tomato	Campbell's (regular or low sodium)
Vegetable	Campbell's V8 (regular or low sodium)
Juice Blends	Apple & Eve—all flavors (including Sesame Street) except "Cranberry Juice & More" Juicy Juice—all flavors Old Orchard—100% juice flavors, no premium flavors

Frozen Concentrated (11 1/2-ounce to 12-ounce container, 100% pure juice):

Apple	America's Choice, Best Yet, Essential Everyday, Food Club, Giant, Hannaford, Great Value, Market Pantry, My Essentials, Old Orchard, Seneca, Shop Rite, Shurfine, Tipton Grove, Weis Quality
Apple Juice Blends	Old Orchard (all flavors with green pull tab top)
Orange	Any brand (including calcium and vitamin D added)
Grape	Essential Everyday, Food Club, Giant, Hannaford, Market Pantry Welch's (all flavors with yellow pull tab top)
White Grape Juice Blends	Welch's (all flavors with yellow pull tab top)

Shelf Stable Concentrated (11 1/2-ounce to 12-ounce container, 100% pure juice):

Welch's any flavor with yellow trim

Not Allowed: Ciders, cocktails, artificial sweeteners, food colorings, added sugar, alcohol, carbonation, fiber, omega 3s, DHA, ARA, beta-carotene, vitamin A, vitamin E, organic juice.

*Cereal**Adult/Child Cereals:*

Minimum package size 12 ounces

<i>General Mills:</i>	Cheerios (regular, multigrain) Chex (wheat, corn, rice) Dora the Explorer Kix (regular, honey or berry berry) Total (whole grain) Fiber One Honey Clusters Wheaties (regular flavor only)
<i>Kellogg Co.:</i>	All Bran Complete Wheat Flakes Corn Flakes Crispix Frosted Mini Wheat Original (Little Bite, Bite Size) Rice Krispies (regular) Special K (regular)
<i>Malto Meal, bag or box:</i>	Crispy rice, Honey & Oat Blenders (regular or almond)
<i>Maypo:</i>	Instant Maple Oatmeal
<i>Nabisco: Cream of Wheat:</i>	Instant original, 1 minute, 2 1/2 minutes, 10 minutes, Whole Grain or Healthy Grain
<i>Post:</i>	Alpha-Bits Grape-Nuts & Grape-Nut Flakes Great Grains Bran Flakes Honey Bunches of Oats (Honey Roasted, with Almonds, Cinnamon Clusters, Vanilla Clusters)
<i>Quaker Co.:</i>	Original Instant Grits Crunchy Corn Bran Life (regular flavor) Oatmeal Squares (cinnamon or brown sugar)
<i>Sunbelt Bakery</i>	Simple Granola
<i>Store Brand Cereal:</i>	Corn Flakes, Corn Squares-Biscuits, Toasted Oats, Tostitos, Rice Squares-Biscuits: (America's Choice, Essentials Everyday, Food Club, Giant, Giant Eagle, Great Value, Hannaford, Ralston Foods, Shop Rite, Shurfine, Weis Quality)

Not Allowed: Individual serving boxes, organic cereal, any other brand or type of cereal.

Peanut Butter

16-ounce to 18-ounce container, labeled "Peanut Butter" only

Not Allowed: Reduced fat peanut butter, peanut butter spread, peanut butter mixed with jelly, marshmallow, chocolate or honey, organic peanut butter, added omega 3s, DHA, ARA or artificial sweeteners.

*Infant Formula**Contract Brand*

<i>Milk Based:</i>	Similac Advance
<i>Soy Based:</i>	Similac Soy Isomil

Other brands and types of formula must be specified on the WIC check.

Infant Foods

Infant Cereal: Brand specified on the WIC check: rice, oatmeal, barley, whole wheat or multigrain in 8-ounce or 16-ounce container.

Not Allowed: Organic varieties, variety pack, cereal with fruit, formula, yogurt, DHA or ARA.

Infant Fruits and Vegetables: Brand specified on the WIC check: 4-ounce containers of 100% fruits or vegetables.

Not Allowed: Desserts, organic varieties, mixed with salt, sugar, cereal, rice, noodles, meats, yogurt, DHA, ARA, flour, starch, any other ingredients or squeezable pouches.

Infant Meats: Brand specified on the WIC check: 2 1/2-ounce containers of single ingredient meats (with or without gravy or broth).

Not Allowed: Organic varieties, mixed with salt, sugar, cereal, rice, noodles, vegetables, fruit, DHA, ARA, flour, starch or any other ingredients.

Canned Fish

Chunk Light Tuna, Pink Salmon or Sardines in 3 3/4-ounce, 5-ounce or 6-ounce cans only

Not Allowed: Products packed in oil, albacore tuna, brisling sardines, red salmon, organic fish.

*Whole Grains**16-ounce packages:**Whole Wheat Bread and Rolls*

Store Brands 100% Whole Wheat Bread:

Acme, America's Choice, Best Yet, Essential Everyday, Giant, Giant Eagle, Krasdale, Shoprite, Weis Quality	
Arnold	100% Stoneground Whole Wheat Bread
Bimbo	100% Whole Wheat Bread
Gold Medal	100% Whole Wheat Bread
Gourmet	100% Whole Wheat Bread
Harvest Pride	100% Whole Wheat Bread
Hauswald	100% Whole Wheat Bread
Monks	Wheat Whole Grain Bread
Nature's Harvest	100% Stone Ground Whole Wheat Bread
Nature's Own	100% Whole Wheat with Honey
Nature's Promise	100% Whole Wheat
Nickles Country Style	100% Whole Wheat Bread
Pepperidge Farms	Stoneground 100% Whole Wheat Bread, Very Thin Soft 100% Whole Wheat Bread
Sara Lee	Classic 100% Whole Wheat Bread
Schmidt	Old Time—100% Whole Wheat Bread
Schwebel's	100% Whole Wheat Bread
Stern's	Whole Wheat Bread, Whole Wheat Rolls and Whole Wheat Hot Dog Buns
Stroehmann	Small 100% Whole Wheat Bread
Windmill Farms	100% Stoneground Whole Wheat Bread—Hamotzie, 100% Stoneground Whole Wheat Bread—Mezonot, 6-pack Whole Wheat Rolls
Wonder	100% Whole Wheat Bread

Tortillas

<i>Store Brands:</i>	Giant Eagle	Fajita Size Tortillas White Corn or Soft Taco size whole wheat Tortillas
	Nature's Promise	Corn All Natural Tortillas
	Giant	Yellow or White Corn or Whole Wheat Tortillas
Celia's		Yellow or White Corn
Chi Chi's		White Corn Tortillas, Whole Wheat Fajita Style
Don Pancho		Yellow or White Corn Tortillas, Whole Wheat Tortillas
Guerrero		Corn Tortillas
La Banderita		Corn Tortillas, Whole Wheat Soft Taco, Whole Wheat Fajita Tortillas
La Burrita		Yellow Corn Tortillas
MexAmerican		Whole Wheat with Honey
MiCasa		Whole Wheat Tortillas
Mission		Yellow Corn Extra Thin Tortillas and Whole Wheat Tortillas
Ortega		Whole Wheat Tortillas
Siempre Autentico		Whole Wheat Tortillas

Whole Grain Brown Rice:

Blue Ribbon, Mahatma, Uncle Ben's: Natural Whole Grain Brown Rice

Store Brands: America's Choice, Best Yet, Essentials Every Day, Giant, Great Value, Shurfine, Weis Quality

Oats: 16-ounce packages: Mom's Best Natural Quick Oats

Whole Wheat Pasta 16-ounce

Essential Everyday:	Whole Wheat Spaghetti Whole Wheat Thin Spaghetti Whole Wheat Macaroni Whole Wheat Penne
Shurfine:	100% Whole Wheat Pasta: Spaghetti, Penne Rigate
Weis Quality:	Whole Wheat Penne Rigate Whole Wheat Spaghetti Whole Wheat Angel Hair

*24-ounce packages:**Whole Wheat Bread and Rolls*

Archer Farms	100% Whole Wheat Bread
Arnold	100% Whole Wheat Bread
Brownberry	100% Whole Wheat Bread
Essential Everyday	100% Whole Wheat Bread
Freihofer	100% Whole Wheat Bread
Gold Medal	Natural or Premium 100% Whole Wheat Bread
Gourmet	100% Whole Grain Bread
Nature's Promise	Natural 100% Whole Grain Bread
Nickles	Country Style 100% Whole Wheat Bread

Pepperidge Farms	Double Fiber, Farmhouse soft 100% Whole Wheat Bread, Honey Oat, Oatmeal Bread, Soft Honey Whole Wheat Bread, Whole Grain 100% Whole Wheat Bread
ShopRite	100% Stone Ground Wheat Bread, Premium 100% Whole Wheat Bread, Natural 100% Whole Wheat Bread
Stroehmann	Dutch Country 100% Whole Wheat Bread, Family Grains 100% Whole Wheat Bread

Oats—Quaker Steel Cut Oats

Not Allowed: Any other package size, brand or type of whole grain products, organic whole grains, items with added omega-3s, dried fruits, seeds, nuts, extra calcium or vitamin D.

II. Contract Brand of Formula

The WIC Program has entered into a contract with Abbott Laboratories to be the primary provider of infant formula for the WIC Program. The contract brand of infant formula is Similac Advance and Similac Soy Isomil. Other brands and types of formula must be specified on the WIC check to be authorized for purchase with a WIC check. The information contained herein is effective October 1, 2016.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact Perce Morgan, Department of Health, Bureau of WIC, 625 Forster Street, 7 West Health and Welfare Building, Harrisburg, PA 17120, (717) 783-1289, or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 16-1687. Filed for public inspection September 30, 2016, 9:00 a.m.]

Special Supplemental Nutrition Program for Women, Infants and Children (WIC Program); Minimum Inventory Requirements

Under 28 Pa. Code § 1103.5(a)(3) (relating to minimum inventory), the WIC Program publishes notice of the minimum inventory requirements. Effective October 1, 2016, a store shall have available on the premises, at the time of an onsite review and at all times thereafter while participating as a WIC authorized store, the following foods at shelf prices equal to or less than the competitive prices:

Formula

Seventeen 13-ounce cans of Similac Advance liquid concentrate.

Ten 12.4-ounce cans of Similac Advance powder.

Seventeen 13-ounce cans of Similac Soy Isomil liquid concentrate.

Ten 12.4-ounce cans of Similac Soy Isomil powder.

Other standard formulas specified on the WIC check are not minimum inventory requirements. The store must

be able to provide these within 72 hours after a participant makes a request for other standard formula.

Infant Foods

Two varieties of infant cereal in 8-ounce containers, totaling at least 24 ounces.

Two varieties 100% fruit, any brand, with a total of 32 4-ounce containers.

Two varieties 100% vegetable, any brand, with a total of 32 4-ounce containers.

Two varieties 100% meat, any brand, with a total of 31 2 1/2-ounce containers.

Fruits and Vegetables

Two types of fruits and two varieties of vegetables, fresh, frozen or canned, totaling at least \$16.50 worth.

Whole Grains

Two WIC allowable varieties with a total of two 16-ounce packages.

Cow's Milk

Fluid Whole, Vitamin D Fortified: Eight 1/2 gallons. Fluid Skim, Fat Free, 1%: 18 1/2 gallons.

Chicken Eggs

Grade "A" or "AA" Eggs: Three 1-dozen containers large or smaller raw shell eggs.

Cheese

Three WIC allowable types prepackaged in 8-ounce or 16-ounce containers, totaling at least 4 pounds of cheese.

Juices

Two WIC allowable single strength varieties with a total of five 48-ounce containers.

Two WIC allowable single strength varieties with a total of two 64-ounce containers.

Two WIC allowable varieties frozen concentrated or shelf stable concentrated, with a total of five 11 1/2-ounce to 12-ounce containers.

Cereal

Adult, five WIC allowable varieties, at least one whole grain variety, in 12-ounce or larger packages totaling at least 60 ounces.

Peanut Butter

Two 16-ounce to 18-ounce containers labeled "peanut butter."

Dried Peas and Beans or Canned Beans

Two varieties WIC allowable: 1 pound each dried or 15 1/2-ounce to 16-ounce canned with a total of four cans.

Canned Fish

At least 45 ounces in 3 3/4-ounce, 5-ounce or 6-ounce cans, chunk light tuna, pink salmon or sardines not packed in oil.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotope, Braille) should contact Perce Morgan, Department of Health, Bureau of WIC, 625 Forster Street, 7 West Health and Welfare Building, Harrisburg, PA 17120, (717) 783-1289, or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 16-1688. Filed for public inspection September 30, 2016, 9:00 a.m.]

Special Supplemental Nutrition Program for Women, Infants and Children (WIC Program); Minimum Technology Standards

Under 28 Pa. Code § 1103.4(15) (relating to selection criteria for authorization and reauthorization), the WIC Program publishes notice of minimum technology standards. A store applying to become a WIC authorized store must have all of the following to be considered for authorization:

Minimum Technology Standards

Have an existing active hard wire telephone line on the store's premises.

An active e-mail account for the store owner or manager.

Upon authorization a store must maintain an active WIC Vendor Assistant (VA) account.

Internet connection on store premises (one of the following):

- Dial-up through an Internet provider
- Broadband DSL
- Broadband cable

A personal computer on store premises:

- Internet browser capable of accessing the WIC VA web site
- Adobe Reader software
- If using CheckScan, the following minimum software and hardware is required.

Note: These are Windows XP minimum requirements. Newer operating systems may require additional hardware.

- Personal computer with 300 megahertz or higher processor clock speed
- Microsoft Windows XP, Vista or Windows 7 operating system
- Microsoft .Net Framework 2.0 or higher (software)
- 256 mb RAM
- 1.5 gigabytes of available hard drive space
- An available USB port (version 1.1 or 2.0)

Persons with a disability who require an alternative format of this notice (for example, large print, audiotope, Braille) should contact Perce Morgan, Department of Health, Bureau of WIC, 625 Forster Street, 7 West Health and Welfare Building, Harrisburg, PA 17120, (717) 783-1289, or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 16-1689. Filed for public inspection September 30, 2016, 9:00 a.m.]

Temporary Scheduling of Substance: Carfentanil as a Schedule II Controlled Substance

The Secretary of Health (Secretary) of the Department of Health (Department) is issuing this notice of intent to issue a final notice to temporarily schedule the substance carfentanil, a narcotic substance, as a Schedule II controlled substance under The Controlled Substance, Drug, Device and Cosmetic Act (act) (35 P.S. §§ 780-101—780-144). The Secretary is taking this action because the scheduling of carfentanil in this Commonwealth on a temporary basis is necessary to avoid an imminent hazard to public safety.

At the time of publication in the *Pennsylvania Bulletin*, the Secretary will transmit a copy of the proposed notice to the Attorney General under section 3(d)(4) of the act (35 P.S. § 780-103(d)(4)) for his review. The Attorney General shall, by law, have 30 days from receipt of the proposed notice to provide written comments to the Department, if any.

Any formal order may not be issued before the expiration of 14 days after both:

(i) The date of publication in the *Pennsylvania Bulletin* of this proposed notice of the intention to issue a final notice and the grounds upon which the order is to be issued.

(ii) The date the Secretary transmitted the notice to the Attorney General.

Background

The United States Drug Enforcement Administration (DEA) classified carfentanil as a Schedule II narcotic under the Federal Controlled Substance Act (CSA) (21 U.S.C.A. §§ 801—971) on October 28, 1988. The DEA determined that carfentanil has: (1) a high potential for abuse; (2) a currently accepted veterinary medical use in treatment in the United States; and (3) that abuse of carfentanil may lead to severe psychological or physical dependence. Because carfentanil has acceptable veterinary medical uses, the DEA classified it as a Schedule II narcotic substance. The DEA further found that carfentanil is an opiate as defined in section 102(18) of the CSA (21 U.S.C.A. § 802(18)) since it has an addiction-forming and addiction-sustaining liability similar to morphine. Finally, carfentanil is a narcotic since the definition of narcotic, as proved in section 102(17)(A) of the CSA includes: "Opium, opiates, derivatives of opium and opiates."

In this Commonwealth, by contrast, carfentanil is not currently scheduled. The Commonwealth has recently seen increases in drug traffickers mixing carfentanil instead of morphine to cut heroin. Because of carfentanil's high potential for abuse—as well as it being 10,000 times more potent than morphine—it poses a substantial risk to the public. The Secretary recognizes that there are legitimate veterinarian uses for carfentanil, but that the United States Food and Drug Administration (FDA) has not approved carfentanil for any medical use by or treatment for humans. That carfentanil has a high potential for abuse, which may lead to severe psychological or physical dependence, has prompted the Secretary to schedule carfentanil as a Schedule II controlled substance on a temporary basis. In doing so, the Secretary is acting

to protect the citizens of this Commonwealth and bring the Commonwealth into conformity with Federal law.

Legal Authority and Action

Under section 3 of the act, the Secretary shall control all substances listed in Schedules I through V of the act. Under section 3(d) of the act, the Secretary is authorized to schedule any substance on a temporary basis to avoid an imminent hazard to public safety. When determining whether a substance poses an imminent hazard to public safety, the Secretary is required to consider: (1) the substance's history and current pattern of abuse; (2) the substance's scope, duration and significance of its abuse; (3) the risk to the public health; and (4) whether the substance is controlled under Federal law. When a substance is already controlled under Federal law, the Secretary is not required to take the remaining factors into consideration.

In addition, the Secretary is authorized under section 3(d) of the act, to schedule on a temporary basis a substance under one of the schedules in section 4 of the act (35 P.S. § 780-104), regarding schedules of controlled substances, if the substance is not listed in any other schedule in section 4 of the act or 28 Pa. Code §§ 25.72 and 25.75 (relating to schedules of controlled substances; and paregoric) and if no exception or approval is in effect for the substance under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C.A. § 355). As previously noted, while the FDA has approved carfentanil for medical use in treating large animals, the FDA has not approved carfentanil for any medical use in treating humans.

Because carfentanil is a Schedule II narcotic under the CSA, the Secretary has the authority to temporarily schedule carfentanil under the act. Although not required to do so in taking this action, the Secretary has considered: (1) the increased current use of carfentanil to cut heroin; (2) carfentanil's addictive nature; and (3) the fact that carfentanil is 10,000 times more potent than morphine. Accordingly, the Secretary determined that carfentanil is a dangerous hazard to public safety.

To revise 28 Pa. Code § 25.72 to conform to any final notice issued by the Secretary under section 3(c) of the act to temporarily schedule carfentanil as a Schedule II controlled substance, the Department plans to promulgate a conforming amendment to 28 Pa. Code § 25.72 through final rulemaking with proposed rulemaking omitted.

Accessibility

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact the Department of Health, Bureau of Community Program Licensure and Certification, Division of Home Health by means of the Drug, Device and Cosmetic Program, 132A Kline Plaza, Harrisburg, PA 17104, (717) 783-1379, or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 16-1690. Filed for public inspection September 30, 2016, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Action Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10 a.m., Thursday, September 15, 2016, and announced the following:

Regulation Deemed Approved Pursuant to Section 5(g) of the Regulatory Review Act—Effective September 14, 2016

Bureau of Professional and Occupational Affairs # 16A-6516: Schedule of Civil Penalties—Physical Therapists and Physical Therapist Assistants (amends 49 Pa. Code, Chapter 43b)

Action Taken—Regulation Approved:

Department of Community and Economic Development # 4-95: Industrial Housing and Components (amends 12 Pa. Code Chapter 145)

State Board of Physical Therapy # 16A-6515: Continuing Education Enforcement (amends 49 Pa. Code Sections 40.67 and 40.192)

State Board of Medicine # 16A-4943: Prosthetists, Orthotists, Pedorthists and Orthotic Fitters (amends 49 Pa. Code Sections 16.11, 16.13 and 18.801—18.864)

Approval Order

Public Meeting Held
September 15, 2016

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; W. Russell Faber; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Department of Community and Economic Development
Industrial Housing and Components
Regulation No. 4-95 (# 3063)*

On July 2, 2014, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Community and Economic Development (Department). This rulemaking amends 12 Pa. Code Chapter 145. The proposed regulation was published in the July 26, 2014, *Pennsylvania Bulletin* with a public comment period ending on August 25, 2014. The final-form regulation was submitted to the Commission on August 3, 2016. On August 30, 2016, the Department simultaneously tolled and submitted the final-form regulation to reformat a definition, clarify the effective date and correct minor typographical errors.

This regulation is a general update of Chapter 145 to conform to various amendments made to the Industrialized Housing Act by three separate acts (Act 13 of 2009, Act 8 of 2013 and Act 1 of 2011), as well as to conform to current industry standards.

We have determined this regulation is consistent with the statutory authority of the Department (35 P.S. § 1651.4) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
September 15, 2016

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; W. Russell Faber, dissenting; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*State Board of Physical Therapy
Continuing Education Enforcement
Regulation No. 16A-6515 (# 3084)*

On October 31, 2014, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Physical Therapy (Board). This rulemaking amends 49 Pa. Code Sections 40.67 and 40.192. The proposed regulation was published in the November 15, 2014 *Pennsylvania Bulletin* with a public comment period ending on December 15, 2014. The final-form regulation was submitted to the Commission on August 3, 2016.

This regulation imposes disciplinary action on physical therapists and physical therapist assistants who fail to complete the required amount of continuing education during the applicable biennial renewal period.

We have determined this regulation is consistent with the statutory authority of the Board (63 P.S. § 1303(a)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
September 15, 2016

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; W. Russell Faber; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*State Board of Medicine
Prosthetists, Orthotists, Pedorthists and Orthotic Fitters
Regulation No. 16A-4943 (# 3062)*

On June 30, 2014, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Medicine (Board). This rulemaking amends 49 Pa. Code Sections 16.11, 16.13 and 18.801—18.864. The proposed regulation was published in the July 12, 2014 *Pennsylvania Bulletin* with a public comment period ending on August 11, 2014. The final-form regulation was submitted to the Commission on August 3, 2016.

This regulation implements the creation of new classes of licenses as mandated by Act 90 of 2012 (Act 90). Act 90 requires the Board to issue licenses to prosthetists, orthotists, pedorthists and orthotic fitters, and regulate the practice of these licensees and discipline them.

We have determined this regulation is consistent with the statutory authority of the Board (63 P.S. §§ 422.8 and 422.13e) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 16-1691. Filed for public inspection September 30, 2016, 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>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
10-197	Deptment of Health School Immunizations	9/16/16	10/20/16

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 16-1692. Filed for public inspection September 30, 2016, 9:00 a.m.]

INSURANCE DEPARTMENT

Application and Request for Plan Approval of a Mutual-to-Stock Conversion and Subsequent Merger

Clearfield County Grange Mutual Fire Insurance Company (Clearfield), a Pennsylvania domiciled mutual property insurance company, submitted a plan of conversion which provides for conversion from a mutual property insurance company to a stock property insurance company. The filing, received on July 29, 2016, was made under the Insurance Company Mutual-to-Stock Conversion Act (40 P.S. §§ 911-A—929-A).

Included within the application was a request by Clearfield for approval of a subsequent merger. The Mutual Insurance Company of Lehigh County (Lehigh) separately filed for Insurance Department (Department) approval of a plan of conversion and subsequent merger. It is the intent that Clearfield merge with and into Lehigh after completion of their respective conversions.

The filing is available on the Department's web site at www.insurance.pa.gov. After first scheduling an appointment, consumers may also view the application and supplemental documents at the Department's Harrisburg office, which can be reached at (717) 787-0877.

Persons wishing to comment on the grounds of public or private interest are invited to submit a written statement to the Department within 30 days from the date of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include the 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 Cressinda Bybee, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, cbybee@pa.gov.

Comments received will be part of the public record regarding the filing and will be forwarded to the applicant for appropriate response.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 16-1693. Filed for public inspection September 30, 2016, 9:00 a.m.]

Application and Request for Plan Approval of a Mutual-to-Stock Conversion and Subsequent Merger

The Mutual Insurance Company of Lehigh County (Lehigh), a Pennsylvania domiciled mutual property insurance company, submitted a plan of conversion which provides for conversion from a mutual property insurance company to a stock property insurance company. The filing, received on July 29, 2016, was made under the Insurance Company Mutual-to-Stock Conversion Act (40 P.S. §§ 911-A—929-A).

Included within the application was a request by Lehigh for approval of a subsequent merger. Clearfield County Grange Mutual Fire Insurance Company (Clearfield) separately filed for Insurance Department (Department) approval of a plan of conversion and subsequent merger. It is the intent that Clearfield merge with and into Lehigh after completion of their respective conversions.

The filing is available on the Department's web site at www.insurance.pa.gov. After first scheduling an appointment, consumers may also view the application and supplemental documents at the Department's Harrisburg office, which can be reached at (717) 787-0877.

Persons wishing to comment on the grounds of public or private interest are invited to submit a written statement to the Department within 30 days from the date of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party; identifica-

tion 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 Cressinda Bybee, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, cbybee@pa.gov.

Comments received will be part of the public record regarding the filing and will be forwarded to the applicant for appropriate response.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 16-1694. Filed for public inspection September 30, 2016, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insurers have requested a hearing as authorized by the act of June 17, 1998 (P.L. 464, No. 68) (Act 68) in connection with the termination of the insureds' automobile insurance policies. The hearings will be held in accordance with the requirements of Act 68; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held in the Insurance Department's regional office in Harrisburg, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Great Northern Insurance Company; File No. 16-119-200352; Selma Comroe; Doc. No. P16-09-008; October 19, 2016, 9:30 a.m.

Appeal of Philadelphia Contributionship Insurance Company; File No. 16-119-200001; Dr. William and Virginia Martucci; Doc. No. P16-09-005; October 20, 2016, 10 a.m.

Parties may appear with or without counsel and offer relevant testimony and other relevant evidence, or both. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated represen-

tatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend a previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 16-1695. Filed for public inspection September 30, 2016, 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 William Beard; File No. 16-116-200339; Nationwide Property & Casualty Insurance Company; Doc. No. P16-09-007; November 1, 2016, 10 a.m.

Parties may appear with or without counsel and offer relevant testimony and other relevant evidence, or both. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to

participate in the hearing, should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 16-1696. Filed for public inspection September 30, 2016, 9:00 a.m.]

PATIENT SAFETY AUTHORITY DEPARTMENT OF HEALTH

Draft Guidance for Acute Healthcare Facility Determinations of Reporting Requirements for Pressure Injuries under the Medical Care Availability and Reduction of Error (MCARE) Act

This document outlines draft guidance to help acute healthcare facilities in this Commonwealth make determinations about whether occurrences of pressure injuries meet the statutory definitions of Incidents or Serious Events as defined in section 302 of the Medical Care Availability and Reduction of Error (MCARE) Act (MCARE Act) (40 P.S. § 1303.302). These recommendations were developed by a multidisciplinary work group consisting of staff from the Patient Safety Authority (Authority), two physician members of the Authority's Board of Directors, and the Department of Health (Department); representatives of the Hospital and Health-System Association of Pennsylvania, the Healthcare Council of Western Pennsylvania, the Pennsylvania Ambulatory Surgery Association and the Healthcare Improvement Foundation; a patient representative; and a panel of wound care experts. The work group included individuals with backgrounds in medicine (including wound care), nursing (including wound, ostomy and continence nurses), administration and facility operations, regulation, and patient safety and healthcare quality.

This guidance was developed to provide consistent and clear standards for the MCARE Act's reporting requirements for pressure injuries so that the Authority, the Department and healthcare facility staff have a shared understanding of the requirements. The subjects of these requirements were identified based on inconsistencies that are evident in the data collected by the Authority and the Department.

See the instructions for submitting comments at the end of this notice.

Statutory Definitions of Reportable Events

Serious Event: An event, occurrence or situation involving the clinical care of a patient in a medical facility that results in death or compromises patient safety and results in an unanticipated injury requiring the delivery of additional health care services to the patient.

Incident: An event, occurrence or situation involving the clinical care of a patient in a medical facility, which could have injured the patient but did not either cause an unanticipated injury or require the delivery of additional health care services to the patient.

Pressure Injury Definition

The definition for pressure injuries used to develop the guidance is adopted from the National Pressure Ulcer

Advisory Panel (NPUAP). The NPUAP released an update on April 13, 2016, announcing changes in terminology from pressure ulcer to pressure injury and updating the stages of pressure injury.

Definition: A pressure injury is defined as localized damage to the skin or underlying soft tissue, or both, usually over a bony prominence or related to a medical or other device. The injury can present as intact skin or an open ulcer and may be painful. The injury occurs as a result of intense and/or prolonged pressure or pressure in combination with shear. The tolerance of soft tissue for pressure and shear may also be affected by microclimate, nutrition, perfusion, comorbidities and condition of the soft tissue.

Principles for Reporting Pressure Injuries

The Authority and the Department achieved consensus on the following principles and decision tree for reporting pressure injury events as follows: (1) not reportable; (2) reportable as Incidents; and (3) reportable as Serious Events.

1. Report all hospital-acquired pressure injuries, and all pressure injuries present on admission that progress during the hospitalization, as either Incidents or Serious Events.

a. Not reportable:

All pressure injuries present on admission that remain stable (that is, unchanged) or improve during hospitalization.

b. Incidents:

1) All hospital-acquired pressure injuries that do not require additional healthcare services.

2) All pressure injuries present on admission that progress during the hospitalization, but do not require additional healthcare services.

c. Serious Events:

1) All hospital-acquired pressure injuries that require additional healthcare services.

2) All pressure injuries present on admission that did not initially require additional healthcare services that progressed (that is, worsened) during the hospitalization, and now require additional healthcare services.

2. Report the deepest stage pressure injury when multiple pressure injuries are present.

Acute healthcare facilities should submit a single report that represents the deepest stage pressure injury for each patient with multiple pressure injuries, rather than submitting a report for each pressure injury.

3. Report changes (that is, worsening) in pressure injuries.

Whether a pressure injury was present on admission or was hospital-acquired, if the injury progresses (that is, worsens) during hospitalization, acute healthcare facilities should report a Serious Event or Incident based on the deepest stage of any pressure injuries that progressed.

4. Report medical device-related pressure injuries as either Incidents or Serious Events.

Medical device-related pressure injuries may result from devices used for diagnostic or therapeutic purposes. The resultant pressure injury generally conforms to the pattern or shape of the device. These injuries should be

staged using the staging system described by the NPUAP and reported as either Incidents or Serious Events.

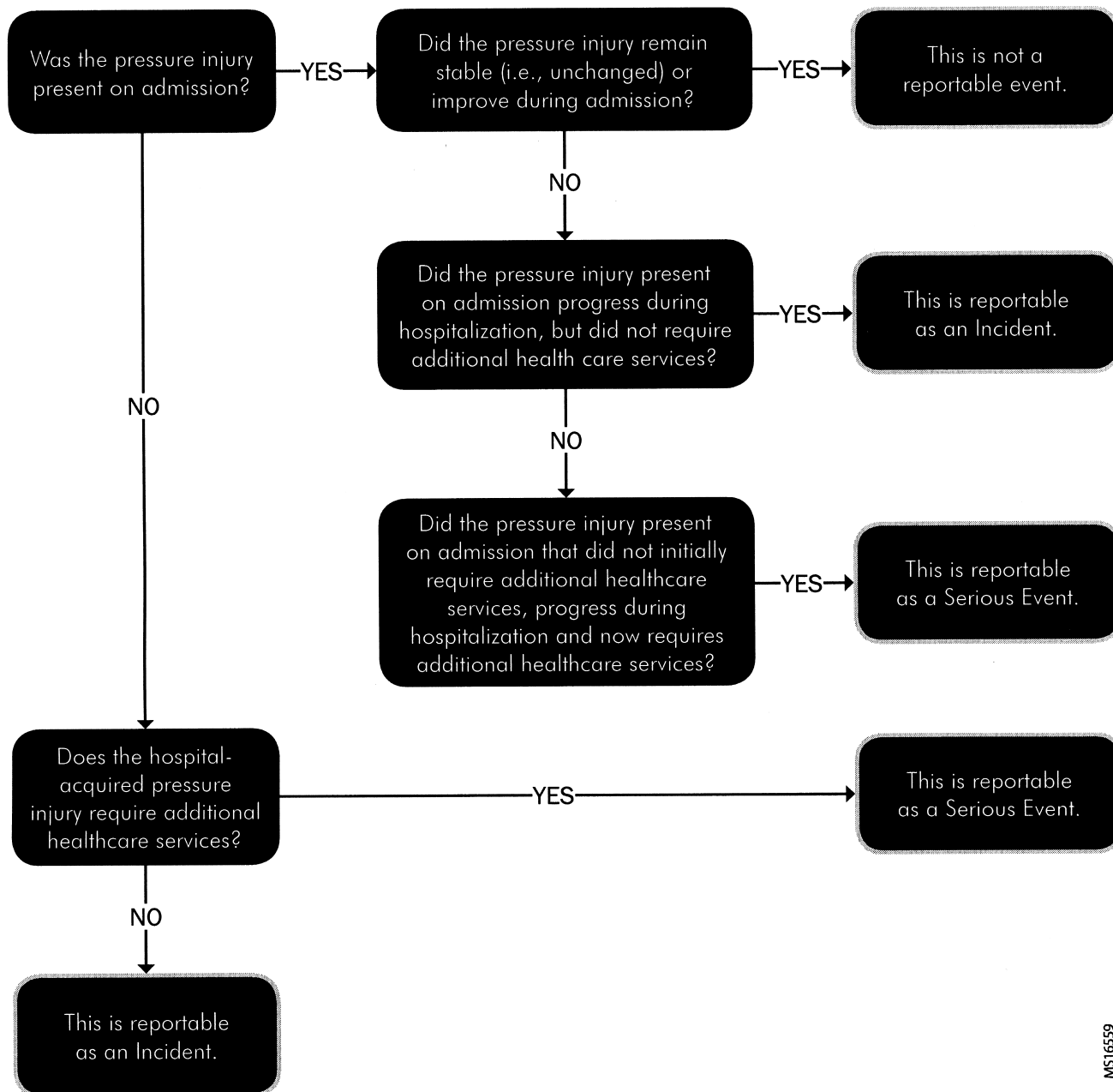
5. Report mucosal ulcers as Incidents or Serious Events.

Mucosal membrane pressure injuries are found on mucous membranes (for example, oral cavity, nares).

These injuries cannot be staged in the same manner as other pressure injuries, but should be reported as either Incidents or Serious Events.

Decision Tree for Reporting Pressure Injuries

The following decision tree is provided to support decision making for reporting pressure injuries.



MS16559

Instructions for Submitting Comments

Comments will be accepted for 30 days after the publication of this document. Comments may be submitted in writing to Patient Safety Authority, Attention: Bulletin Response, 333 Market Street, Lobby Level, Harrisburg, PA 17101, patientsafetyauthority@pa.gov, fax (717) 346-1090, Attention: Bulletin Response.

The Authority, the Department and the other members of the work group have a common goal of reviewing the public comments to this document, making selected changes in response to those comments and issuing a final guidance document to guide interpretations about whether occurrences of pressure injuries meet the statutory definitions of Incidents or Serious Events as defined under the MCARE Act.

The Authority expects that final guidance will be published jointly by the Authority and the Department in the *Pennsylvania Bulletin*. Healthcare facilities may rely upon the final guidance as a standard to which they will be held by their Department surveyors. Final guidance will require approval from the Authority Board of Directors and the Secretary of the Department.

Assuming the Authority and the Department approve the final guidance document, the agencies will need to modify the Pennsylvania Patient Safety Reporting System to support implementation of these standards and develop an education program for staff of both agencies as well as affected healthcare facilities. The final guidance document resulting from this process will include a timeline that accounts for these steps in implementation.

REGINA M. HOFFMAN, RN, BSN, MBA, CPPS,
Executive Director
Patient Safety Authority

KAREN M. MURPHY, PhD, RN,
Secretary
Department of Health

[Pa.B. Doc. No. 16-1697. Filed for public inspection September 30, 2016, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Electric Generation Supplier License Cancellations of Companies with an Expired Financial Security

Public Meeting held
September 15, 2016

Commissioners Present: Gladys M. Brown, Chairperson;
Andrew G. Place, Vice Chairperson; John F. Coleman,
Jr.; Robert F. Powelson; David W. Sweet

*Electric Generation Supplier License Cancellations of
Companies with an Expired Financial Security;*
M-2015-2490383

Tentative Order

By the Commission:

The Commission's regulations at 52 Pa. Code § 54.40(a) state that an Electric Generation Supplier (EGS) license will not be issued or remain in force until the licensee furnishes a bond or other security approved by the Commission. In addition, 52 Pa. Code § 54.40(d) states that the maintenance of an EGS license is contingent on the licensee providing proof to the Commission that a bond or other approved security in the amount directed by the Commission has been obtained.

Each EGS must file an original bond, letter of credit, continuation certificate, amendment, or other approved financial instrument with Rosemary Chiavetta, Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120 prior to the EGS's current security expiration date. Each financial instrument must be an original document that displays a "wet" signature or digital signature, preferable in blue ink, and displays a "raised seal" or original notary stamp. The name of the principal on the original financial instrument must match exactly with the name that appears on the EGS's license issued by the Commission.

Failure to file before the financial security's expiration date may cause Commission staff to initiate a formal proceeding that may lead to the following: cancellation of each company's electric supplier license, removal of each company's information from the Commission's website and notification to all electric distribution companies, in which each company is licensed to do business, of the cancellation of the license.

As of September 2, 2016, each EGS listed in the Supplier Table below has not provided proof to the Commission that it has a bond or other approved security in the amount directed by the Commission, to replace its expired bond as noted in the table below.

Supplier Table—List of Electric Generation Suppliers

<i>Docket Number</i>	<i>Company Name</i>	<i>Exp. Date</i>
A-2011-2276723	ENERCOM, INC.	9/1/16
A-2012-2337763	ENERGY PROFESSIONALS, LLC	8/13/16
A-2012-2327584*	ENERGY.ME MIDWEST	9/1/16
A-2011-2280772	ENERPOWER SERVICES, LLC	9/1/16
A-2015-2507077	FS ENERGY, LLC	8/26/16
A-2012-2322961	GLOBAL VISION ENERGY, LLC	9/10/16
A-2011-2228643*	INTERSTATE GAS SUPPLY, INC.	8/17/16

<i>Docket Number</i>	<i>Company Name</i>	<i>Exp. Date</i>
A-2010-2200314	NATURES CURRENT, LLC	8/18/16
A-2015-2500466	PHILIP HARVEY	8/20/16
A-2013-2380918	SAVE ON ENERGY, LLC	8/20/16
A-2012-2325309*	SHIPLEY CHOICE, LLC	8/29/16
A-2010-2199285	UTILITY MANAGEMENT CORPORATION	8/18/16

*Taking title to electricity

As part of its EGS license validation procedures, the Commission's Bureau of Technical Utility Services sent a 60-day Security Renewal Notice Letter to each entity in the Supplier Table above stating that original documentation of a bond, or other approved security, must be filed within 30 days prior to each entity's security expiration date. None of the companies listed in the Supplier Table provided the required documentation.

Based on the above facts, we tentatively conclude that the EGSs listed in the Supplier Table are not in compliance with 52 Pa. Code § 54.40(a) and (d) and therefore it is appropriate to initiate the cancellation process for each EGS license of each company listed in the Supplier Table, without the necessity of a formal complaint, as being in the public interest; *Therefore,*

It Is Ordered That:

1. Cancellation of the Electric Generation Supplier Licenses of each company listed in the Supplier Table is hereby tentatively approved as being in the public interest.

2. The Secretary serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Bureau of Investigation & Enforcement, Department of Revenue—Bureau of Corporation Taxes, all electric distribution companies, all of the Electric Generation Suppliers in the Supplier Table and also cause a copy of this Tentative Order to be published in the *Pennsylvania Bulletin* with a 30-day comment period.

3. Absent the filing of adverse public comment or the filing of approved security within 30 days after publication in the *Pennsylvania Bulletin*, the Bureau of Technical Utility Services shall prepare a Final Order for entry by the Secretary.

4. Upon entry of the Final Order described in Ordering Paragraph No. 3 above, each company listed in the Supplier Table will be stricken from all active utility lists maintained by the Commission's Bureau of Technical Utility Services and the Assessment Section of the Bureau of Administration, removed from the Commission's website, and notifications be sent to all electric distribution companies in which the Electric Generation Suppliers are licensed to do business.

5. Upon entry of the Final Order described in Ordering Paragraph No. 3, each electric distribution company in which the Electric Generation Suppliers are licensed to do business, shall return the customers of the Electric Generation Suppliers to default service.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 16-1698. Filed for public inspection September 30, 2016, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. 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 October 17, 2016. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.*

A-2016-2550625 (Amended). Edward L. Brackbill, Jr., t/a Edward L. Brackbill Trucking (351 Snyder Hollow Road, New Providence, Lancaster County, PA 17560) for the right to transport as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from Lancaster County, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

A-2016-2557245. Rock City Shuttles, LLC (3368 Kingwood Road, Rockwood, PA 15557) for the right to begin to transport, as a common carrier, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, between points in the Counties of Fayette, Somerset and Westmoreland.

A-2016-2563259. Leon L. and Linda J. Fuller (905 Miller Road, Muncy, Northumberland County, PA 17756) for the right to transport as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Montour and Northumberland, to points in Pennsylvania, and return.

A-2016-2563579. Martha Reese (183 Greenleaf Road, Danville, Montour County, PA 17821) for the right to transport as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose physical limitations or personal convictions prevent them from owning or operating motor vehicles, from points in the Counties of Columbia, Montour, Northumberland and Union, to points in Pennsylvania, and return.

A-2016-2564567. Gold Seed, Inc. (7 Atkinson Lane, Newtown, Bucks County, PA 18940) 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 the

Counties of Bucks, Delaware and Montgomery, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

A-2016-2565467. William A. Bailey, t/a Bailey (710 West 4th Avenue, Parkesburg, Chester County, PA 19365) for the right to transport as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Chester County, to points in Pennsylvania, and return.

A-2016-2565665. Dream Limousine Driving Services, LLC (821 Levick Street, Philadelphia, Philadelphia County, PA 19111) for the right to transport as a common carrier, by motor vehicle, persons in limousine service, from points in Chester County, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

A-2016-2565891. Segal Paratransit, LLC (55 Winter Road, Holland-Southampton, Bucks County, PA 18966-2751) for the right to transport as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Bucks and Philadelphia, to points in Pennsylvania, and return.

A-2016-2566196. Golden Care Transportation, LLC (471 Pheasant Lane, Fairless Hills, Bucks County, PA 19030) for the right to transport as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Bucks, Montgomery and Philadelphia, to points in Pennsylvania, and return.

A-2016-2566628. Wywest Transport, LLC (310B Friendship Avenue, York, York County, PA 17406) for the right to transport as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose physical limitations or personal convictions prevent them from owning or operating motor vehicles, from points in the Counties of Dauphin, Lancaster and York, to points in Pennsylvania, and return.

A-2016-2566718. Trinity Luxury Transport, LLC (2351 Forest Hills Drive, Harrisburg, Dauphin County, PA 17112) for the right to transport as a common carrier, by motor vehicle, persons in limousine service, between points in Pennsylvania, excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

A-2016-2567047. Blue Line Secure Transportation Services, LLC, t/a Blue Line Chauffeurs (631 Red Hill Road, Milton, Northumberland County, PA 17847) 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 the Counties of Carbon, Centre, Clinton, Columbia, Dauphin, Juniata, Lackawanna, Lebanon, Luzerne, Lycoming, Mifflin, Montour, Northumberland, Perry, Schuylkill, Snyder, Sullivan and Union, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

A-2016-2567241. Rickey E. Fisher (2021 Gap Road, Allenwood, Lycoming County, PA 17810) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, between points within an air radius of 50 miles from the carrier's place of business at 2021 Gap Road, Allenwood, PA 17810.

Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.

A-2016-2553469. Zak Moving & Pest Control Service, LLC (2042 West Main Street, Apartment 20, Norristown, PA 19403) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 16-1699. Filed for public inspection September 30, 2016, 9:00 a.m.]

Transfer by Sale

A-2016-2567503. PECO Energy Company. Application of PECO Energy Company for approval of the transfer by sale to The Ponds HOA of Street Lighting Facilities in the HOA Commonwealth of Pennsylvania.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before October 17, 2016. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

Applicant: PECO Energy Company

Through and By Counsel: Michael S. Swerling, Esquire, Assistant General Counsel, 2301 Market Street, S23-1, P.O. Box 8699, Philadelphia, PA 19101-8699

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 16-1700. Filed for public inspection September 30, 2016, 9:00 a.m.]

Wastewater Service

A-2016-2567451. Pennsylvania American Water Company. Application of Pennsylvania American Water Company for approval to offer, render, furnish or supply wastewater service to the public in a portion of Fairview Township, York County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before October 17, 2016. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

Applicant: Pennsylvania American Water Company

Through and By Counsel: Melanie J. El Atieh, Esquire, Susan Simms Marsh, Esquire, Pennsylvania American Water Company, 800 West Hersheypark Drive, Hershey, PA 17033

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 16-1701. Filed for public inspection September 30, 2016, 9:00 a.m.]

STATE BOARD OF NURSING

Bureau of Professional and Occupational Affairs v. Eileen C. Richard, RN; File No. 14-51-01502; Doc. No. 0621-51-14

On August 1, 2016, Eileen C. Richard, RN, Pennsylvania license No. RN593398, last known of Baton Rouge, LA, had her registered nurse license indefinitely suspended until at least she proves that she is fit to practice

professional nursing in this Commonwealth with reasonable skill and safety and was assessed a civil penalty in the amount of \$500 based on receiving disciplinary action by the proper licensing authority of another state and failing to report the disciplinary action to the State Board of Nursing (Board).

Individuals may obtain a copy of the adjudication by writing to Judith Pachter Schulder, Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final Board decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

KRISTIN MALADY, BSN, RN,
Chairperson

[Pa.B. Doc. No. 16-1702. Filed for public inspection September 30, 2016, 9:00 a.m.]

STATE CONSERVATION COMMISSION

Action on Odor Management Plans for Concentrated Animal Operations and Concentrated Animal Feeding Operations and Volunteers Complying with the Commonwealth’s Facility Odor Management Program

The State Conservation Commission has taken the following actions on previously received applications for Odor Management Plans under 3 Pa.C.S. §§ 501—522 (relating to nutrient management and odor management).

Persons aggrieved by any action may appeal under 3 Pa.C.S. § 517 (relating to appealable actions), section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board’s rules of practice and procedure may be obtained from the Board. The appeal form and the Board’s rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

Odor Management Plan—Public Notice Spreadsheet—Actions

<i>Ag Operation Name, Address</i>	<i>County/Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New, Amended or Existing</i>	<i>Action Taken</i>
David L. and Marilee R. Kiliti 62 Kiliti Road Berwick, PA 18603	Luzerne County/ Salem Township	713.42	Swine	Existing	Rescinded
Hillandale 94 Farm 6108 Carlisle Pike East Berlin, PA 17316	Adams County/ Reading Township	532	Layers	Existing	Rescinded
Country View Family Farms, LLC— Warrior Ridge Farm 242 Caribbean Road Everett, PA 15537	Bedford County/ Monroe Township	2,970.15	Swine	New	Approved

<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>
Nevin Ehst 184 Tulpehocken Street Bernville, PA 19506	Berks County/ Jefferson Township	138	Layers	New	Approved
Brubaker Farms, LLC— Dairy Farm 2 1103 Flory Road Mount Joy, PA 17552	Lancaster County/ East Donegal Township	461.5	Cattle	Amended	Approved
Leonard Nolt— Layer Operation 175 Mica Lane Williamsburg, PA 16693	Blair County/ Woodbury Township	54.42	Layer	New	Approved
Mike Lewis 1851 Landis Road Mount Joy, PA 17552	Lancaster County/ East Donegal Township	85.48	Broilers	Amended	Approved
Keith Martin Rachel Martin Broiler Site 2 990 Forest Hill Road Stevens, PA 17578	Lancaster County/ Clay Township	135.23	Broilers	Amended	Approved
Kish-View Farm Home Farm Keith and Kent Spicher 4733 East Main Street Belleville, PA 17004	Mifflin County/ Union Township	149.5	Cattle	New	Approved

PATRICK McDONNELL,
Acting Chairperson

[Pa.B. Doc. No. 16-1703. Filed for public inspection September 30, 2016, 9:00 a.m.]

STATE ETHICS COMMISSION

Public Meeting

Under 65 Pa.C.S. §§ 1101—1113 (relating to Public Official and Employee Ethics Act) (act) the State Ethics Commission (Commission) is required to hold at least two public hearings each year to seek input from persons and organizations who represent any individual subject to the provisions of the act and from other interested parties.

The Commission will conduct a public meeting at Waynesburg University, Stover Campus Center, 3rd Floor Conference Room, 51 West College Street, Waynesburg, PA 15370 on October 20, 2016, at 9 a.m. for purposes of receiving input and for the conduct of other Commission business. Public officials, public employees, organizations and members of the general public may attend.

Persons seeking to testify or present any statement, information or other comments in relation to the act, the regulations of the Commission or agency operations should contact Joyce E. Tomasko at (717) 783-1610 or (800) 932-0936. Written copies of any statement should be provided at the time of the meeting.

ROBERT P. CARUSO,
Executive Director

[Pa.B. Doc. No. 16-1704. Filed for public inspection September 30, 2016, 9:00 a.m.]

STATE HORSE RACING COMMISSION

Amended Schedule of Therapeutic Medications

The State Horse Racing Commission (Commission), in accordance with the authority in section 2812-D(6) of The Administrative Code of 1929 (71 P.S. § 720.32(6)) and more specifically 58 Pa. Code § 163.304 (relating to substances of therapeutic value), adopts the Amended Schedule of Therapeutic Medications (Schedule) established by the Nationally-recognized Racing Medication and Testing Consortium (RMTTC) and adopted by the Association of Racing Commissioners International (ARCI).

Under 58 Pa. Code § 163.304, the Commission may approve and adopt by reference the RMTTC/ARCI schedule of therapeutic medications and their respective threshold levels for use in the thoroughbred horse racing sector of the racing industry. On July 27, 2016, the Commission formally approved the amended Schedule as follows. On December 15, 2013, the Commission previously approved and published at 43 Pa.B. 7612 (December 28, 2013) the original RMTTC Schedule. The amended Schedule has been posted and published on the Commission's web site. As the RMTTC/ARCI continues to research testing methodologies, therapeutic medications and their various thresholds, the Commission will thereafter publish the amendments or additions, or both.

The Commission did not adopt any withdrawal times related to the enumerated therapeutic medications and the threshold levels. The information on the Schedule does not constitute a guarantee, warranty or assurance that the use of any therapeutic medications at the

dosages listed will not result in a positive-race test. Owners, trainers or any other persons responsible for the care, custody and control of a racehorse are strongly encouraged to seek the advice of their respective Veterinarians regarding the use of therapeutic medications.

RMTC
Controlled Therapeutic Medications

<i>Substance</i>	<i>Threshold</i>	<i>Route of Administration</i>	<i>Experimental Administration Dosage</i>
Acepromazine	HEPS—10 ng/mL of urine	Intravenous	0.05 mg/kg
Albuterol	1 ng/mL of urine	Intra-nasal ¹	720 mcg total dose
Betamethasone	10 pg/mL in plasma or serum	Intra-articular as betamethasone acetate and betamethasone sodium phosphate	9 mg total in one articular space
Butorphanol	Free butorphanol—2 ng/mL of plasma, or Total butorphanol—300 ng/mL of urine	Intravenous	0.1 mg/kg
Cetirizine	6 ng/mL of plasma/serum	Orally	0.4 mg/kg twice daily for five doses
Cimetidine	400 ng/mL of plasma or serum	Orally	20 mg/kg twice daily for seven doses
Clenbuterol	140 pg/mL of urine or LOD in plasma	Orally	0.8 mcg/kg
Dantrolene	5-OH dantrolene—0.1 ng/mL of plasma or serum	Orally	500 mg total dose
Detomidine	1 ng/mL in plasma or serum, 2 ng/mL of carboxydetomidine in urine	Intravenous	5 mg/kg
Dexamethasone	5 pg/mL of plasma or serum	Oral, Intravenous, intramuscular	0.05 mg/kg
Diclofenac	5 ng/mL of plasma or serum	Systemic	5" ribbon of Surpass every 12 hours to one site
DMSO	10 mcg/mL of plasma or serum	Topical	Up to 2 ounces
Firocoxib	20 ng/mL of plasma or serum	Orally	0.1 mg/kg for 4 days
Flunixin	20 ng/mL of plasma or serum	Intravenous	1.1 mg/kg
Furosemide	100 ng/mL in blood and urine specific gravity < 1.010	Intravenous	500 mg total dose
Glycopyrrolate	3 pg/mL of plasma or serum	Intravenous	1 mg total dose
Guaifenesin	12 ng/mL of plasma or serum	Orally	2 g twice daily for five doses
Isoflupredone	100 pg/mL of serum or plasma	Subcutaneous or Intra-articular administration of isoflupredone acetate	10 mg total dose subcutaneous or 20 mg total dose in one articular space
Ketoprofen	10 ng/mL of plasma or serum	Intravenous	2.2 mg/kg
Lidocaine	20 pg/mL of total 30H-lidocaine in plasma	Subcutaneous	200 mg of total dose
Mepivacaine	3-OH-mepivacaine—10 ng/mL in urine or mepivacaine at LOD in plasma or serum	Subcutaneous—distal limb	0.07 mg/kg
Methocarbamol	1 ng/mL of plasma or serum	Intravenous ²	15 mg/kg IV, 5 g oral

¹ Note: Administration of albuterol other than by intra-nasal routes is not recommended.

² An oral dose may be utilized but longer withdrawal time may be required to fall below the threshold. Trainers using methocarbamol orally for multiple days are encouraged to have the horse tested prior to entry.

<i>Substance</i>	<i>Threshold</i>	<i>Route of Administration</i>	<i>Experimental Administration Dosage</i>
Methylprednisolone	100 pg/mL in plasma or serum	Intra-articular as methylprednisolone acetate	100 mg total in one articular space ³
Omeprazole	Omeprazole sulfide—10 ng/mL in serum/plasma	Orally	2.2 grams once daily for 4 days
Phenylbutazone	2 mcg/mL of plasma or serum	Intravenous	4.0 mg/kg
Prednisolone	1 ng/mL of plasma or serum	Orally	1 mg/kg
Procaine penicillin ⁴	25 ng/mL of plasma	Intra-muscular	17 mg/kg
Ranitidine	40 ng/mL of plasma or serum	Orally	8 mg/kg twice daily for seven doses
Triamcinolone acetonide	100 pg/mL of plasma or serum	Intra-muscular	9 mg total in one articular space
Xylazine	0.01 ng/mL of plasma	Intravenous	200 mg

THOMAS F. CHUCKAS, Jr.,
Director
Bureau of Thoroughbred Horse Racing

³ At the 100 mg experimental dose, the safe time for administration to fall below the 100 pg/mL threshold was 21 days—a smaller dose may be utilized which may allow plasma concentrations to fall below the threshold in fewer than 21 days.

⁴ Requires: 1) Mandatory notification of procaine penicillin administration; and 2) Mandatory surveillance at the horse owner's expense for 6 hours before racing. Contact your local racing jurisdiction for specific procedures.

License Fee Schedule

In accordance with the express authority in section 2812-D(3) of The Administrative Code of 1929 (act) (71 P.S. § 720.32(3)), the State Horse Racing Commission (Commission) adopts and publishes the comprehensive License Fee Schedule as follows.

Section 2823-D(a) of the act (71 P.S. § 720.43(a)) requires the Commission to license all trainers, drivers, horse owners, vendors, persons participating in horse racing and all other persons required to be licensed as determined by the Commission. The Commission approved the License Fee Schedule at its public meeting on June 29, 2016, and directed that it be published in the *Pennsylvania Bulletin*. The following new fees shall supersede all previously approved and published fee schedules by the former racing commissions. The approved schedule of fees has been posted on the Commission's web site.

Licenses are issued for a 3-year term. Only new and renewal applicants for an owner's license may omit the picture requirement unless entering the stable area. If fingerprinting is required, a fingerprint processing fee must be added to the classification as established. Licensees with questions may contact the Commission office at each respective racetrack for details.

<i>License Classification</i>	<i>Approved</i>
Owner	\$120
Owner/Trainer	\$240
Trainer	\$120
Assistant Trainer	\$75
Driver	\$120
Groom	\$30
Jockey	\$120
Jockey Agent	\$45

<i>License Classification</i>	<i>Approved</i>
Apprentice Jockey	\$60
Free Lance Exercise Person	\$30
Free Lance Pony Person	\$30
Stable Employee	\$30
Veterinarian	\$120
Blacksmith (Farrier)	\$60
Partnership	\$60
Stable Name/Corporation	\$60
Colors Registration	\$15
Open Claiming	\$45
Track Management and Officials	\$100
Vendor	\$60
Vendor Employee	\$30
Association (Track) Employee	\$30
Pari-Mutuel Department	\$30
Concession	\$30
Estate	\$40
Executor	\$40
Authorized Agent:	
1—12 month appointment	\$35
13—24 month appointment	\$70
25—36 month appointment	\$100
Change of License	\$15
Duplicate License	\$25

RUSSELL C. REDDING,
Chairperson

[Pa.B. Doc. No. 16-1706. Filed for public inspection September 30, 2016, 9:00 a.m.]

Uniform Classification Guidelines for Foreign Substances and Recommended Penalties and Model Rule

The State Horse Racing Commission (Commission), in accordance with the authority in section 2812-D(6)(i) and (ii) of The Administrative Code of 1929 (71 P.S. § 720.32(b)(i) and (ii)) and more specifically 58 Pa. Code § 163.304 (relating to substances of therapeutic value), adopts the Uniform Classification Guidelines for Foreign Substances and Recommended Penalties and Model Rule (Uniform Medication Guidelines) established by the Nationally-recognized Racing Medication and Testing Consortium (RMTTC) and adopted by the Association of Racing Commissioners International (ARCI).

Under 58 Pa. Code § 163.304, the Commission may approve and adopt by reference the RMTTC/ARCI Uniform Medication Guidelines for use in the thoroughbred horse racing sector of the racing industry within this Commonwealth. On July 27, 2016, the Commission formally approved the Uniform Medication Guidelines. The Uniform Medication Guidelines have been posted and published on the Commission's web site and a copy may be accessed through <http://www.agriculture.pa.gov/Protect/RacingCommission/Pages/Publications.aspx>.

The ARCI Uniform Medication Guidelines are intended to assist the Commission or its Board of Stewards and hearing officers in evaluating the seriousness of alleged medication violations—in conjunction with its existing statutory and regulatory oversight of the use and administration of any medication, drug or foreign substance to a race horse within this Commonwealth. The specific drug classifications and penalty provisions are intended only as guidelines to assist the adjudicators and factfinders in understanding the seriousness of the alleged offense. Mitigating or aggravating circumstance may be taken into account as the facts of each case are always different.

As the RMTTC/ARCI continues to research testing methodologies and new drugs/medications the Commission will thereafter publish any subsequent amendments or additions, or both.

THOMAS F. CHUCKAS, Jr.,
Director
Bureau of Thoroughbred Horse Racing

[Pa.B. Doc. No. 16-1707. Filed for public inspection September 30, 2016, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Projects Approved for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) approved by rule the following list of projects from July 1, 2016, through July 31, 2016.

For further information contact Jason E. Oyler, General Counsel, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

Supplementary Information

This notice lists the projects, described as follows, receiving approval for the consumptive use of water

under the Commission's approval by rule process in 18 CFR 806.22(f) (relating to standards for consumptive uses of water) for the time period previously specified:

Approvals By Rule Issued Under 18 CFR 806.22(f)

1. Chesapeake Appalachia, LLC, Pad ID: Rossi, ABR-201111011.R1, Litchfield Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 13, 2016.

2. Chesapeake Appalachia, LLC, Pad ID: Williamson, ABR-201111019.R1, Smithfield Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 13, 2016.

3. Chesapeake Appalachia, LLC, Pad ID: Edger, ABR-201112020.R1, Smithfield and Ulster Townships, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 13, 2016.

4. Chesapeake Appalachia, LLC, Pad ID: RGB, ABR-201112021.R1, Smithfield Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 13, 2016.

5. Chesapeake Appalachia, LLC, Pad ID: Yost, ABR-201112022.R1, Franklin Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 13, 2016.

6. Chesapeake Appalachia, LLC, Pad ID: Wildonger, ABR-201112026.R1, Wyalusing Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 13, 2016.

7. Chesapeake Appalachia, LLC, Pad ID: Sharidan, ABR-201112027.R1, Litchfield Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 13, 2016.

8. Chief Oil & Gas, LLC, Pad ID: Kingsley B Drilling Pad # 1, ABR-201112009.R1, Monroe Township, Bradford County, PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: July 13, 2016.

9. Chief Oil & Gas, LLC, Pad ID: Kaufmann Drilling Pad # 1, ABR-201201001.R1, Wilmot Township, Bradford County, PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: July 13, 2016.

10. Chief Oil & Gas, LLC, Pad ID: Yoder Drilling Pad # 1, ABR-201201003.R1, Leroy Township, Bradford County, PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: July 13, 2016.

11. Chief Oil & Gas, LLC, Pad ID: Bailey Drilling Pad # 1, ABR-201201013.R1, Overton Township, Bradford County, PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: July 13, 2016.

12. EOG Resources, Inc., Pad ID: FAY 1H Pad, ABR-201107019.R1, Ridgebury Township, Bradford County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: July 13, 2016.

13. SWN Production Company, LLC, Pad ID: Van Order Pad, ABR-201107042.R1, Herrick Township, Bradford County, PA; Consumptive Use of Up to 4.9900 mgd; Approval Date: July 13, 2016.

14. Warren Marcellus, LLC, Pad ID: Reimiller 1, ABR-201110001.R1, Meshoppen and Washington Townships, Wyoming County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: July 13, 2016.

15. Warren Marcellus, LLC, Pad ID: Mattocks 1, ABR-201110002.R1, Washington Township, Wyoming County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: July 13, 2016.

16. Warren Marcellus, LLC, Pad ID: McConnell 1, ABR-201110003.R1, Tunkhannock Township, Wyoming

County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: July 13, 2016.

17. Chief Oil & Gas, LLC, Pad ID: Hemlock Hunting Club B Drilling Pad # 1, ABR-201607001, Elkland Township, Sullivan County, PA; Consumptive Use of Up to 2.5000 mgd; Approval Date: July 15, 2016.

18. Chief Oil & Gas, LLC, Pad ID: Jacobson Unit Pad, ABR-201607002, Franklin Township, Bradford County, PA; Consumptive Use of Up to 2.5000 mgd; Approval Date: July 15, 2016.

19. SWEPI, LP, Pad ID: Wood 626, ABR-201106006.R1, Sullivan Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: July 20, 2016.

20. Chief Oil & Gas, LLC, Pad ID: Lucarino Drilling Pad # 1, ABR-201112010.R1, Wilmot Township, Bradford County, PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: July 20, 2016.

21. Talisman Energy USA, Inc., Pad ID: 02 010 DCNR 587, ABR-201108002.R1, Ward Township, Tioga County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: July 20, 2016.

22. Talisman Energy USA, Inc., Pad ID: 03 113 Vanblarcom, ABR-201108003.R1, Columbia Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: July 21, 2016.

23. Talisman Energy USA, Inc., Pad ID: 03 111 Stephani, ABR-201108009.R1, Columbia Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: July 21, 2016.

24. Talisman Energy USA, Inc., Pad ID: 05 229 Acres, ABR-201108010.R1, Windham Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: July 21, 2016.

25. Talisman Energy USA, Inc., Pad ID: 05 164 Bennett, ABR-201107049.R1, Stevens Township, Bradford County and Rush Township, Susquehanna County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: July 25, 2016.

26. Talisman Energy USA, Inc., Pad ID: 02 153 Mountain Run Hunting Club, ABR-201107050.R1, Union Township, Tioga County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: July 25, 2016.

27. Seneca Resources Corporation, Pad ID: DCNR 007 Pad K, ABR-201112018.R1, Delmar Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: July 25, 2016.

28. Chesapeake Appalachia, LLC, Pad ID: Raimo, ABR-201201005.R1, Monroe and Overton Townships, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 26, 2016.

29. Chesapeake Appalachia, LLC, Pad ID: Kathryn, ABR-201201006.R1, Wilmot Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 26, 2016.

30. Chesapeake Appalachia, LLC, Pad ID: Ridenour, ABR-201201008.R1, Cherry Township, Sullivan County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 26, 2016.

31. Talisman Energy USA, Inc., Pad ID: 05 008 Michnich, ABR-201108026.R1, Pike Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: July 27, 2016.

32. Talisman Energy USA, Inc., Pad ID: 03 074 Haralambous, ABR-201108037.R1, Columbia Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: July 27, 2016.

33. Talisman Energy USA, Inc., Pad ID: 05 104 Rennekamp R, ABR-201108044.R1, Pike Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: July 27, 2016.

34. Chesapeake Appalachia, LLC, Pad ID: Redbone, ABR-201201004.R1, Wilmot Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 28, 2016.

35. Chesapeake Appalachia, LLC, Pad ID: Elwell, ABR-201201009.R1, Wilmot Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 28, 2016.

36. Chesapeake Appalachia, LLC, Pad ID: Calmitch, ABR-201201029.R1, Wilmot Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 28, 2016.

37. Chesapeake Appalachia, LLC, Pad ID: Manahan, ABR-201201036.R1, Albany Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 28, 2016.

38. Chesapeake Appalachia, LLC, Pad ID: Messersmith, ABR-201201037.R1, Wilmot Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 28, 2016.

39. Pennsylvania General Energy Co., LLC, Pad ID: COP Tract 356 Pad J, ABR-201201014.R1, Cummings Township, Lycoming County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: July 29, 2016.

40. Chief Oil & Gas, LLC, Pad ID: Yonkin B Drilling Pad, ABR-201607003, Cherry Township, Sullivan County, PA; Consumptive Use of Up to 2.5000 mgd; Approval Date: July 29, 2016.

Authority: Pub.L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

Dated: September 19, 2016.

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 16-1708. Filed for public inspection September 30, 2016, 9:00 a.m.]

Projects Approved for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) approved by rule the following list of projects from August 1, 2016, through August 31, 2016.

For further information contact Jason E. Oyler, General Counsel, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

Supplementary Information

This notice lists the projects, described as follows, receiving approval for the consumptive use of water under the Commission's approval by rule process in 18 CFR 806.22(f) (relating to standards for consumptive uses of water) for the time period previously specified:

Approvals By Rule Issued Under 18 CFR 806.22(f)

1. Carrizo (Marcellus), LLC, Pad ID: Henninger Pad, ABR-201110017.R1, Jessup Township, Susquehanna County, PA; Consumptive Use of Up to 2.1000 mgd; Approval Date: August 5, 2016.
2. Samson Exploration, LLC, Pad ID: Pardee & Curtin Lumber Co. C-17H, ABR-20110816.R1, Shippen Township, Cameron County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: August 5, 2016.
3. JKLM Energy, LLC, Pad ID: Headwaters 145, ABR-201608001, Ulysses Township, Potter County, PA; Consumptive Use of Up to 3.1250 mgd; Approval Date: August 9, 2016.
4. SWEPI, LP, Pad ID: Youst 405, ABR-201106026.R1, Jackson Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 9, 2016.
5. SWEPI, LP, Pad ID: Watkins 820, ABR-201106011.R1, Chatham Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 10, 2016.
6. Talisman Energy USA, Inc., Pad ID: 05 235 Rogers H, ABR-201108051.R1, Windham Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: August 10, 2016.
7. Chesapeake Appalachia, LLC, Pad ID: Dewolf, ABR-201608002, Windham Township, Wyoming County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: August 11, 2016.
8. Chesapeake Appalachia, LLC, Pad ID: Cook, ABR-201111001.R1, Rush Township, Susquehanna County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: August 11, 2016.
9. Chesapeake Appalachia, LLC, Pad ID: Richard, ABR-201111010.R1, Rush Township, Susquehanna County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: August 11, 2016.
10. SWN Production Company, LLC, Pad ID: Clark Pad, ABR-201107043.R1, Orwell and Herrick Townships, Bradford County, PA; Consumptive Use of Up to 4.9900 mgd; Approval Date: August 11, 2016.
11. Talisman Energy USA, Inc., Pad ID: 02 109 Frederick L, ABR-201108046.R1, Hamilton Township, Tioga County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: August 12, 2016.
12. Talisman Energy USA, Inc., Pad ID: 05 174 Carlsen C, ABR-201108052.R1, Windham Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: August 12, 2016.
13. Chief Oil & Gas, LLC, Pad ID: Myers Unit Drilling Pad # 1, ABR-201201039.R1, Burlington Township, Bradford County, PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: August 18, 2016.
14. Chief Oil & Gas, LLC, Pad ID: Crandall Drilling Pad # 1, ABR-201202013.R1, Ridgebury Township, Bradford County, PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: August 18, 2016.
15. Chesapeake Appalachia, LLC, Pad ID: Burkhart, ABR-201201028.R1, Forks Township, Sullivan County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: August 19, 2016.
16. Chesapeake Appalachia, LLC, Pad ID: Warburton, ABR-201201033.R1, Forks Township, Sullivan County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: August 19, 2016.
17. Chesapeake Appalachia, LLC, Pad ID: Makayla, ABR-201202008.R1, Wilmot Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: August 19, 2016.
18. Chesapeake Appalachia, LLC, Pad ID: Yadpad, ABR-201202020.R1, Wilmot Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: August 19, 2016.
19. Chief Oil & Gas, LLC, Pad ID: Hurley Drilling Pad # 1, ABR-201201040.R1, Cherry Township, Sullivan County, PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: August 19, 2016.
20. Chief Oil & Gas, LLC, Pad ID: Wright A Drilling Pad # 1, ABR-201202004.R1, Canton Township, Bradford County, PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: August 19, 2016.
21. Chief Oil & Gas, LLC, Pad ID: Castle A Drilling Pad # 1, ABR-201202012.R1, Canton Township, Bradford County, PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: August 19, 2016.
22. Warren Marcellus, LLC, Pad ID: Macialek 1 Pad, ABR-201201010.R1, Washington Township, Wyoming County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: August 19, 2016.
23. Anadarko E&P Onshore, LLC, Pad ID: Lycoming H&FC Pad C, ABR-201109003.R1, Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 23, 2016.
24. Anadarko E&P Onshore, LLC, Pad ID: COP Tract 731 Pad C, ABR-201109016.R1, Cummings Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 23, 2016.
25. Anadarko E&P Onshore, LLC, Pad ID: COP Tract 731 Pad D, ABR-201109017.R1, Cummings Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 23, 2016.
26. Anadarko E&P Onshore, LLC, Pad ID: COP Tract 731 Pad E, ABR-201109021.R1, Cummings Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 23, 2016.
27. Anadarko E&P Onshore, LLC, Pad ID: COP Tract 685 Pad B, ABR-201109022.R1, Cummings Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 23, 2016.
28. Anadarko E&P Onshore, LLC, Pad ID: Lycoming H&FC Pad A, ABR-201109023.R1, Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 23, 2016.
29. Anadarko E&P Onshore, LLC, Pad ID: Lycoming H&FC Pad D, ABR-201109024.R1, Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 23, 2016.
30. Cabot Oil & Gas Corporation, Pad ID: HeitzenroderA P1, ABR-201109025.R1, Springville Township, Susquehanna County, PA; Consumptive Use of Up to 3.5750 mgd; Approval Date: August 23, 2016.
31. Cabot Oil & Gas Corporation, Pad ID: BurtsL P1, ABR-201109026.R1, Forest Lake Township, Susquehanna County, PA; Consumptive Use of Up to 3.5750 mgd; Approval Date: August 23, 2016.
32. Cabot Oil & Gas Corporation, Pad ID: FrystakC P1, ABR-201109027.R1, Bridgewater Township, Susquehanna County, PA; Consumptive Use of Up to 3.5750 mgd; Approval Date: August 23, 2016.

33. Chesapeake Appalachia, LLC, Pad ID: Fox, ABR-201201007.R1, Mehoopany Township, Wyoming County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: August 23, 2016.

34. Chesapeake Appalachia, LLC, Pad ID: Ferraro, ABR-201202007.R1, Terry Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: August 23, 2016.

35. Carrizo (Marcellus), LLC, Pad ID: Karthaus CK-19, ABR-201112012.R1, Covington Township, Clearfield County, PA; Consumptive Use of Up to 2.1000 mgd; Approval Date: August 29, 2016.

36. SWN Production Company, LLC, Pad ID: Bernstein Pad, ABR-201107052.R1, Clifford and Lenox Townships, Susquehanna County, PA; Consumptive Use of Up to 4.9900 mgd; Approval Date: August 31, 2016.

Authority: Pub.L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

Dated: September 20, 2016.

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 16-1709. Filed for public inspection September 30, 2016, 9:00 a.m.]

THADDEUS STEVENS COLLEGE OF TECHNOLOGY

Request for Bids

Thaddeus Stevens College of Technology is interested in contracting with a sign language interpreting service to provide accommodations for enrolled students who are hearing impaired. The college conducts classes at several locations within the Lancaster area.

Interpreters would need to be available between 7:30 a.m. to 10 p.m. Monday through Friday and a Saturday in May for graduation. Interpreters would need to meet Federal and State regulations and have the appropriate clearances. The provider must comply with all applicable equal employment opportunity laws and regulations.

Bid documents (16-1000) 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. 16-1710. Filed for public inspection September 30, 2016, 9:00 a.m.]

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