



Volume 45 (2015)

Pennsylvania Bulletin
Repository

11-21-2015

November 21, 2015 (Pages 6661-6788)

Pennsylvania Legislative Reference Bureau

Follow this and additional works at: https://digitalcommons.law.villanova.edu/pabulletin_2015

Recommended Citation

Pennsylvania Legislative Reference Bureau, "November 21, 2015 (Pages 6661-6788)" (2015). *Volume 45 (2015)*. 47.

https://digitalcommons.law.villanova.edu/pabulletin_2015/47

This November is brought to you for free and open access by the Pennsylvania Bulletin Repository at Villanova University Charles Widger School of Law Digital Repository. It has been accepted for inclusion in Volume 45 (2015) by an authorized administrator of Villanova University Charles Widger School of Law Digital Repository.

PENNSYLVANIA BULLETIN

Volume 45
Saturday, November 21, 2015 • Harrisburg, PA
Number 47
Pages 6661—6788

Agencies in this issue

The Governor
The General Assembly
The Courts
Department of Agriculture
Department of Banking and Securities
Department of Drug and Alcohol Programs
Department of Environmental Protection
Department of Health
Department of Revenue
Department of State
Department of Transportation
Fish and Boat Commission
Independent Regulatory Review Commission
Insurance Department
Legislative Reference Bureau
Liquor Control Board
Milk Marketing Board
Pennsylvania Public Utility Commission
Philadelphia Regional Port Authority
State Athletic Commission
State Board of Barber Examiners
State Conservation Commission
Susquehanna River Basin Commission

Detailed list of contents appears inside.



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

No. 492, November 2015

CUT ON DOTTED LINES AND ENCLOSE IN AN ENVELOPE

CHANGE NOTICE/NEW SUBSCRIPTION

If information on mailing label is incorrect, please email changes to info@pabulletin.com or mail to:

FRY COMMUNICATIONS, INC.
Attn: *Pennsylvania Bulletin*
800 W. Church Rd.
Mechanicsburg, PA 17055-3198

CUSTOMER NUMBER (6 digit number above name on mailing label)

NAME OF INDIVIDUAL

OFFICE NAME—TITLE

ADDRESS (Number and Street)

(City) (State) (Zip Code)

TYPE OR PRINT LEGIBLY

PENNSYLVANIA



BULLETIN

(ISSN 0162-2137)

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

Postmaster send address changes to:

FRY COMMUNICATIONS, Inc.
Attn: *Pennsylvania Bulletin*
800 West Church Road
Mechanicsburg, Pennsylvania 17055-3198
(717) 766-0211 ext. 2340
(800) 334-1429 ext. 2340 (toll free, out-of-State)
(800) 524-3232 ext. 2340 (toll free, in State)

Orders for subscriptions and other circulation matters should be sent to:

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

Copyright © 2015 Commonwealth of Pennsylvania

Editorial preparation, composition, printing and distribution of the *Pennsylvania Bulletin* is effected on behalf of the Commonwealth of Pennsylvania by FRY COMMUNICATIONS, Inc., 800 West Church Road, Mechanicsburg, Pennsylvania 17055-3198.

CONTENTS

THE GOVERNOR

EXECUTIVE ORDERS

Diversity, inclusion and small business opportunities in Commonwealth procurement and in Pennsylvania's economy..... 6670

THE GENERAL ASSEMBLY

Recent actions during 2015 regular session of the General Assembly..... 6673

THE COURTS

LOCAL COURT RULES

Dauphin County

Petition of Dale E. Klein clerk of courts fee schedule approval pursuant to Act 36 of 2000; No. 1361 MD 2015 criminal division 6675

Westmoreland County

Rescinding W1920.42(a); adopting new rule W1920.42; No. 3 of 2015 6676

EXECUTIVE AND INDEPENDENT AGENCIES

DEPARTMENT OF AGRICULTURE

Notices

Addendum to the order of quarantine; spotted lanternfly 6700

DEPARTMENT OF BANKING AND SECURITIES

Notices

Adjustment to definition of "base figure" in the Loan Interest and Protection Law 6700

DEPARTMENT OF DRUG AND ALCOHOL PROGRAMS

Notices

Pennsylvania Advisory Council on Drug and Alcohol Abuse meeting..... 6701

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices

Applications, actions and special notices..... 6701
Availability of technical guidance 6753
Bid opportunity..... 6753
Climate Change Advisory Committee meeting cancellation..... 6754

DEPARTMENT OF HEALTH

Notices

Hospitals; requests for exceptions 6754
Infant Hearing Screening Program Technical Advisory Committee meeting 6754
Long-term care nursing facilities; requests for exception..... 6754
Recognized lifeguard certifying authorities for 2016 . 6755

DEPARTMENT OF REVENUE

Notices

Pennsylvania \$1,000 a Month for Life instant lottery game 6755
Pennsylvania \$1,000 a Week for Life '15 instant lottery game..... 6757
Pennsylvania \$100,000 a Year for Life instant lottery game 6759
Pennsylvania Lucky You instant lottery game 6763

DEPARTMENT OF STATE

Notices

Corporation Bureau Advisory Committee meeting... 6767

DEPARTMENT OF TRANSPORTATION

Rules and Regulations

Authorized vehicles and special operating privileges. 6687

Notices

Public-Private Partnerships Board meeting..... 6767

FISH AND BOAT COMMISSION

Rules and Regulations

Boating (2 documents) 6678, 6679

Proposed Rulemaking

Boating 6689
Fishing; endangered species 6691
Fishing; special fishing regulations..... 6695

INDEPENDENT REGULATORY REVIEW COMMISSION

Notices

Notice of filing of final rulemakings 6767

INSURANCE DEPARTMENT

Notices

Ability Insurance Company; rate increase filing for several LTC forms (SERFF No. MDTP-130311817)..... 6768
Alleged violation of insurance laws; Aisah Johnson; doc. No. SC15-11-001..... 6768
Alleged violation of insurance laws; Cassandra L. Ott; doc. No. SC15-11-002 6768
Application for approval to acquire control of School Boards Insurance Company of Pennsylvania, Inc. 6768
Application and request for approval of medical professional liability reciprocals exchange-to-stock conversions..... 6769
Review procedure hearings; cancellation or refusal of insurance 6769

LEGISLATIVE REFERENCE BUREAU

Notices

Documents filed but not published 6770

LIQUOR CONTROL BOARD

Proposed Rulemaking

Management contracts 6698

Available Online at <http://www.pabulletin.com>

MILK MARKETING BOARD

Notices

- Hearing and presubmission schedule; milk market-
ing area No. 2 6770
- Hearing and presubmission schedule; milk market-
ing area No. 3 6771
- Hearing and presubmission schedule; milk market-
ing area No. 4 6771

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Notices

- Acquisition by purchase 6772
- Implementation of Act 11 of 2012 6772
- Revised 2016 schedule of filing dates for recovery of
purchased gas costs; doc. No. L-840102..... 6778
- Service of notice of motor carrier applications..... 6778
- Service of notice of motor carrier formal complaints. 6779
- Water service..... 6783

PHILADELPHIA REGIONAL PORT AUTHORITY

Notices

- Request for bids 6784

STATE ATHLETIC COMMISSION

Notices

- Public meetings for 2016 6784

STATE BOARD OF BARBER EXAMINERS

Notices

- Bureau of Professional and Occupational Affairs v.
Erik P. Fulk; doc. Nos. 1878-42-2015 and 1879-42-
2015 6784
- Bureau of Professional and Occupational Affairs v.
Qwan McIntyre; doc. No. 178-42-2015 6784

STATE CONSERVATION COMMISSION

Notices

- Action on odor management plans for concentrated
animal operations and concentrated animal feed-
ing operations and volunteers complying with the
Commonwealth's Facility Odor Management Pro-
gram..... 6784

SUSQUEHANNA RIVER BASIN COMMISSION

Notices

- Projects approved for consumptive uses of water 6785
- Projects rescinded for consumptive uses of water.... 6788

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.

**SUBSCRIPTION INFORMATION: (717) 766-0211
GENERAL INFORMATION AND FINDING AIDS: (717) 783-1530**

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.

Reproduction, Dissemination or Publication of Information

Third parties may not take information from the *Pennsylvania Code* and *Pennsylvania Bulletin* and reproduce, disseminate or publish such information except as provided by 1 Pa. Code § 3.44. 1 Pa. Code § 3.44 reads as follows:

§ 3.44. General permission to reproduce content of Code and Bulletin.

Information published under this part, which information includes, but is not limited to, cross references, tables of cases, notes of decisions, tables of contents, indexes, source notes, authority notes, numerical lists and codification guides, other than the actual text of rules or regulations may be reproduced only with the written consent of the Bureau. The information which appears on the same leaf with the text of a rule or regulation, however, may be incidentally reproduced in connection with the reproduction of the rule or regulation, if the reproduction is for the private use of a subscriber and not for resale. There are no other restrictions on the reproduction of information published under this part, and the Commonwealth hereby consents to a reproduction.

List of Pa. Code Chapters Affected

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

4 Pa. Code (Administration)

Adopted Rules

1	653, 766, 1062, 6670
6	542, 543, 768, 1064
7	655, 656
7a	656, 1937, 2455

Statements of Policy

1	4236
9	561, 1115, 1267, 2719, 3220, 3549, 3714, 4003, 4404, 4778, 4924, 6206

7 Pa. Code (Agriculture)

Adopted Rules

128	308
137b	3311, 4904

10 Pa. Code (Banking and Securities)

Adopted Rules

57	408
----	-----

17 Pa. Code (Conservation and Natural Resources)

Adopted Rules

21	5493
23	5493

22 Pa. Code (Education)

Adopted Rules

121	4163
-----	------

Statements of Policy

233	5586
-----	------

25 Pa. Code (Environmental Protection)

Adopted Rules

77	4904
86	4904
87	4904
88	4904
89	4904
90	4904
93	2829
211	4904
806	16

Proposed Rules

87	5920
88	5920
90	5920
109	5943
129	4351, 4366
215	1367
806	6202
901	2611

28 Pa. Code (Health and Safety)

Adopted Rules

25	3708
----	------

31 Pa. Code (Insurance)

Proposed Rules

161	4763
-----	------

40 Pa. Code (Liquor)

Adopted Rules

3	2594, 5681
5	6593
7	4761, 5399, 6595

Proposed Rules

3	5791, 6698
5	1850, 5791
7	2479, 2614, 6269
11	5791
13	2478

49 Pa. Code (Professional and Vocational Standards)

Adopted Rules

1	2466
21	6196
27	4911
43b	3360

Proposed Rules

5	2887
11	2878
36	4385
37	2368
43b	2704, 2874

52 Pa. Code (Public Utilities)

Adopted Rules

3	2468
5	2468
23	2468
29	3828
31	2468
32	2468
1017	6596
1021	6596

Proposed Rules

53	1264
54	1258
62	2705
1017	2876, 5684

Statements of Policy

52	3856
----	------

55 Pa. Code (Public Welfare)

Statements of Policy

181	1633
-----	------

58 Pa. Code (Recreation)

Adopted Rules

61	5788, 6678
63	1616, 5788
65	1256, 3840, 5788
75	3841
79	5788
97	1616, 6679
103	1616
109	6679
111	6679
115	6679
131	560, 6501
133	1363, 6501

135 2596, 6502
 139 2596, 2603
 141 2604, 2605, 2606, 2607
 143 1365, 6503
 147 1363, 1366, 2606, 2607, 2608, 3362, 6503
 421a 2829
 423a 2829
 425a 2829
 427a 2829
 429a 2829
 431a 2829
 433a 2829
 435a 2829
 437a 2829
 440a 2829
 441a 2829
 461a 2829
 465a 2358, 2829
 609a 2829
 623a 2829
 633a 2829
 643a 2829
 645a 2829

Proposed Rules

53 6689
 61 1619, 3854
 63 1619
 65 1257, 1619, 6695
 75 6691
 79 1619
 97 3844
 105 6689
 109 3844
 111 3844, 6689
 115 3844
 131 4921
 133 4922
 135 1374, 4920
 139 1375, 1381
 141 1369, 1371, 1372, 1630
 143 4919
 147 1371, 1372, 1631, 4918, 4919
 461a 4170
 463a 4170
 465a 4170, 4185
 583 4185
 585 4185
 587 4185
 588 4185
 589 4185
 590 4185
 591 4185
 592 4185
 593 4185
 601a 4170
 605a 4170
 607a 4170
 611a 4185
 659a 1383
 667a 4185
 668a 4185
 669a 4185
 670a 4185
 671a 4185
 672a 4185
 673a 4185
 674a 4185
 675a 4185
 676a 4185

677a 4764
 678a 4764

61 Pa. Code (Revenue)

Adopted Rules

899 2359

Proposed Rules

701 2362
 702 2362
 703 2362

67 Pa. Code (Transportation)

Adopted Rules

15 6687

Proposed Rules

71 2716, 3711
 83 2255, 3218

101 Pa. Code (General Assembly)

Statements of Policy

31 2051, 5959
 303 2051

201 Pa. Code (Rules of Judicial Administration)

Adopted Rules

6 1838
 19 2040
 40 2589, 6400
 50 6400

204 Pa. Code (Judicial System General Provisions)

Adopted Rules

29 5905
 81 279, 953, 2825
 82 2825
 83 279, 953
 85 2457
 87 544
 89 544, 6586
 91 544
 93 544, 2457
 95 544
 303 3457

Proposed Rules

81 6583
 213 661
 303 1751

207 Pa. Code (Judicial Conduct)

Adopted Rules

33 8, 1841, 4154, 4156, 5781
 51 860, 1838

210 Pa. Code (Appellate Procedure)

Adopted Rules

11 288
 19 1943
 21 290
 37 3975
 65 5906
 69 3975

Proposed Rules

1 1605
 15 4885
 16 4885
 17 6113
 21 1605

225 Pa. Code (Rules of Evidence)

Adopted Rules

Article IV 4759

Proposed Rules

Article VIII..... 6472, 6476
 Article IX 6472

231 Pa. Code (Rules of Civil Procedure)

Adopted Rules

200 291, 1490, 3801, 3976, 6480
 1910 1354, 1842, 2352, 6400
 1915 1354, 4158, 6587
 1920 1354, 2457
 1930 1354
 1950 3802
 3000 2825

Proposed Rules

200 1843, 5384
 400 1249
 1000 1249, 5384
 1900 1250
 1915 1606, 5676
 1950 1607
 Part II 1070

234 Pa. Code (Rules of Criminal Procedure)

Adopted Rules

4 2040
 5 5785
 6 3980
 10 2040

Proposed Rules

1 2140, 5384
 4 1846, 3978, 5913
 5 3810, 5915
 7 675, 3978, 5913

237 Pa. Code (Juvenile Rules)

Adopted Rules

1 953, 3986
 11 3986, 3987
 12 3987

13 3987
 14 3987
 15 3987
 16 3987

Proposed Rules

1 4344, 4902, 5384
 3 4344
 4 1491, 4344
 11 4344, 5384
 13 4344
 16 3999
 17 4344

246 Pa. Code (Minor Court Civil Rules)

Adopted Rules

100 3811
 200 3811
 800 1492
 1200 3811

Proposed Rules

200 954, 1251
 300 1356, 1358
 400 954, 1252
 500 954, 1111, 1356
 800 954
 1000 954, 1111, 1358

249 Pa. Code (Philadelphia Rules)

Unclassified 291, 306, 2461, 2826, 3201, 5395, 5677,
 5786, 5917, 6588

252 Pa. Code (Allegheny County Rules)

Unclassified 2464

255 Pa. Code (Local Court Rules)

Unclassified 8, 10, 11, 407, 555, 676, 677, 678, 771,
 772, 773, 860, 861, 862, 964, 1113, 1114, 1254, 1360, 1496,
 1847, 1848, 1943, 1947, 1950, 2047, 2239, 2240, 2241,
 2356, 2357, 2464, 2465, 2589, 2592, 2703, 2826, 2827,
 3201, 3215, 3308, 3548, 3816, 3822, 3825, 3826, 4002,
 4160, 4162, 4349, 4350, 4759, 4760, 4903, 5396, 5585,
 5678, 5917, 6114, 6115, 6116, 6117, 6400, 6401, 6404,
 6481, 6489, 6491, 6493, 6496, 6497, 6592, 6675, 6676

THE GOVERNOR

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 1]

[EXECUTIVE ORDER NO. 2015-11]

Diversity, Inclusion and Small Business Opportunities in Commonwealth Procurement and in Pennsylvania's Economy

September 23, 2015

Whereas, This Administration recognizes that diversity, inclusion and small business opportunities are essential to ensuring Jobs That Pay and to restoring a thriving economy for all Pennsylvanians; and

Whereas, The unemployment rate among Pennsylvania's minority populations is approximately twice the unemployment rate among non-minorities, and the unemployment rate among Pennsylvania's population with disabilities, including service-disabled veterans, is approximately three times the unemployment rate among the non-disabled; and

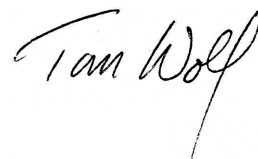
Whereas, Low rates of minority-owned, woman-owned and veteran-owned small business participation in Commonwealth procurement contracts and in Pennsylvania's larger economy contribute to disparities in our unemployment rates; and

Whereas, By previous Executive Order, the executive agencies under the Governor's jurisdiction are prohibited from discriminating in employment because of, among other factors, sexual orientation or gender identity; and

Whereas, By previous Executive Orders and pursuant to law, the executive agencies under the Governor's jurisdiction have all been directed to encourage greater participation from small diverse businesses, such as minority-owned, woman-owned, veteran-owned, and service-disabled-veteran-owned small businesses, as well as organizations that provide meaningful employment and business opportunities for persons with disabilities; and

Whereas, This Administration recognizes the need for goal setting, results measurement and greater coordination among all agencies to ensure and increase diversity, inclusion and small business opportunities in Commonwealth procurement contracts and in Pennsylvania's larger economy.

Now, Therefore, I, Thomas Wolf, Governor of the Commonwealth of Pennsylvania, by the virtue of the authority vested in me by the Constitution and laws of the Commonwealth of Pennsylvania do hereby direct the following.



Governor

Fiscal Note: 2015-11. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 1. AGENCY OPERATION AND ORGANIZATION

Subchapter DDD. ADVISORY COUNCIL ON DIVERSITY,
INCLUSION AND SMALL BUSINESS OPPORTUNITIES

Sec.	
1.831.	Advisory Council on Diversity, Inclusion and Small Business Opportunities.
1.832.	Responsibilities.
1.833.	Cooperation by Commonwealth agencies.
1.834.	Effective date.

§ 1.831. Advisory Council on Diversity, Inclusion and Small Business Opportunities.

(a) The Advisory Council on Diversity, Inclusion and Small Business Opportunities (Advisory Council) is established to advise the Governor's Office and executive agencies under the Governor's jurisdiction on ways to improve State contracting and grant opportunities, job creation initiatives, financing and bonding programs, and business assistance and professional development programs.

(b) The Advisory Council shall be co-chaired by the Secretary of the Department of General Services, the Secretary of the Department of Community and Economic Development, the Secretary of the Department of Transportation and the Secretary of the Department of Labor and Industry, or their designated deputy secretaries. Additional members shall be comprised of small business owners, minority business owners, women business owners, veteran business owners, Commonwealth agency staff and other key stakeholders as identified by the co-chairs and the Governor's Office.

(c) Beginning no later than September 30, 2015, the Advisory Council shall meet quarterly to provide input and feedback on:

- (1) Success metrics and Statewide-participation goals.
- (2) Program guidelines, policies and procedures.
- (3) Proposed revisions to statements of policy or regulatory packages, or both.
- (4) Other Commonwealth-issued programmatic materials regarding the goal of increasing diversity, inclusion and small business opportunities in Commonwealth procurement contracts and in the larger economy in this Commonwealth.

§ 1.832. Responsibilities.

(a) The Department of General Services (DGS) shall:

(1) Co-chair and provide staffing support to the Advisory Council on Diversity, Inclusion and Small Business Opportunities (Advisory Council).

(2) Rename its Bureau of Small Business Opportunities as the Bureau of Diversity, Inclusion and Small Business Opportunities (Bureau).

(3) Expand the Bureau's focus in terms of training and outreach, including the establishment of a Mentor-Protégé Program to support capacity building and sustainability among participating businesses and organizations.

(4) Expand the Bureau's programs into new segments of State contracting and revisit existing segments to ensure maximum diversity, inclusion and small business opportunities in all State contracting opportunities.

(5) Implement meaningful performance-based metrics and regular reporting intervals to measure the value and success of all diversity programs. Compliance and inclusion, training and education, and financial and business assistance delivered shall be measured, at minimum, annually.

(6) Work collaboratively with the Advisory Council in establishing a Statewide goal to increase diverse business participation in State contracting opportunities.

(b) The Department of Community and Economic Development (DCED) shall:

(1) Co-chair the Advisory Council.

(2) Ensure that eligible businesses are provided with information and training as applicable for loan and grant solicitations, capital assistance programs and other business assistance programs provided by DCED.

(3) Give consideration, when possible, to businesses' diversity status in the selection and award of grants and other financial assistance opportunities to the extent permitted by the United States Constitution, the Pennsylvania Constitution, and other State and Federal laws.

(c) The Department of Transportation (DOT) shall:

(1) Co-chair the Advisory Council.

(2) Work with the Advisory Council and DGS to ensure that provisions for diversity, inclusion and small business opportunities in DOT contracting opportunities are consistent with Statewide program requirements to the extent permitted by the United States Constitution, the Pennsylvania Constitution, and other State and Federal laws.

(3) Provide outreach and support services to identify and assist disadvantaged business enterprises and small diverse businesses in performing DOT contracts.

(4) Enhance DOT's disadvantaged business enterprise program to ensure efficiency and timeliness in the processing of certification applications.

(d) The Department of Labor and Industry (L&I) shall:

(1) Co-chair the Advisory Council.

(2) Give consideration, when possible, to employer and employee diversity status in the administration of employment assistance and training programs to the extent permitted by the United States Constitution, the Pennsylvania Constitution, and other State and Federal laws.

(3) Ensure that eligible businesses are provided with information and training as applicable for grant solicitations and other business assistance programs provided by L&I.

(4) Develop and provide statistical and other data on a quarterly basis regarding trends affecting diverse businesses and persons with disabilities for the purposes of informing the Advisory Council and other key stakeholders.

(5) Ensure that the programs and resources of L&I's Office of Vocational Rehabilitation are available to eligible persons and businesses.

(6) Effectively utilize L&I's Apprenticeship and Training Council and PA CareerLinks to provide appropriate information or assistance, or both, to businesses and other entities seeking to employ a diverse and inclusive workforce.

§ 1.833. Cooperation by Commonwealth agencies.

Agency heads and all Commonwealth agencies under the Governor's jurisdiction shall work cooperatively with the Department of General Services, the Department of Community and Economic Development, the Department of Transportation, the Department of Labor and Industry and the Advisory Council on Diversity, Inclusion and Small Business Opportunities (Advisory Council) to ensure the success of the Advisory Council's mission. Independent agencies, State-affiliated entities and State-related institutions are also strongly encouraged to work with the departmental co-chairs and the Advisory Council to adopt similar initiatives to support greater diversity, inclusion and small business opportunities in Commonwealth contracting.

§ 1.834. Effective date.

This subchapter takes effect immediately and remains in effect until amended or rescinded by the Governor.

[Pa.B. Doc. No. 15-2039. Filed for public inspection November 20, 2015, 9:00 a.m.]

THE GENERAL ASSEMBLY

Recent Actions during 2015 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during the 2015 Regular Session:

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
2015 General Acts of Regular Session Enacted—Act 040 through 056					
040	Oct 1	SB0663	PN1156	60 days	Domestic Relations (23 Pa.C.S.)—liability for support and consideration of criminal conviction
041	Oct 1	SB0678	PN1121	60 days	Public School Code of 1949—further providing for definitions
042	Oct 7	HB0033	PN0355	60 days	Pennsylvania Municipalities Planning Code—appointment, term and vacancy of planning commission members and conduct of business of planning commission
043	Oct 7	HB0075	PN0066	60 days	Pharmacy Act—nonresident pharmacies
044	Oct 7	HB0315	PN0322	60 days	Child Labor Act—occupations and establishments
045	Oct 7	SB0513	PN1139	60 days	Solid Waste Management Act—transportation of residual waste and abrogating a regulation
046	Oct 7	SB0897	PN1087	Immediately	Conveyance—Commonwealth property in Whitpain Township, Montgomery County
047	Oct 8	SB0875	PN1187	60 days	Treated Mine Water Act—enactment
048	Oct 22	HB0823	PN2181	Immediately*	Local Tax Collection Law—bonds of tax collectors, permanent basic and continuing education programs for tax collectors, criminal history record information and deputy tax collectors
049	Oct 22	SB0925	PN1303	60 days	Vehicle Code (75 Pa.C.S.)—qualification for school bus driver endorsement, employer responsibilities, commercial driver's license qualification standards, nonresident CDL, commercial driver's license and disqualification
050	Oct 30	HB0175	PN2179	Immediately	Persian Gulf Conflict Veterans' Benefit Act—application for compensation, Commonwealth indebtedness and reports
051	Oct 30	HB0904	PN1124	60 days	First Class Township Code—powers of board of township commissioners as to building and housing regulations and inspectors, Uniform Construction Code, property maintenance code and reserved powers.
052	Oct 30	HB0906	PN1103	60 days	First Class Township Code—failure of officer to perform duties
053	Oct 30	HB0910	PN1105	60 days	Incorporated town councils to declare certain offices vacant—removal of town officers and vacancies
054	Oct 30	SB0210	PN1282	60 days	Judicial Code (42 Pa.C.S.)—exemptions from jury duty
055	Oct 30	SB0748	PN1313	60 days	Vehicle Code (75 Pa.C.S.)—omnibus amendments
056	Oct 30	SB0890	PN1041	60 days	Colonel Frank Duffy Memorial Bridge—designation

* denotes an effective date with exceptions

Effective Dates of Statutes

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

Advance Copies of Statutes

Section 1106 of Title 1 of the *Pennsylvania Consolidated Statutes* provides that the prothonotaries of each county shall file advance copies of statutes in their offices for public inspection until the *Laws of Pennsylvania* are generally available. Section 2406(h) of The Administrative Code of 1929 provides that the Department of General Services shall distribute advance sheets of the *Laws of Pennsylvania* to each law judge of the courts, to every county and public library of this Commonwealth and to each member of the General Assembly. These copies shall be furnished without charge. The Department shall also mail one copy of each law enacted during any legislative session to any person who pays to it the sum of \$20.

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

[Pa.B. Doc. No. 15-2040. Filed for public inspection November 20, 2015, 9:00 a.m.]

THE COURTS

Title 255—LOCAL COURT RULES

DAUPHIN COUNTY

Petition of Dale E. Klein Clerk of Courts Fee Schedule Approval Pursuant to Act 36 of 2000; No. 1361 MD 2015 Criminal Division

Administrative Order

And Now, To Wit, This 13th day of October 2015, pursuant to the provisions of 42 Pa.C.S. Section 1725.4, the fee bill of the Clerk of Court of Dauphin County, Pennsylvania, is amended to reflect the following Fee Schedule. The fee bill shall be effective the first day of January 2016, upon due advertisement as required by the Administrative Rules of Court.

It Is Further Ordered that in accordance with Pa.R.Civ.P. 239, the District Court shall:

- (a) File seven (7) copies hereof with the Administrative Office of Pennsylvania Courts;
- (b) Distribute two (2) certified copies hereof to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;
- (c) Cause a copy hereof to be published in the *Dauphin County Reporter* once a week for two (2) successive weeks at the expense of the County of Dauphin;
- (d) Supervise the distribution thereof to all Judges and member of the Bar of this Court.

By the Court

RICHARD LEWIS,
President Judge

Clerk of Court Fee Increase; No. 1361 MD 2015

Administrative Order

And Now, this 13th day of October, 2015, pursuant to ACT 36 of 2000, 42 Pa.C.S. 1725.4 (allowing Clerk of Courts fees to be adjusted based on changes in the Consumer Price Index), *It Is Hereby Ordered* that the following fees are effective January 1, 2016:

<i>Service</i>	<i>Fee</i>
Court Costs (Misdemeanor/Felony) Disposed of Before Trial	\$180.00
Court Costs (Misdemeanor/Felony) Disposed of During or After Trial	\$240.00
Summary Case Costs	\$35.00
Certifications	\$12.00
All Other Matters and Reports ⁱ	\$22.00 (+ 5.00, Postage 11.00 auto fee, where applicable)
Filing Summary Conviction Appeal	\$59.00 + 5.00 auto fee + Postage 11.00
Filing Appeal to Appellate Court	\$78.00 + 5.00 auto fee + 11.00 Postage
Summary Appeal	\$59.00 + 5.00 auto fee + Postage 11.00
Redaction (when ordering copies of criminal case file where sensitive case information must be removed)	\$2.00 per page + .50 for Copies per page
Postage	\$11.00
Record Check	\$12.00 + \$5.00 auto fee
Revocation Fee—Standard Probation	\$39.00
Revocation Fee—ARD	\$39.00
ARD Administrative Management Fee	\$20.00
Expungement Petition/Order Service	\$22.00 + 5.00 auto fee + 11.00 postage + \$22.00 if MD needs to be created + \$12.00 certification fee for each order to be distributed

ⁱ Except that no fee shall be charged for filing township and borough audit reports or transcripts received which indicate a final disposition by the magisterial district judge.

<i>Service</i>	<i>Fee</i>
Prison Commitments	\$15.00
Bail Posting	\$27.00
Bail Piece	\$27.00
Certifications	\$26.00
Record Maintenance Fee	\$5.00

*****Fees associated with Bail See Attachment "A"

By the Court

RICHARD LEWIS,
President Judge

Cash Bail Poundage Fee
Act 36 of 2000—Effective January 1, 2012

<i>Bail Amount</i>	<i>Fee</i>	<i>Bail Amount</i>	<i>Fee</i>
\$50	\$3.50	\$1500	\$71.50
100	7.00	1600	73.00
200	12.50	1700	75.00
250	14.50	1800	76.00
300	18.00	1900	79.50
400	24.50	2000	81.50
500	31.00	2500	91.50
600	36.50	3000	107.00
700	41.00	4000	121.00
800	47.50	5000	141.00
900	53.00	6000	159.50
1000	60.50	7000	179.50
1100	63.00	8000	200.50
1200	64.00	9000	219.00
1300	67.50	10000	240.00
1400	69.50		

[Pa.B. Doc. No. 15-2041. Filed for public inspection November 20, 2015, 9:00 a.m.]

WESTMORELAND COUNTY
Rescinding W1920.42(a); Adopting New Rule
W1920.42; No. 3 of 2015

Administrative Order of Court

And Now, this 28th day of October, 2015, *It Is Hereby Ordered* that Westmoreland County Rule of Civil Procedure W1920.42(a), Affidavit and Decree under Section 3301(c) or Section 3301(d) of the Divorce Code is rescinded and new rule W1920.42 is adopted. This change is effective 30 days after publication in the *Pennsylvania Bulletin*.

By the Court

RICHARD E. McCORMICK, Jr.,
President Judge

Rule W1920.42. Affidavit and Decree under Section 3301(c) or Section 3301(d) of the Divorce Code.

(a) The court may require a hearing before the entry of a decree in divorce under sections 3301(c) or 3301(d) of the Divorce Code.

(b) Where both parties have filed affidavits under section 3301(c) of the Divorce Code evidencing consent to

the entry of final decree, the plaintiff shall file at the Prothonotary a Pennsylvania vital statistics form, an affidavit of non-military service of defendant, and a proposed decree in divorce. Upon receipt of a praecipe to transmit the record, the Prothonotary shall deliver all the papers filed at that number and term to the court for entry of the decree in divorce. The proposed decree in divorce shall include a clause retaining jurisdiction in the court of all other related claims that have been jointed, and which have not been decided by the court as of the date of the presentation of the proposed decree in divorce.

(c) If a complaint has been filed requesting a divorce on the grounds of irretrievable breakdown and the plaintiff has filed an affidavit under section 3301(d) of the Divorce Code, the averments of which the defendant has either admitted or not denied; the plaintiff shall send written notice to the court and to the defendant at his/her last known address. The notice shall be sent at least 10 days in advance of the time and date the plaintiff intends to file the praecipe to transmit the record required by Pa.R.C.P. 1920.42.

(1) The plaintiff shall also file the Pennsylvania vital statistics form, an affidavit of non-military service of defendant, a proposed decree in divorce, and an affidavit that notice was sent to the defendant as required above.

The proposed decree in divorce shall include a clause retaining jurisdiction in the court of all other related claims which have been joined and which have not been decided by the court as of the date of the presentation of the proposed decree in divorce.

(2) If the defendant does not object within the time allotted, the court may either enter a decree in divorce, or schedule a hearing.

(d) If the defendant objects and raises new legal or factual issues, a hearing shall be held before the court or a master, as the court may direct.

Adopted December 16, 1993, effective April 1, 1994.
Rule W1920.42(a) rescinded , 2015; new rule
W1920.42 adopted , 2015, effective , 2015.

[Pa.B. Doc. No. 15-2042. Filed for public inspection November 20, 2015, 9:00 a.m.]

RULES AND REGULATIONS

Title 58—RECREATION

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 61]

Boating

The Fish and Boat Commission (Commission) amends Chapter 61 (relating to seasons, sizes and creel limits). The Commission is publishing this final-form rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code).

A. *Effective Date*

This final-form rulemaking will go into effect on January 1, 2016.

B. *Contact Person*

For further information on the final-form rulemaking, contact Laurie E. Shepler, Esq., P. O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This final-form rulemaking is available on the Commission's web site at www.fish.state.pa.us.

C. *Statutory Authority*

The amendment to § 61.2 (relating to Delaware River, West Branch Delaware River and River Estuary) is published under the statutory authority of section 2102 of the code (relating to rules and regulations).

D. *Purpose and Background*

The final-form rulemaking is designed to improve, enhance and update the Commission's fishing regulations. The specific purpose of the amendment is described in more detail under the summary of change.

E. *Summary of Change*

The management plan for Striped Bass of the Atlantic States Marine Fisheries Commission (ASMFC) calls for management actions when the coastwide spawning stock biomass (SSB) or fishing mortality rates reach thresholds set within the management plan. The SSB threshold is 127 million pounds. The current SSB is just above this at 128 million pounds. At the current fishing mortality rates, there is concern that the SSB will fall below the threshold in the near future. In addition to these concerns, recruitment of young fish has been relatively low in many of the years since 2004. In response to these concerns, the ASMFC Striped Bass Management Board, which includes the Commonwealth as a member, has directed coastal states to reduce fishing mortality rates by 25% beginning in 2015.

ASMFC has directed that the reduction in harvest be implemented prior to the 2015 fishing season. In this Commonwealth, the Striped Bass fishery in the Delaware River and Estuary typically begins in early March. To meet this deadline, the Executive Director, acting under the authority of § 65.25 (relating to temporary changes to fishing regulations), took immediate action to amend § 61.2. Specifically, the Executive Director amended this section to decrease the creel limit for Striped Bass in the River Estuary (from the Pennsylvania line upstream to the Calhoun Street Bridge) during the periods January 1 through March 31 and June 1 through December 31 to one fish and to change the slot limit during the period April 1 through May 31 to 21 to 25 inches. The Executive Director also amended the section to decrease the creel

limit for Striped Bass in the Delaware River (from the Calhoun Street Bridge upstream) to one fish. The temporary changes went into effect on March 1, 2015, and will remain in effect until the Commission, by appropriate action, amends § 61.2.

The Commission amends § 61.2 to read as set forth at 45 Pa.B. 3854 (July 18, 2015).

F. *Paperwork*

The final-form rulemaking will not increase paperwork and will not create new paperwork requirements.

G. *Fiscal Impact*

The final-form rulemaking will not have adverse fiscal impact on the Commonwealth or its political subdivisions. The final-form rulemaking will not impose new costs on the private sector or the general public.

H. *Public Involvement*

Notice of proposed rulemaking was published at 45 Pa.B. 3854. The Commission received one public comment regarding the proposed rulemaking. Copies of the public comment were provided to the Commissioners.

Findings

The Commission finds that:

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

(2) A public comment period was provided, and the public comment received was considered.

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

Order

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

(a) The regulations of the Commission, 58 Pa. Code Chapter 61, are amended by amending § 61.2 to read as set forth at 45 Pa.B. 3854.

(b) The Executive Director will submit this order and 45 Pa.B. 3854 to the Office of Attorney General for approval as to legality and form as required by law.

(c) The Executive Director shall certify this order and 45 Pa.B. 3854 and deposit them with the Legislative Reference Bureau as required by law.

(d) This order shall take effect on January 1, 2016.

JOHN A. ARWAY,
Executive Director

Fiscal Note: Fiscal Note 48A-266 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 15-2043. Filed for public inspection November 20, 2015, 9:00 a.m.]

FISH AND BOAT COMMISSION
[58 PA. CODE CHS. 97, 109, 111 AND 115]
Boating

The Fish and Boat Commission (Commission) amends Chapters 97, 109, 111 and 115. The Commission is publishing this final-form rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code).

A. Effective Date

This final-form rulemaking will go into effect on January 1, 2016.

B. Contact Person

For further information on the final-form rulemaking, contact Laurie E. Shepler, Esq., P. O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This final-form rulemaking is available on the Commission's web site at www.fish.state.pa.us.

C. Statutory Authority

The amendments to §§ 97.1, 109.3, 109.4 and 115.11 are published under the statutory authority of section 5123 of the code (relating to general boating regulations). The proposed amendments to Chapter 111 (relating to special regulations counties) are published under the statutory authority of section 5124 of the code (relating to particular areas of water).

D. Purpose and Background

The final-form rulemaking is designed to simplify and improve the Commission's boating regulations. The specific purpose of the amendments is described in more detail under the summary of proposals. On February 12, 2015, the Boating Advisory Board considered the proposed amendments and recommended that the Commission approve the publication of a proposed rulemaking containing the amendments.

E. Summary of Changes

(1) The United States Coast Guard (USCG) issued a final rule at 79 FR 56491 (September 22, 2014) to delete references to type codes in its regulations on the carriage and labeling of USCG-approved personal flotation devices (PFD). Removing these type codes from USCG regulations facilitates future incorporation by reference of new industry consensus standards for PFD labeling that more effectively convey safety information. It is also a step toward harmonization of the regulations of the United States with PFD requirements in Canada and other countries. The final rule went into effect on October 22, 2014.

The USCG final rule deleted references to type codes in USCG regulations on the carriage and labeling of USCG-approved PFDs. This final rule deleted type code language from USCG carriage requirements and from USCG regulations for labeling of new PFDs, but it did not make changes to the number of wearable or throwable PFDs required. It also did not require changes to existing approved PFDs already purchased and in use. In the final rule, the USCG acknowledged that PFDs are typically carried on boats for several years and reaffirms that approved PFDs marked with type codes will still meet carriage requirements as wearable or throwable PFDs, as appropriate, as long as they remain in serviceable condition. The Commission therefore amends §§ 97.1, 109.3, 109.4 and 115.11 to read as set forth in Annex A.

(2) Formerly, the Commonwealth's boating regulations required that a personal watercraft (PWC) must have a

passenger capacity of three or more to be utilized in waterskiing/towing activities and that the PWC must have a competent observer onboard in addition to its operator. Additionally, no more than one person was allowed to be towed behind a PWC (regardless of whether the towed implement may be capable of holding multiple individuals). At the time that these regulations were adopted, it is likely that the largest PWCs manufactured and on the market had a maximum passenger capacity of three.

Since 1999, major manufacturers have produced larger four-person PWCs that are on average 12 feet long by 4 feet to 5 feet wide, weighing about 800 pounds. The power and stability of these larger PWCs is comparable to open motorboats that are also used for towed watersports. Commission regulations did not limit the number of persons that may legally be towed behind boats other than PWCs, except that the boat's maximum passenger capacity may not be exceeded.

In 2005, the National Association of State Boating Law Administrators (NASBLA) revised and adopted model acts for personal watercraft and maximum loading and horsepower capacity compliance. The model acts are intended to establish requirements for the safe operation of PWCs and prohibit the operation of recreational vessels when they exceed the capacity limits identified on the vessel's capacity label or through calculations presented in the *Code of Federal Regulations*. In 2007, NASBLA revised and adopted a model act for safe practices for boat-towed watersports providing best practices for water skiing, wake surfing and tubing activities, and consistent language for adoption. The model acts do not limit the number of individuals to be towed by a PWC as long as the vessel's passenger capacity is not exceeded by the total number of persons operating, observing and being towed.

As defined in § 91.2 (relating to definitions), individuals being towed behind a boat (for example, conventional waterskiing, tubing, kneeboarding, parasailing, and the like) are considered to be passengers of the vessel and must be counted in regard to the boat's maximum passenger capacity. Under § 105.4 (relating to overloading and improper loading), a boat may not be operated when it is loaded with passengers or cargo beyond its safe carrying capacity.

The Commission therefore eliminates the PWC towing regulation since passenger carrying capacity is addressed in other sections of the Commission's regulations. For all boats, the total number of persons being towed, when added to the occupants onboard the boat (that is, the operator, observer and other passengers), cannot exceed the maximum passenger capacity of the boat. The Commission deletes former § 109.3(f) (relating to personal watercraft) and renumbers the remaining subsection to read as set forth in Annex A.

(3) The Little Beaver Creek originates in Ohio and there are two short sections that cross the border into western Beaver County. The uppermost section of the creek in this Commonwealth is less than 200 feet wide and shallow. The lower section of the creek in this Commonwealth, from the State line to the creek's mouth on the Ohio River, flows through the Borough of Ohioville and varies in width. Some portions of this lower section are more than 200 feet wide and boats are not restricted to operating at slow, no wake speed. This lower section is used mostly for fishing, paddling and accessing the Ohio River by use of the Ohioville Borough access area. Since it is difficult for boaters to determine the width of this

lower section and whether they may operate at greater than slow, no wake speed, the Commission designates the lower section (from the mouth upstream to the State line) as a slow, no wake zone in § 111.4 (relating to Beaver County) to minimize conflicts among the various user groups.

The Commission also adds a provision in § 111.4 that the operation of boats powered by internal combustion motors is prohibited on Bradys Run Lake to conform with county regulations. Bradys Run Lake is a 28-acre lake in the center of the county, owned and operated by the Beaver County Recreation and Tourism Department. The Commission amends § 111.4 to read as set forth in Annex A.

(4) Former § 111.9(b) (relating to Bucks County) was confusing since there was not a landmark or distinguishing characteristic (other than buoys during the boating season) to delineate the upstream boundary of the slow, no wake zone. The remainder of the stream is less than 200 feet wide. Therefore, boats are prohibited from operating at greater than slow, no wake speed. The Commission simplifies the regulation by stating that the entire creek, from its headwaters to its confluence with the Delaware River, is a slow, no wake zone. This amendment is a simplification of language and is not an expansion of the current slow, no wake restrictions. The Commission amends § 111.9 to read as set forth in Annex A.

(5) Formerly, § 111.21 (relating to Cumberland County) allowed waterskiing on the Conodoguinet Creek in the vicinity of the Power Company Dam at Cave Hill. The measured stream width throughout a considerable portion of the current skiing area is approximately 200 feet and sometimes less at seasonal summer flow. Numerous staff who have patrolled this area over the years have expressed safety concerns as this area is not conducive to safe skiing activity. Therefore, the Commission eliminates the water skiing zone. The Commission also deletes the paragraph regarding swim zone areas since the Commission does not typically regulate these areas. Additionally, with the elimination of the water ski zone, boats will be prohibited from operating at greater than slow, no wake speed on the channel behind the island since it is less than 200 feet in width. The Commission deletes paragraph (5) since it is redundant. The Commission amends § 111.21 to read as set forth in Annex A.

(6) Darby Creek is a tributary of the Delaware River in Delaware County, southwest of the City of Philadelphia. Darby Creek is currently posted by buoys and signage as a slow, no wake area under an existing Commission Permit to Install Floating Structures and Private Aids to Navigation. The permit includes slow, no wake buoys being placed at the mouth of Darby Creek with the designation continuing upstream to include a lagoon area in front of the Ridley Township Marina and another lagoon area at the mouth of Long Hook Creek. The Commission is responsible for installation and maintenance of the buoys which are in place from Memorial Day through October of each year. The area upstream of Long Hook Creek is less than 200 feet wide. Therefore, boats are prohibited from operating at greater than slow, no wake speed. Approximately 1.5 miles upstream of Long Hook Creek is the refuge waters of the John Heinz National Wildlife Refuge at Tinicum. The refuge waters are tidal and navigable only within 2 hours before and after high tide.

The section of Darby Creek between the mouth and the lagoons is barely wider than 200 feet and can be con-

gested with boat traffic from the Ridley Township Marina. Additionally, there are four sets of bridge piers in the water in this section (that is, railroad, drawbridge, Route 291 and I-95). The Commission therefore amends § 111.23(b) (relating to Delaware County) to be consistent with the area delineated in the Permit to Install Floating Structures and Private Aids to Navigation and the entire length of Darby Creek is designated as slow, no wake. This clarification does not significantly extend the current slow, no wake restrictions. The Commission amends § 111.23 to read as set forth in Annex A.

(7) Section 111.39 formerly prohibited water skiing on the Lehigh River at the Allentown Pool. This pool is between the Tilghman Street Bridge and the Hamilton Street Dam in Allentown. The City of Allentown owns and operates Bucky Boyle Park on the west shore of the river in this area. At one time the park had a swim beach, and safety concerns for the swimmers led to the restriction of water skiing in this area. The swim beach has since been eliminated from the park.

The Commission eliminates the water skiing prohibition in this area since it unnecessarily restricts boating activity. The Commission deletes § 111.39 to read as set forth in Annex A.

(8) Under section 741 of the code (relating to control of property), the Commission may promulgate rules and regulations for the use and protection of all lands or waters owned, leased or otherwise controlled by the Commission. Accordingly, the Commission adopted § 53.8 (relating to boats) to, among other things, prohibit the use of internal combustion engines to propel a boat on Commission lakes. In § 107.2 (relating to electric motors), electric motors are permitted on Commission owned or controlled lakes and on State Park lakes where boating is permitted and the operation of internal combustion engines is specifically prohibited, except as otherwise specified in Chapter 111.

The Commission's interpretation of § 107.2 is that exceptions to the prohibition shall be listed in Chapter 111, but it is redundant to list specific waters where internal combustion engines (sometimes simply referred to as "motors") are prohibited on Commission owned or controlled lakes and on State Park lakes in Chapter 111. Therefore, in an effort to simplify its boating regulations, the Commission deletes redundant provisions from Chapter 111. Commission owned or controlled lakes where internal combustion engines are prohibited are posted onsite and listed on the Commission's web site.

Additionally, some State Park lakes where internal combustion engines are permitted and horsepower restrictions exist or where boating is prohibited are currently not included in Chapter 111. The Commission adds these lakes as part of the other amendments to this chapter. The Commission amends various sections in Chapter 111 to read as set forth in Annex A.

F. Paperwork

The amendments will not increase paperwork and will not create new paperwork requirements.

G. Fiscal Impact

The amendments will not have adverse fiscal impact on the Commonwealth or its political subdivisions. The amendments will not impose new costs on the private sector or the general public.

H. Public Involvement

Notice of proposed rulemaking was published at 45 Pa.B. 3844 (July 18, 2015). Regarding the proposed

amendment to § 111.9, the Commission received one public comment prior to and one public comment after the official comment period. Neither comment was responsive to the proposed rulemaking. The Commission received a total of 23 public comments concerning § 111.21—18 before, 4 during and 1 after the formal comment period. All of the comments generally opposed the proposed rulemaking. Copies of the public comments were provided to the Commissioners.

Findings

The Commission finds that:

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

(2) A public comment period was provided, and the public comments that were received were considered.

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

Order

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

(a) The regulations of the Commission, 58 Pa. Code Chapters 97, 109, 111 and 115, are amended by adding § 111.60, deleting §§ 111.5, 111.7, 111.8, 111.12, 111.15, 111.18, 111.19, 111.29, 111.33, 111.35, 111.37, 111.39, 111.50, 111.53—111.55 and 111.57 and amending §§ 97.1, 109.3, 109.4, 111.4, 111.6, 111.9, 111.10, 111.11, 111.13, 111.14, 111.17, 111.20, 111.21, 111.23, 111.24, 111.26, 111.30, 111.31, 111.32, 111.36, 111.38, 111.40, 111.41, 111.43, 111.45, 111.48, 111.52, 111.56, 111.58, 111.59, 111.61, 111.62—111.67 and 115.11 to read as set forth in Annex A, with ellipses referring to the existing text of the regulations.

(b) The Executive Director will submit this order and Annex A to the Office of Attorney General for approval as to legality and form as required by law.

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

(d) This order shall take effect on January 1, 2016.

JOHN A. ARWAY,
Executive Director

Fiscal Note: Fiscal Note 48A-265 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart C. BOATING

CHAPTER 97. OPERATOR PROVIDED EQUIPMENT

§ 97.1. Personal flotation devices.

(a) The following words and terms, when used in this section, have the following meanings, unless the context clearly indicates otherwise:

Immediately available—A PFD that is within arm’s reach of the operator or passenger while the boat is being

operated. A PFD that is stored in a protective covering or sealed in its original packaging is not immediately available.

PFD—Personal flotation device—A life preserver that is approved by the Commandant of the United States Coast Guard under 46 CFR Part 160 (relating to lifesaving equipment).

Readily accessible—A PFD that is stowed where it can be easily reached or is out in the open ready for wear. A PFD that is stored in a protective covering or sealed in its original packaging is not readily accessible.

Serviceable—When a PFD is fully functional to carry out the purpose for which it was designed and free of tears or defects in the material over the flotation material and the buckles, straps, zippers and other closures are operable.

Throwable PFD—A PFD that is intended to be thrown to a person in the water. A PFD marked as throwable, Type IV, or Type V with Type IV performance is considered a throwable PFD. Unless specifically marked otherwise, a wearable PFD is not a throwable PFD.

Wearable PFD—A PFD that is intended to be worn or otherwise attached to a person’s body. A PFD marked as wearable, Type I, Type II, Type III, or Type V with Type (I, II or III) performance is considered a wearable PFD.

(b) A person may not use a boat unless at least one wearable PFD is on board for each person and the PFD is used in accordance with requirements of the approval label.

(c) A person may not use a boat 16 feet or more in length unless one throwable PFD is on board in addition to the total number of PFDs required in subsection (b). Canoes and kayaks 16 feet in length and over are exempted from the requirements for carriage of the additional throwable PFD.

(d) Required PFDs shall be in good, serviceable condition, legibly marked showing the Coast Guard approval number and displaying the PFD’s intended or approved use. They shall be of an appropriate size, child or adult, for the person for whom it is intended.

(e) When not worn, wearable PFDs shall be stowed so as to be readily accessible. Throwable PFDs shall be immediately available.

(f) This section does not apply to racing shells, rowing sculls and racing kayaks, such as manually propelled boats recognized by National racing associations for use in competitive racing, when the occupants row, scull or paddle with the exception of the coxswain, if one is provided, and which are not designed to carry and do not carry equipment not solely for competitive racing.

(g) Coast Guard approved PFDs shall be acceptable as long as they are in good, serviceable condition with the approval clearly legible.

(h) Children 12 years of age and younger shall wear an approved wearable PFD while underway on any boat 20 feet or less in length and all canoes and kayaks. The operator of the watercraft violates this subsection if he does not cause a child 12 years of age or younger to wear a PFD as required by this subsection.

(i) Beginning November 1 until midnight April 30 of the following year, a person shall wear a Coast Guard approved wearable PFD while underway or at anchor on boats less than 16 feet in length or any canoe or kayak.

CHAPTER 109. SPECIALTY BOATS AND WATERSKIING ACTIVITIES

§ 109.3. Personal watercraft.

(a) As used in this section, "personal watercraft" means a boat less than 16 feet in length which meets the following conditions:

(1) Uses an internal combustion motor powering a water jet pump as its primary source of motive propulsion.

(2) Is designed to be operated by a person sitting, standing or kneeling on, rather than being operated by a person sitting or standing inside the vessel.

(b) It is unlawful for a person to operate, or be a passenger onboard, a personal watercraft on the waters of this Commonwealth unless the person is wearing a United States Coast Guard approved wearable personal flotation device in accordance with § 97.1 (relating to personal flotation devices). Inflatable personal flotation devices may not be used to meet this requirement.

(c) A person operating a personal watercraft equipped by the manufacturer with a lanyard type engine cutoff switch shall attach the lanyard to his person, clothing or personal flotation device as appropriate for the specific vessel.

(d) A person may not operate a personal watercraft between sunset and sunrise.

(e) Subsections (b) and (c) do not apply to a performer participating in a permitted regatta, race, marine parade, tournament or exhibition or to a person preparing to participate in the event at the location and within 48 hours prior to the event.

(f) Except as otherwise provided in this subpart, a person may not operate a personal watercraft on the waters of this Commonwealth unless the person has obtained a Boating Safety Education Certificate as defined in § 91.6 (relating to Boating Safety Education Certificates).

§ 109.4. Waterskiing, aquaplaning, kiteskiing and similar activities.

* * * * *

(f) PFDs. It is unlawful for a person to operate a boat on the waters of this Commonwealth for:

(1) Waterskiing unless each person being towed is wearing a United States Coast Guard approved wearable PFD in accordance with § 97.1 (relating to personal flotation devices). Inflatable PFDs may not be used to meet this requirement.

(2) Wake surfing unless the wake surfer is wearing a United States Coast Guard approved wearable PFD in accordance with § 97.1 or water ski wetsuit as defined in subsection (g). Inflatable PFDs may not be used to meet this requirement.

(g) Water ski wetsuits. A person engaged in slalom skiing on a marked course or a person engaged in barefoot, jump or trick skiing, or wake surfing may elect to wear a wetsuit designed specifically for the activity in lieu of the United States Coast Guard approved wearable PFD required in § 97.1. A United States Coast Guard approved wearable PDF described in § 97.1 shall be carried in the tow boat for each skier electing to wear a water ski wetsuit. The nonapproved water ski wetsuit device shall meet the following criteria:

* * * * *

CHAPTER 111. SPECIAL REGULATIONS COUNTIES

§ 111.4. Beaver County.

(a) Beaver River. Boats are limited to slow, no wake speed from the mouth upstream to Mile 2.3.

(b) Bradys Run Lake. The operation of boats powered by internal combustion motors is prohibited.

(c) Little Beaver Creek (Ohioville Area). Boats are limited to slow, no wake speed from the mouth upstream to the State line.

§ 111.5. (Reserved).

§ 111.6. Berks County.

(a) Blue Marsh Lake.

(1) Boats equipped with inboard engines with over-the-transom or straight stack type exhausts, wet or dry, are prohibited.

(2) Boats are limited to a slow, no wake speed in the two arms of the lake formed by Spring Creek and Tulpehocken Creek.

(3) A boat may not tow more than one water-skier.

(b) Schuylkill River; Kernsville Pool. Boats are limited to slow, no wake speed.

§ 111.7. (Reserved).

§ 111.8. (Reserved).

§ 111.9. Bucks County.

(a) Lake Nockamixon. The operation of boats powered by internal combustion motors is permitted. The use of motors in excess of 20 horsepower is prohibited.

(b) Neshaminy Creek. Boats are limited to slow, no wake speed on the entire creek from its headwaters to its confluence with the Delaware River.

(c) Tyler State Park. The operation of boats powered by internal combustion motors is prohibited.

(d) Delaware River.

(1) Boats are limited to slow, no wake speed in the following areas:

(i) Franklin Cove.

(ii) From the mouth of Paunacussing Creek, approximately 3,000 feet to a point in the vicinity of Green Hill Road, effective from 12:01 a.m. on the Friday before Memorial Day until midnight on Labor Day.

(2) Boats are limited to slow, no wake speed while passing through the following bridge spans:

(i) Route 263 (Stockton-Center) Bridge.

(ii) Route 202 Toll Bridge.

(iii) Route 179 (New Hope-Lambertville) Bridge.

(iv) Lumberville Foot Bridge.

(v) Upper Black Eddy—Milford Bridge.

(vi) Riegelsville Bridge.

(vii) Frenchtown "Free" Bridge.

(3) The requirements in this subsection that affect waters of joint jurisdiction with New Jersey are effective May 1, 1997.

(4) The mooring of boats within 100 feet of the marina boat dock in Franklin Cove is prohibited.

§ 111.10. **Butler County.**

Lake Arthur—Moraine State Park. The operation of boats powered by internal combustion motors is permitted. The use of motors in excess of 20 horsepower is prohibited.

§ 111.11. **Cambria County.**

Glendale Lake—Prince Gallitzin State Park. The operation of boats powered by internal combustion motors is permitted. The use of motors in excess of 20 horsepower is prohibited.

§ 111.12. **(Reserved).**

§ 111.13. **Carbon County.**

(a) *Beltzville Lake—Beltzville State Park.*

(1) The operation of boats powered by internal combustion motors is permitted. The speed of boats is limited to 45 mph.

(2) Boats are limited to slow, no wake speed at Pine Run, Wild Creek and Pohopoco Creek Bays.

(3) Waterskiing is prohibited except between sunrise and sunset in the designated ski zone. Boats in this zoned area shall operate in a counter-clockwise direction. Boats not engaged in waterskiing shall remain outside the ski zone area while waterskiing is in progress. A boat may not tow more than one water ski device on weekends and holidays from the Saturday preceding Memorial Day through Labor Day.

(4) It is unlawful to operate boats equipped with inboard engines with over-the-transom or straight stack type exhausts.

(5) Kiteskiing and parasailing are prohibited at all times.

(b) *Francis E. Walter Dam.* The use of motors in excess of 10 horsepower is prohibited.

§ 111.14. **Centre County.**

Foster Joseph Sayers Lake—Bald Eagle State Park.

(1) The operation of boats powered by internal combustion motors is permitted. The speed of boats is limited to 45 mph.

(2) Boats are limited to slow, no wake speed in the following areas:

(i) Hunters Run Cove inlet.

(ii) The southern end of Hunters Run Cove in the vicinity of boat launching areas.

(iii) The northern end of Hunters Run Cove from the inlet to the dam.

(iv) Within 100 feet of either side of the Route 26 Highway Bridge.

(v) From approximately 2,000 feet west of the Upper Greens Run launch ramp through the backwaters of the lake.

(3) Waterskiing is prohibited in Hunters Run Cove.

(4) It is unlawful to operate boats equipped with inboard engines with over-the-transom or straight stack type exhausts.

§ 111.15. **(Reserved).**

§ 111.17. **Clearfield County.**

(a) *Treasure Lake.*

(1) Boats are limited to slow, no wake speed from the established buoy line at the following areas:

(i) Lake Marina.

(ii) Coral Cove.

(iii) Matura Cove.

(iv) Galion Bay.

(v) Columbus Court Cove.

(vi) Treasure Lake Road Cove.

(vii) Access areas at Hurricane Cove.

(2) The speed of boats is limited to 35 mph.

(3) Boats longer than 25 feet in length are prohibited.

(b) *Bimini Lake.* The use of motors in excess of 10 horsepower is prohibited.

(c) *Curwensville Lake.* Boats are limited to slow, no wake speeds in the following areas:

(1) Upriver of the cliff at Ferguson.

(2) Between the old viaduct pillars.

§ 111.18. **(Reserved).**

§ 111.19. **(Reserved).**

§ 111.20. **Crawford County.**

(a) *Canadohta Lake.* The operation of boats powered by internal combustion motors is permitted. The use of motors in excess of 10 horsepower is prohibited.

(b) *Conneaut Lake.* The anchoring of boats is prohibited in the area along the western shoreline of the lake commonly referred to as the "sand bar." The no anchor zone will extend along the shoreline to a line of buoys.

(c) *Pymatuning Reservoir—Pymatuning State Park.* The operation of boats powered by internal combustion motors is permitted. The use of motors in excess of 20 horsepower is prohibited.

(d) *Sugar Lake.* The use of motors in excess of 10 horsepower is prohibited.

(e) *Woodcock Creek Lake.*

(1) The use of motors in excess of 10 horsepower is prohibited.

(2) Waterskiing is prohibited.

(3) Boats are limited to slow, no wake speed in a zone defined by the area east of the LR 20063 Causeway.

(4) Persons shall wear a Coast Guard approved personal flotation device at all times when on board boats less than 16 feet in length or any canoe or kayak.

§ 111.21. **Cumberland County.**

Fuller Lake—Pine Grove Furnace State Park. Boating is prohibited.

§ 111.23. **Delaware County.**

(a) *Delaware River.* Boats are limited to slow, no wake speed between Tinicum Island and the Pennsylvania shoreline.

(b) *Darby Creek.* Boats are limited to slow, no wake speed on the entire creek from its headwaters to its confluence with the Delaware River.

§ 111.24. **Elk County.**

East Branch Clarion River Lake—Elk State Park.

(1) The operation of boats powered by internal combustion motors is permitted. The speed of boats is limited to 45 mph. It is unlawful to operate boats equipped with inboard engines with over-the-transom or straight stack type exhausts.

(2) Boats are limited to slow, no wake speed in the following areas:

- (i) Sevenmile Run Bay.
- (ii) South Fork/Straight Creek Bay.
- (iii) East Branch Clarion River Bay from the no-wake buoys to the extreme backwaters of the lake.

(3) Persons shall wear a Coast Guard approved personal flotation device at all times when on board boats less than 16 feet in length or any canoe or kayak.

§ 111.26. Fayette County.

Youghiogheny River Lake. Persons shall wear a Coast Guard approved personal flotation device at all times when on board boats less than 16 feet in length or any canoe or kayak.

§ 111.29. (Reserved).

§ 111.30. Greene County.

Ten Mile Creek. It is unlawful to operate a boat in excess of slow, no wake speed.

§ 111.31. Huntingdon County.

(a) *Greenwood Lake—Greenwood Furnace State Park.* It is unlawful to operate a boat powered by a motor.

(b) *Lake Raystown.*

(1) Boats are limited to slow, no wake speed in the following areas:

(i) Seven Points, Yocum Bay, Woodcock Valley Cove, James Creek Cove, Great Trough Creek Cove, Coffee Run Cove and Shy Beaver Cove.

(ii) From the no-wake buoys between Putts Camp and Weaver Falls Access to the extreme backwaters of the lake.

(iii) Between peninsula number one and peninsula number three known as the Rothrock Recreation Area above the Route 994 Bridge.

(iv) Other coves, bays, inlets, arms and areas marked with slow, no-wake buoys.

(2) Waterskiing is prohibited between the Route 994 Bridge and the point of peninsula number 3 of the Rothrock Recreation Area approximately 3/4 mile upstream.

(c) *Perez Lake.* The operation of boats powered by internal combustion motors is prohibited.

§ 111.32. Indiana County.

(a) *Conemaugh River Lake.*

(1) Persons shall wear a Coast Guard approved personal flotation device at all times when on board boats less than 16 feet in length or any canoe or kayak.

(2) The operation of boats powered by internal combustion motors is prohibited.

(b) *Yellow Creek Lake—Yellow Creek State Park.* The operation of boats powered by internal combustion motors is permitted. The use of motors in excess of 20 horsepower is prohibited.

§ 111.33. (Reserved).

§ 111.35. (Reserved).

§ 111.36. Lancaster County.

(a) *Lake Aldred—Susquehanna River.* Boats are limited to slow, no wake speed from the York County shoreline to the northern point of Urey Islands to the southern tip of

Blair Island, and back to the York County shoreline. The area is about 1 mile in length.

(b) *Susquehanna River.* Boats are limited to slow, no wake speed for both of the following:

(1) From the Lancaster County shoreline to the northern point of Shad Island south to the southern point of Green Island and back to the Lancaster County shoreline from January 1 to October 1.

(2) In all areas between and within 200 feet of the islands comprising the Conejohola Flats.

§ 111.37. (Reserved).

§ 111.38. Lebanon County.

Stoever's Dam. The operation of boats powered by internal combustion motors is prohibited.

§ 111.39. (Reserved).

§ 111.40. Luzerne County.

(a) *Lily Lake.*

(1) Boats with greater than 60 horsepower engines or greater than 18 feet in length are prohibited.

(2) Boats are limited to slow, no wake speed except those operating within the buoyed high speed operating zone, between noon and sunset between the Saturday preceding Memorial Day and September 30.

(b) *Francis E. Walter Dam.* The use of motors in excess of 10 horsepower is prohibited.

(c) *Harveys Lake.*

(1) The operation of boats powered by internal combustion motors is permitted.

(2) The speed of boats is limited to 45 mph from sunrise to sunset on weekends and holidays from the Saturday before Memorial Day through Labor Day.

(3) The speed of boats is limited to slow, no wake speed between sunset and sunrise.

§ 111.41. Lycoming County.

(a) *Susquehanna River.* Boats are limited to slow, no wake speed between Swimmers Island and the south shore of the Susquehanna River.

(b) *Pine Creek.* Only boats powered by motors of 10 horsepower or less are permitted from the county line downstream to the Route 220 Bridge. After January 1, 1995, the operation of internal combustion engines is prohibited.

§ 111.43. Mercer County.

(a) *Shenango River Lake.*

(1) The use of motors in excess of 10 horsepower is prohibited in the area west of the Penn Central Railroad (Levittsburg) causeway to the Ohio line.

(2) Boats are prohibited in Game Lands Propagation Areas.

(3) Waterskiing is prohibited south of the Conrail Railroad Bridge to the hazard buoys at the dam.

(4) Boats are limited to slow, no wake speed in the following areas:

(i) Stewart's Bay.

(ii) Celery Bay.

(iii) The main lake from the vicinity of the Hopper Road Fisherman Access Area to the extreme backwaters of the lake.

(iv) From the hazard buoys above the dam to the Conrail Railroad Bridge.

(v) Two hundred feet from the shoreline in the vicinity of the Shenango Day Use Area and Campground and the Route 18 causeway.

(vi) Duck Lake.

(5) Persons shall wear a Coast Guard approved personal flotation device at all times when on board boats less than 16 feet in length or any canoe or kayak.

(6) Waterskiing is prohibited in the following slow no wake zones:

(i) Beneath the State Route 18 and State Route 846 Bridges.

(ii) Beneath the Parkers Landing railroad trestle.

(iii) Beneath the railroad trestle at the Shenango Recreation Area.

(b) *Lake Wilhelm—Maurice Goddard State Park.* The operation of boats powered by internal combustion motors is permitted except from a point approximately 200 yards north of the Interstate 79 causeway over Lake Wilhelm upstream to the Game Commission Propagation Area above the Sheakleyville Causeway (State Route 1018, Milledgeville Road).

§ 111.45. **Monroe County.**

Delaware River. The operation of personal watercraft is prohibited within the Delaware Water Gap National Recreation Area.

§ 111.48. **Northampton County.**

(a) *Delaware River.* The operation of personal watercraft is prohibited within the Delaware Water Gap National Recreation Area (upstream from mile 209.5).

(b) *Lehigh River.* Boats are limited to slow, no wake speed in the main channel 150 feet upstream and 150 feet downstream from the Route 33 access ramp.

§ 111.50. **(Reserved).**

§ 111.52. **Pike County.**

(a) *Twin Lakes.* It is unlawful to operate a boat powered by a motor.

(b) *Lake Wallenpaupack.*

(1) Waterskiing is prohibited on weekends and holidays at the western end of the lake between a line about 200 yards east of Cairn's Island, as marked by buoys, and the Ledgesdale Recreation Area.

(2) Kiteskiing and parasailing are prohibited on weekends and holidays at all locations. Kiteskiing and parasailing are prohibited between the Ledgesdale Campsite and the Kipp Island/Wallenpaupack Lake Estates cement boat launch ramp.

(3) The area extending 100 feet out from the shoreline shall be considered a special anchorage area. Boats anchored or moored within this area shall be exempt from showing the all-around anchor light between sunset and sunrise, but shall be lighted sufficiently by a shore light to warn an approaching boat of their presence. Boats anchored within this special anchorage area not so lighted from the shore, and boats anchored outside this special anchorage area shall comply with § 97.4 (relating to signals to attract attention) and show the required light from sunset to sunrise. Shore lights shall be screened so that the operator of an approaching boat is not blinded.

(4) Boats are limited to slow, no wake speed in the following areas:

(i) On Wallenpaupack Creek.

(ii) From the Ledgesdale Bridge to a point approximately 1,000 feet downstream.

(iii) From the dam to a point approximately 600 feet south.

(iv) Between Cairn's Island and the Pike County shore line.

(5) Boats are limited to 45 mph from sunrise to sunset on weekends and holidays from the Saturday before Memorial Day to Labor Day.

(6) Boats are limited to 25 mph between sunset and sunrise.

(c) *Fairview Lake.* Boats are limited to slow, no wake speed from the Commission boat launch to the head of the cove.

(d) *Delaware River.* The operation of personal watercraft is prohibited in the following areas:

(1) Upper Delaware Scenic and Recreational River (upstream from mile 258.4).

(2) The Delaware Water Gap National Recreation Area (downstream from mile 250).

§ 111.53. **(Reserved).**

§ 111.54. **(Reserved).**

§ 111.55. **(Reserved).**

§ 111.56. **Somerset County.**

Youghiogeny River Lake.

(1) Persons shall wear a Coast Guard approved personal flotation device at all times when on board boats less than 16 feet in length or any canoe or kayak.

(2) Boats are limited to slow, no wake speed within the following areas:

(i) Wilkins Hollow Cove.

(ii) Tub Run Cove from a line extending in a south-westerly direction between the outermost points of land on each side of the cove as marked.

(iii) Somerfield Recreation Area as marked in the vicinity of the boat launch ramp and marina.

(iv) Fall Run Cove.

(v) Hall Run Cove.

(vi) Braddocks Run Cove.

(vii) Reason Run Cove.

(viii) Off Somerfield Hill.

§ 111.57. **(Reserved).**

§ 111.58. **Susquehanna County.**

* * * * *

(f) *Quaker Lake.* The use of motors in excess of 7.5 horsepower is prohibited.

(g) *Tripp Lake.* The operation of boats powered by internal combustion motors is prohibited.

(h) *Upper Lake, New Milford Township.* It is unlawful to operate a boat powered by a motor.

§ 111.59. **Tioga County.**

(a) *Cowanesque Lake.* Boats are limited to slow, no wake speed in the following areas:

- (1) Mapes Creek Cove.
 - (2) Baldwins Creek Cove.
 - (3) Between the buoy lines across the lake in the vicinity of East and West Boat Launch areas.
 - (4) From the buoy line west of the South Shore Use Area upstream to the headwaters of the lake.
- (b) *Hammond Lake*. Boats are limited to slow, no wake speed from a buoy line across the lake in the vicinity of Ives Run to the extreme backwaters of the lake.

(c) *Tioga Lake*. Boats are limited to slow, no wake speed in the following areas:

- (1) Between the Route 15 Bridge and the extreme backwaters of the Mill Creek Arm.
- (2) From the vicinity of Big Rift Creek to the extreme backwaters of the lake.
- (d) *Pine Creek*. Only boats powered by motors of 10 horsepower or less are permitted from the county line downstream to the Route 220 Bridge. After January 1, 1995, the operation of internal combustion engines is prohibited.

§ 111.60. Union County.

Halfway Lake—R.B. Winter State Park. Boating is prohibited.

§ 111.61. Venango County.

Two Mile Run County Park.

- (1) The operation of boats powered by internal combustion motors is prohibited.
- (2) Sailboats greater than 14 feet in length and multihull sailboats are prohibited.
- (3) Inflatable boats shall be greater than 7 feet in length, made of tough, reinforced fabric and have at least two separate buoyancy chambers exclusive of any inflatable floor or bottom.

§ 111.62. Warren County.

Allegheny River Reservoir (Kinzua Dam).

- (1) Boats are limited to slow, no wake speed in the following areas:
 - (i) In the vicinity of camping areas and boat launch areas.
 - (ii) Dew Drop Bay.
 - (iii) Wolf Run Bay.
 - (iv) Hodge Bay, North and South Branch.
 - (v) Cornplanter Bay.
 - (vi) Billies Bay.
 - (vii) Willow Bay beginning at the boat launch ramp.
- (2) Persons shall wear a Coast Guard approved personal flotation device at all times when on board boats less than 16 feet in length or any canoe or kayak.

§ 111.63. Washington County.

Cross Creek Lake. The use of motors in excess of 10 horsepower is prohibited.

§ 111.64. Wayne County.

- (a) *Duck Harbor Pond*.
- (1) The operation of boats powered by internal combustion motors is permitted.

(2) A boat may not tow more than one water ski device on weekends and holidays from the Saturday preceding Memorial Day through Labor Day.

(3) The speed of boats is limited to slow, no wake speed between 6 p.m. and 10 a.m.

(b) *Long Pond*.

- (1) The operation of boats powered by internal combustion motors is permitted.
- (2) Waterskiing is permitted from 10 a.m. until 5 p.m. on weekends and holidays and from 10 a.m. until sunset on weekdays other than holidays.

(3) A boat may not tow more than one water ski device on weekends and holidays from the Saturday preceding Memorial Day through Labor Day.

(4) The speed of boats is limited to slow, no wake speed from sunset until sunrise.

(c) *Prompton Lake—Prompton State Park*. The operation of boats powered by internal combustion motors is permitted. The use of motors in excess of 10 horsepower is prohibited.

(d) *Lake Wallenpaupack*. Pike County special regulations applicable to Lake Wallenpaupack at § 111.52(b) (relating to Pike County) also apply to the Wayne County portion of Lake Wallenpaupack.

(e) *Delaware River*. The operation of personal watercraft is prohibited within the Upper Delaware Scenic and Recreational River.

§ 111.65. Westmoreland County.

(a) *Conemaugh River Lake*.

(1) Persons shall wear a Coast Guard approved personal flotation device at all times when on board boats less than 16 feet in length or any canoe or kayak.

(2) The operation of boats powered by internal combustion motors is prohibited.

(b) *Loyalhanna River Lake*. All persons shall wear a Coast Guard approved personal flotation device at all times when on board boats less than 16 feet in length or any canoe or kayak.

§ 111.66. Wyoming County.

Lake Winola.

(1) The operation of boats powered by internal combustion motors is permitted.

(2) A boat may not tow more than one water ski device on weekends and holidays from the Saturday preceding Memorial Day through Labor Day.

(3) The speed of boats is limited to slow, no wake speed from sunset to sunrise, 7 days a week, year-round, and from sunrise to 11 a.m. on Sundays from the day before Memorial Day until Labor Day.

(4) The speed of boats is limited to 35 mph from sunrise to sunset on weekends and holidays.

§ 111.67. York County.

(a) *Lake Marburg—Codus State Park*. The operation of boats powered by internal combustion motors is permitted. The use of motors in excess of 20 horsepower is prohibited.

(b) *Lake Redman*.

* * * * *

CHAPTER 115. BOATS CARRYING PASSENGERS FOR HIRE

§ 115.11. Personal flotation devices.

It is unlawful to operate a boat carrying passengers for hire unless it carries sufficient, serviceable United States Coast Guard approved wearable personal flotation devices in accordance with § 97.1 (relating to personal flotation devices) to provide one for the maximum number of passengers and crew members indicated on the certificate. It is unlawful to operate a boat carrying passengers for hire unless it carries an additional number of personal flotation devices suitable for children equal to at least 10% of the maximum capacity of the boat. If more than 10% of the passengers are children, additional personal flotation devices sized for children are required.

[Pa.B. Doc. No. 15-2044. Filed for public inspection November 20, 2015, 9:00 a.m.]

Title 67—TRANSPORTATION

DEPARTMENT OF TRANSPORTATION

[67 PA. CODE CH. 15]

Authorized Vehicles and Special Operating Privileges

The Department of Transportation (Department), under the authority in 75 Pa.C.S. §§ 4572(b), 6103 and 6107 (relating to visual signals on authorized vehicles; promulgation of rules and regulations by department; and designation of authorized vehicles by department), amends Chapter 15 (relating to authorized vehicles and special operating privileges) to read as set forth in Annex A.

Purpose of Chapter

Chapter 15 establishes the types of vehicles which are considered authorized vehicles under 75 Pa.C.S. § 102 (relating to definitions) and 75 Pa.C.S. §§ 4572(b) and 6107 and establishes special operating privileges for these authorized vehicles.

Purpose of this Final-Form Rulemaking

The purpose of this final-form rulemaking is to designate additional Type I authorized vehicles, including vehicles used by those that carry out a governmental function or public service regarding the protection, care and control of animals. This final-form rulemaking will allow newly-authorized vehicles to be equipped with yellow flashing or revolving lights which can be activated when the vehicle is engaged in performing work within the scope of its authority.

Summary of Comments and Changes

The Department published a proposed rulemaking at 44 Pa.B. 6780 (October 25, 2014). The proposed rulemaking was also submitted to the Independent Regulatory Review Commission (IRRC) and the House and Senate Transportation Committees. Comments or objections were not received from the public, the House and Senate Committees or IRRC. Consequently, substantive changes have not been made to this final-form rulemaking.

Persons and Entities Affected

This final-form rulemaking will affect State dog wardens and humane society police officers in the perfor-

mance of their duties. It will also affect the motoring public, who will be alerted to the presence of State dog warden and humane society police officer vehicles on or along the highways so as to encourage the motoring public to slow down and proceed with caution.

Fiscal Impact

Implementation of this final-form rulemaking will require the procurement of yellow flashing or revolving lights for State dog warden and humane society police officer vehicles. This final-form rulemaking will not impose additional costs to other entities.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on October 15, 2014, the Department submitted a copy of the notice of proposed rulemaking, published at 44 Pa.B. 6780, 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 is required to provide copies of the comments received during the public comment period IRRC and the House and Senate Committees, as well as other documents when requested.

Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on October 7, 2015, the final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5(g) of the Regulatory Review Act, the final-form rulemaking was deemed approved by IRRC effective October 7, 2015.

Sunset Provisions

The Department is not establishing a sunset date for this regulation, as it anticipates an ongoing value in providing State dog wardens or humane society police officers the ability to use yellow flashing or revolving lights in carrying out their respective duties. The Department, however, will continue to closely monitor this regulation for effectiveness.

Contact Person

The contact person for this final-form rulemaking is Glenn C. Rowe, PE, Chief, Highway Safety and Traffic Operations Division, Bureau of Maintenance and Operations, 400 North Street, 6th Floor, Commonwealth Keystone Building, Harrisburg, PA, 17120-0064, (717) 783-6479, glrowe@pa.gov.

Findings

The Department finds that:

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

(2) A public comment period was provided as required by law and no comments were received.

(3) This final-form rulemaking is necessary and appropriate for administering and enforcing the authorizing act identified in this preamble.

Order

The Department orders that:

(a) The regulations of the Department, 67 Pa. Code Chapter 15, are amended by amending § 15.2 to read as set forth in Annex A.

(b) The Secretary of the Department shall submit this order and Annex 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 of the Department shall certify this order and Annex A and deposit them with the Legislative Reference Bureau, as required by law.

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

LESLIE S. RICHARDS,
Secretary

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 45 Pa.B. 6374 (October 24, 2015).)

Fiscal Note: Fiscal Note 18-463 remains valid for the final adoption of the subject regulation.

Annex A

TITLE 67. TRANSPORTATION

PART I. DEPARTMENT OF TRANSPORTATION

Subpart A. VEHICLE CODE PROVISIONS

ARTICLE II. TITLE

CHAPTER 15. AUTHORIZED VEHICLES AND SPECIAL OPERATING PRIVILEGES

§ 15.2. Types of authorized vehicles.

The vehicles enumerated in this section are designated as authorized vehicles of the type indicated. They may be equipped with one or two flashing or revolving yellow lights as provided in 75 Pa.C.S. § 4572(b) (relating to visual signals on authorized vehicles), and as defined in Chapter 173 (relating to flashing or revolving lights on emergency and authorized vehicles), except that school buses shall be equipped with red and amber flashing lights as defined in 75 Pa.C.S. § 4552 (relating to general requirements for school buses). The flashing or revolving yellow lights on all authorized vehicles except school buses shall be activated only when the vehicle is performing the type of work which is the basis of the designation of the vehicle as an authorized vehicle, except lights on

Type VI vehicles may be activated whenever an emergency condition requires police assistance. The enumeration of vehicles is as follows:

(1) *Type I.* Type I vehicles include the following:

(i) Highway construction and maintenance vehicles. Such vehicles shall include, but not be limited to, traffic-line-painting trucks, sign and signal maintenance trucks, dump trucks, street sweepers, mowers, highway inspection vehicles, and vehicles involved in traffic studies or investigations or right-of-way operations.

(ii) Vehicles which are used in utility operations.

(iii) Highway service vehicles such as, but not limited to, tow trucks and road-service vehicles.

(iv) Vehicles used to collect money from parking meters.

(v) Commonwealth-owned vehicles which are used by a State dog warden employed by the Department of Agriculture.

(vi) Vehicles owned by a nonprofit society or association duly incorporated under 15 Pa.C.S. §§ 5301—5341 (relating to incorporation) for the prevention of cruelty to animals and used by a humane society police officer as the term is defined in 22 Pa.C.S. § 3701 (relating to scope of chapter).

(2) *Type II.* Snowplows, snowblowers and vehicles modified or equipped for the attachment of snowplows, snowblowers or similar devices.

(3) *Type III.* Garbage trucks and vehicles used for home delivery of United States mail or newspapers.

(4) *Type IV.* Vehicles which are used in the business of news gathering for any news medium.

(5) *Type V.* Vehicles which escort oversize loads.

(6) *Type VI.* Local mass transit vehicles and armored vehicles which are used in the transportation of coins, currency or other valuables for the business or financial community.

(7) *Type VII.* School buses.

[Pa.B. Doc. No. 15-2045. Filed for public inspection November 20, 2015, 9:00 a.m.]

PROPOSED RULEMAKING

FISH AND BOAT COMMISSION

[58 PA. CODE CHS. 53, 105 AND 111]

Boating

The Fish and Boat Commission (Commission) proposes to amend Chapters 53, 105 and 111 (relating to Commission property; operational conditions; and special regulations counties). The Commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code).

A. Effective Date

The proposed rulemaking, if approved on final-form rulemaking, will go into effect upon final-form publication in the *Pennsylvania Bulletin*.

B. Contact Person

For further information on the proposed rulemaking, contact Laurie E. Shepler, Esq., P. O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This proposed rulemaking is available on the Commission's web site at www.fish.state.pa.us.

C. Statutory Authority

The proposed amendment to § 53.8 (relating to boats) is published under the statutory authority of section 741 of the code (relating to control of property). The proposed amendment to § 105.4 (relating to overloading and improper loading) is published under the statutory authority of section 5123 of the code (relating to general boating regulations). The proposed amendment to § 111.40 (relating to Luzerne County) is published under the statutory authority of section 5124 of the code (relating to particular areas of water).

D. Purpose and Background

The proposed rulemaking is designed to simplify and improve the Commission's boating regulations. The specific purpose of the proposed amendments is described in more detail under the summary of proposals. On July 31, 2015, the Boating Advisory Board (BAB) considered these proposals and recommended that the Commission approve the publication of a proposed rulemaking.

E. Summary of Proposals

(1) Earlier this year, the Commission was contacted by numerous boaters and an outfitter regarding § 53.8 that prohibits the use of single-chambered inflatable boats on its lakes. The Department of Conservation and Natural Resources (Department) has a similar regulation that prohibits the use of these boats on State Park lakes. These regulations were promulgated prior to the manufacture and widespread availability of high-quality, durable inflatable canoes, kayaks and stand-up paddleboards.

The use of other inflatable devices is addressed in other sections of Chapter 53 as well. Section 53.16(c) (relating to special use) prohibits launching or retrieving swimming aids such as inner tubes from Commission-owned or Commission-controlled access areas. Float tubes on Commission-owned or Commission-controlled lakes are addressed in § 53.19 (relating to use of float tubes on Commission-controlled lakes). Specifically, they must have

a secondary bladder for additional emergency flotation and the user shall wear a Coast Guard-approved personal flotation device.

Thirty-three states responded to a survey administered by the National Association of State Boating Law Administrators (NASBLA) regarding special regulations relating to the use of inflatable boats. One of the respondents indicated that single-chambered air-inflated devices do not meet that state's definition of "vessel." Another respondent indicated that single-chambered inflatable vessels are prohibited from use statewide. There were no other responses regarding special regulations for recreational use of single-chambered inflatable boats. Additionally, NASBLA does not have a model act regarding inflatable vessels. Therefore, states may deal with specific issues as they see fit.

A review of recreational boating accident statistics in this Commonwealth reveals that there have not been reportable accidents regarding loss of inflation for incidents involving inflatable boats since 1985. With the recent advent of high-quality, durable inflatable boats with less than two separate buoyancy chambers, such as inflatable standup paddleboards, the Commission believes that the current regulation is overly restrictive and may be eliminated. The Commission therefore proposes to amend § 53.8 to read as set forth in Annex A.

(2) The Commission wishes to clarify its regulations regarding overloading and improper loading by adopting language recommended by NASBLA's Model Act for Maximum Loading and Horsepower Capacity Compliance. This model act prohibits the operation of certain recreational vessels when those vessels exceed their loading or powering capacities or exceed the capacity limits identified on the vessel's capacity label or through calculations presented in the *Code of Federal Regulations*. The Commission therefore proposes to amend § 105.4 to read as set forth in Annex A.

(3) Lily Lake is a 160-acre impoundment situated on a 376-acre parcel owned by the Commission in southeastern Luzerne County. The Commission acquired Lily Lake in 1968. When the Commission initially acquired Lily Lake, there was controversy over what uses of the lake should be allowed. Cottage owners insisted on water skiing and high-speed motorboat operation. Staff were opposed to high-powered motorboat activity on the lake primarily because of the size of the lake (approximately 90 acres of boatable water) and concern that allowing water skiing and internal combustion motors would create a safety hazard. The Lily Lake Property Owners' Association (Association) retained legal counsel and sent the Commission a letter on June 29, 1970, detailing its request for a 60 horsepower limitation and other proposals. However, before negotiations with the property owners concluded, the Commission adopted regulations at its May 3, 1971, meeting prohibiting internal combustion engines on Commission lakes. The minutes from that meeting state that "the regulations adopted for all wholly owned Fish Commission lakes [are to] be applied to Lily Lake." The Association again submitted a proposal in 1972 that they believed would allow for compatible, multiple uses of boats for fishing and other activities, including water skiing.

On April 6, 1973, the Commission's Executive Director provided a report on the situation to the Commissioners and referred the matter to the BAB for study. On May 16,

1973, members of the BAB met with the Association to develop a consensus proposal. As a result, they mutually agreed to a high-speed operating zone where all ski operations would occur and that would be buoyed by the Commission. The high-speed operating zone was proposed as being 2,000 feet long and 650 feet wide and approximately 75 feet from the northern shore which was uninhabited.

In addition, the Association proposed a limit of 60 horsepower and maximum of 18 feet in length for all boats on the lake, as initially recommended by their attorney in 1970. The rationale provided at the time was "the 60 HP limitation will make it unattractive to the hard core water skier but would still permit the several cottage owners who own 60 HP boats now to continue to use them." Also expressed was a concern of attracting a large number of boats from outside the area, but it was believed that the horsepower limitation would minimize that.

During discussion of the consensus proposal at a BAB meeting on August 20, 1973, a Commissioner noted that the main reason for the Commission's allowing the use of only electric motors on its lakes was to "prevent noise and pollution." He further stated that since these elements were already present on Lily Lake when the Commission acquired it in 1968, this rationale had to be discounted at this lake.

The consensus proposal was advanced from the BAB to the Commission, and upon approval at its October 20, 1973, meeting, the Commission published a proposed rulemaking at 3 Pa.B. 2882 (December 15, 1973) to prohibit the use of boats with greater than 60 horsepower

engines or greater than 18 feet in length on Lily Lake. Additionally, boats were limited to slow, no wake speed except those operating within the buoyed high speed operating zone, between noon and sunset from the Saturday preceding Memorial Day to September 30. No public comments were received. The regulation went into effect upon final-form publication at 4 Pa.B. 133 (January 26, 1974).

The regulations for Lily Lake have seen minor amendments since 1973. However, there have not been changes to the horsepower or boat length limitations since adoption. The current Permit to Install Floating Structures and Private Aids to Navigation indicates the high-speed zone as 1,500 feet by 600 feet, mid-lake along the opposite shoreline from the boat launch and homes.

The Commission maintains a surfaced launch ramp and parking at Lily Lake that can accommodate 18 vehicle-trailer combinations and more than 25 cars. To date, there are no reportable recreational boating accidents recorded for Lily Lake.

On May 18, 2015, Commission representatives met with members of the Association. The purpose of the meeting was to discuss a request from the property owners association to increase the maximum allowable horsepower to 90 and boat length to 25 feet.

The Commission owns four lakes with horsepower or speed restrictions and the Department owns ten. A comparison of lake acreage to horsepower or mile-per-hour restrictions on these lakes indicates that Lily Lake is currently the second smallest lake and has the highest horsepower allowance.

<i>Name</i>	<i>County</i>	<i>Owner</i>	<i>Acreage</i>	<i>Horsepower or Mile-per-Hour Restriction</i>
Pymatuning Reservoir	Crawford	Department	17,088	20 horsepower
Lake Arthur	Butler	Department	3,225	20 horsepower
Foster Joseph Sayers Lake	Centre	Department	1,730	45 mile-per-hour
Lake Wilhelm	Mercer	Department	1,680	20 horsepower
Glendale Lake	Cambria	Department	1,635	20 horsepower
East Branch Clarion River Lake	Elk	Department	1,554	45 mile-per-hour
Nockamixon Lake	Bucks	Department	1,450	20 horsepower
Lake Marburg	York	Department	1,275	20 horsepower
Beltzville Lake	Carbon	Department	949	45 mile-per-hour
Yellow Creek Lake	Indiana	Department	720	20 horsepower
Harveys Lake	Luzerne	Commission	658	45 mile-per-hour
Lake Canadohta	Crawford	Commission	169	10 horsepower
Lily Lake	Luzerne	Commission	160	60 horsepower
Sugar Lake	Crawford	Commission	90	6 horsepower

The Commission's local law enforcement staff recommend a change to allow boats up to 20 feet in length but that the Commission maintains the horsepower limitation at 60 due to the small size of the impoundment. Boat registration records reveal that an increase in length will potentially allow for an additional 1,672 actively registered motorboats in Luzerne County and the 7 surrounding counties to operate on Lily Lake. It is predicted that the increased length allowance will enhance boating

opportunities for the lake residents and northeast region without having a significant impact on user conflicts or safety on this small impoundment. The Commission therefore proposes to amend § 111.40 to read as set forth in Annex A.

F. Paperwork

The proposed amendments will not increase paperwork and will not create new paperwork requirements.

G. Fiscal Impact

The proposed amendments will not have adverse fiscal impact on the Commonwealth or its political subdivisions. The proposed amendments will not impose new costs on the private sector or the general public.

H. Public Comments

Interested persons are invited to submit written comments, objections or suggestions about the proposed rulemaking to the Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000 within 30 days after publication of this proposed rulemaking in the Pennsylvania Bulletin. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically by completing the form at www.fishandboat.com/reg comments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

JOHN A. ARWAY,
Executive Director

Fiscal Note: 48A-268. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart A. GENERAL PROVISIONS

CHAPTER 53. COMMISSION PROPERTY

§ 53.8. Boats.

* * * * *

[(f) Inflatable boats used on Commission lakes shall be at least 7 feet in length, made of durable reinforced fabric and have at least two separate buoyancy chambers exclusive of any inflatable floor or bottom.

(g) (f) A boat using a Commission lake or access area must be registered and display the official registration number and current validation stickers described under Subpart C and Part III of the code.

* * * * *

Subpart C. BOATING

CHAPTER 105. OPERATIONAL CONDITIONS

§ 105.4. Overloading and improper loading.

(a) A person may not operate a boat when the boat is loaded with passengers or cargo beyond its safe carrying capacity[, taking into consideration weather and other existing operating conditions.] as determined by one of the following:

- (1) The boat's maximum weight capacity.
(2) The boat's maximum persons capacity.
(3) The boat's maximum horsepower.

(4) Capacity limits as identified on the boat's capacity label or through calculations provided by the United States Coast Guard through the Commission.

(b) A person may not operate a boat loaded in a manner that adversely affects its trim or stability, taking into consideration weather and other existing operating conditions.

CHAPTER 111. SPECIAL REGULATIONS COUNTIES

§ 111.40. Luzerne County.

(a) Lily Lake.

(1) Boats with greater than 60 horsepower engines or greater than [18] 20 feet in length are prohibited.

* * * * *

[Pa.B. Doc. No. 15-2046. Filed for public inspection November 20, 2015, 9:00 a.m.]

[58 PA. CODE CH. 75]

Fishing; Endangered Species

The Fish and Boat Commission (Commission) proposes to amend Chapter 75 (relating to endangered species). The Commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The proposed amendments update the Commission's lists of endangered, threatened and candidate species.

A. Effective Date

The proposed rulemaking, if approved on final-form rulemaking, will go into effect upon final-form publication in the Pennsylvania Bulletin.

B. Contact Person

For further information on the proposed rulemaking, contact Laurie E. Shepler, Esq., P. O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This proposed rulemaking is available on the Commission's web site at www.fish.state.pa.us.

C. Statutory Authority

The proposed amendments to §§ 75.1 and 75.2 (relating to endangered species; and threatened species) are published under the statutory authority of section 2305 of the code (relating to threatened and endangered species). The proposed amendments to § 75.3 (relating to candidate species) are published under the statutory authority of 2102 of the code (relating to rules and regulations).

D. Purpose and Background

The specific purpose and background of the proposed amendments is described in more detail under the summary of proposal.

E. Summary of Proposal

(1) Hornyhead Chub (Nocomis biguttatus). The Hornyhead Chub is a medium sized minnow with a robust body. Adult length is typically 4 to 6 inches. Breeding males have a distinct bright red spot behind the eye. It is a nest building minnow, constructing large pebble mounds by transporting gravel with its mouth. It inhabits clear, small to medium-sized streams with clean gravel, rubble and sandy substrates. In general, the Hornyhead Chub is highly intolerant of increased siltation and intermittent flows.

The Hornyhead Chub occurs in North America from the Mohawk River system in New York, west to the Red River

system in Manitoba and North Dakota, and south to the Ohio River drainage. It also occurs in the Ozark drainages in Missouri and Arkansas and in an isolated section of West Virginia.

In this Commonwealth, it was historically reported from two locations in Cussewago Creek in Crawford County and a number of locations in the Shenango River drainage in Crawford, Lawrence and Mercer Counties. It was also reported in collections from the Shenango system as well as Conneaut Creek in Crawford and Erie Counties. Recent intensive field work that included surveys of historic sites as well as additional sites presenting suitable habitat in these historic drainages has demonstrated a precipitous decline in Hornyhead Chub populations in this Commonwealth. This species is now apparently confined to approximately 12 miles of Neshannock Creek in Lawrence and Mercer Counties and 2 miles of Conneaut Creek in Crawford County.

The Hornyhead Chub was initially listed as a candidate species in 1999. The current status of this species was reviewed using the Commission's documentation and objective listing/delisting process. Using the "Extent of Occupancy" criterion (B.3) within the Commission's listing process, the Hornyhead Chub's linear occupied stream distance exceeds the cutoff of 10 miles for endangered status by only 4 miles. However, significant threats to its continued existence remain, particularly in the Conneaut Creek. In addition, it was evaluated with NatureServe's Conservation Status Assessments Rank Calculator and received a State Conservation Rank of S1—meaning it is critically imperiled in this Commonwealth with a high to very high risk of extirpation due to its limited range and/or few populations or occurrences. The Fishes Technical Committee of the Pennsylvania Biological Survey (PABS) reviewed this documentation and rank assignment and recommended that the Hornyhead Chub be listed as endangered. Enough information is available to make the determination that it is endangered in this Commonwealth at present and to justify its addition to the Commonwealth's list of endangered fishes. Therefore, the Commission proposes that the Hornyhead Chub be removed from the Pennsylvania list of candidate species under § 75.3 and added to the list of endangered species under § 75.1.

(2) Mountain Brook Lamprey (*Ichthyomyzon greeleyi*). The Mountain Brook Lamprey is a small, nonparasitic lamprey. Adult sizes are small, generally 4 to 6 inches total length. Body color is dark olive on the back and sides, often mottled, transitioning abruptly to a white belly, giving a bicolored appearance. It is easily confused with the parasitic Ohio Lamprey (*Ichthyomyzon bdellium*), which is generally larger with a proportionally larger oral disc and has coloration that fades gradually toward the belly (not strongly bicolored).

The Mountain Brook Lamprey prefers clear, small-medium sized creeks but can be occasionally found in larger waters. In this Commonwealth, it frequently occurs in stocked trout streams and is seldom found in colder streams containing wild Brook Trout (*Salvelinus fontinalis*). Larvae, known as ammocoetes, generally prefer sluggish areas with deposits of mud, muck, silt, sand, detritus and coarse woody debris.

This species occurs in North America from the Ohio River drainage in southwestern New York to northern Alabama and Georgia, where it is highly localized. In this Commonwealth, it occurs throughout the Allegheny River drainage, including the Loyalhanna Creek, French Creek and Clarion River drainages, and the upper Allegheny

River. A small portion of Neshannock Creek in the Beaver River drainage is also occupied.

In 1999, the Mountain Brook Lamprey was listed as a threatened species. Since then, nearly all of this species' historic range in this Commonwealth has been resurveyed and retraction of its range was not noted. In fact, extensions of its known range have been documented, which now includes the Clarion River, Loyalhanna Creek and North Fork Redbank Creek.

The current status of this species was reviewed using the Commission's documentation and objective listing/delisting process. It exceeds Criterion A.1 (Population Reduction) in that there has not been a reduction in historic distribution. Since the Mountain Brook Lamprey occupies more than 150 river miles of waterway, it significantly exceeds Criterion B.3 (Extent of Occupancy). In addition, it was evaluated with NatureServe's Conservation Status Assessments Rank Calculator and received a State Conservation Rank of S4—meaning it is secure in this Commonwealth with a very low risk of extirpation due to its extensive range and/or many populations or occurrences. The Fishes Technical Committee of the PABS reviewed this documentation and rank assignment and recommended that the Mountain Brook Lamprey be delisted. Enough information is available to make the determination that it is secure in this Commonwealth at present and to justify its removal from the Commonwealth's list of threatened fishes. Therefore, the Commission proposes that the Mountain Brook Lamprey be removed from the Pennsylvania list of threatened species under § 75.2.

(3) Ohio Lamprey (*Ichthyomyzon bdellium*). The Ohio Lamprey is a medium sized parasitic lamprey with a single dorsal fin and well developed teeth. Adult size is generally 5 to 10 inches total length. Body color is slate-gray to yellowish-gray, fading to a lighter belly.

The Ohio Lamprey occurs in large streams to large rivers during parasitic phase but enters smaller streams to spawn. Adults are generally found in riffles and runs over gravel, cobble and rubble. Ammocoetes generally prefer sluggish sections of small-medium sized streams with significant deposits of mud, muck, silt, sand, detritus and coarse woody debris. Ammocoetes generally burrow in substrate and filter feed on bacteria, protozoa, and decaying phytoplankton and plant material. Host fishes include Paddlefish, Common Carp, carsuckers, redhorses, black basses, larger catfishes, madtoms, Wall-eye and darters. There is no evidence to support the belief of some that Ohio Lampreys negatively impact game fish populations.

This species occurs in North America from the Ohio River basin from New York to Illinois, and south to northern Georgia. In this Commonwealth, it occurs in the Ohio River, Conewango Creek, Mahoning Creek, Potato Creek, Oswayo Creek and the Allegheny River and the following streams and their tributaries: French Creek, Oil Creek, Sandy Creek and Brokenstraw Creek.

In 1999, the Ohio Lamprey status was changed from threatened to candidate. Current data indicate little if any range reduction has occurred when historic and recent records are compared. It is evident that the Ohio Lamprey remains well-distributed in the Ohio River drainage and may have expanded somewhat, with its known range including Allegheny, Armstrong, Crawford, Erie, Forest, McKean, Potter, Venango and Warren Counties. Of the 150 records reviewed, 52 are post-1999. The Ohio Lamprey likely maintains a continuous distribution throughout the Allegheny River.

The current status of this species was reviewed using the Commission's documentation and objective listing/delisting process. It exceeds Criterion A.1 (Population Reduction) in that there has not been a reduction in historic distribution. Since the Ohio Lamprey occupies more than 150 river miles of waterway, it also significantly exceeds Criterion B.3 (Extent of Occupancy). In addition, it was evaluated with NatureServe's Conservation Status Assessments Rank Calculator and received a State Conservation Rank of S4—meaning it is secure in this Commonwealth with a very low risk of extirpation due to its extensive range and/or many populations or occurrences. The Fishes Technical Committee of PABS reviewed this documentation and rank assignment and recommended that the Ohio Lamprey be delisted. Enough information is available to make the determination that it is secure in this Commonwealth at present and to justify its removal from the Commonwealth's list of candidate fishes. Therefore, the Commission proposes that the Ohio Lamprey be removed from the Pennsylvania list of candidate species under § 75.3.

(4) Bowfin (*Amia calva*). The Bowfin is a large, stout-bodied fish, with an extended ribbon-like dorsal fin and rounded, caudal fin. The Bowfin is noted for its voracious feeding habits usually consuming other fishes. It is capable of breathing atmospheric oxygen, an important adaptation to life in swamps and marshes, where low dissolved oxygen levels, high water temperatures and low water conditions occur frequently. The Bowfin inhabits swamps, marshes, ditches, ponds and lakes, and sluggish sections of rivers and creeks, where it prefers areas with submerged vegetation, undercut banks and coarse woody debris.

This species occurs in North America from Quebec to northern Minnesota in the St. Lawrence River-Great Lakes and Mississippi River basins south to the Gulf of Mexico and on the Atlantic and Gulf Coastal Plain from Susquehanna River drainage in Pennsylvania to the Colorado River, Texas. It has been introduced elsewhere. In this Commonwealth, it is native to the Lake Erie and Ohio River drainages and introduced in the Susquehanna and Delaware River systems.

The Bowfin was listed as a Pennsylvania candidate species in 1991. It has persisted throughout the collection record in the Lake Erie drainage. It was reported from the Pittsburgh area prior to 1882 but was probably extirpated from the Ohio River drainage in this Commonwealth by 1900. There are no historic records from the Pymatuning Lake region or the French Creek drainage in Crawford and Erie Counties, but it was apparently introduced into these systems in the 1980s or 1990s. Those populations have significantly expanded since 2000, and it is now well established in suitable habitat there. The Bowfin is currently common to abundant in Presque Isle Bay, Erie County, and may now be taken regularly in Pymatuning Lake. It also occurs in French Creek and several tributaries, including Conneauttee Creek, Muddy Creek and Cussewago Creek. It is common to abundant in Conneaut Lake and Conneaut Marsh. In addition, it is now widely distributed in the Allegheny River below Kinzua Dam, and it has recently been found in the Ohio and Monongahela Rivers. Populations were known to have been stocked by the Commission in Buhl Lake, Mercer County; Lake Somerset, Somerset County; Glendale Lake, Cambria County; and Black Moshannon Lake, Centre County. As a result of this expansion, Commission staff consider the Bowfin to be recovered in the Ohio River system. This recovery, along with the

stable population in the Lake Erie drainage, justifies removing the Bowfin from the Commission's list of candidate species.

The current status of this species was reviewed using the Commission's documentation and objective listing/delisting process. It exceeds Criterion A.1 (Population Reduction) in that there has not been a reduction in historic distribution and Criterion B.3 (Extent of Occupancy) because it occupies more than 150 river miles of waterway. In addition, it was evaluated with NatureServe's Conservation Status Assessments Rank Calculator and received a State Conservation Rank of S4—meaning it is secure in this Commonwealth with a very low risk of extirpation due to its extensive range and/or many populations or occurrences. The Fishes Technical Committee of the PABS reviewed this documentation and rank assignment and recommended that the Bowfin be delisted. Enough information is available to make the determination that it is secure in this Commonwealth at present and to justify its removal from the Commonwealth's list of candidate fishes. Therefore, the Commission proposes that the Bowfin be removed from the Pennsylvania list of candidate species under § 75.3.

(5) Timber Rattlesnake (*Crotalus horridus*). The Timber Rattlesnake is a large, heavy bodied, venomous snake of the pit viper family (*Viperidae*). They typically have transverse "V" shaped dark bands on black or brown body color. The tail is black with a rattle and the head color distinguishes the color phase of the snake—black or yellow. Timber Rattlesnakes inhabit the forested, mountainous regions of this Commonwealth. They prefer upland forested areas where they forage for small mammals. Talus and/or scree slopes, rocky ledges, outcrops and boulder fields generally with southerly exposures contain the entrances to over-wintering dens.

The current National range of the Timber Rattlesnake encompasses 31 states from Vermont and New Hampshire south to northern Florida, west to eastern Texas and then north through eastern Oklahoma, Kansas and Nebraska, through Iowa into southeastern Minnesota. From southwestern Wisconsin the range retreats south, away from the Great Lakes, through western and southern Illinois and southern Indiana and Ohio.

Prior to European settlement, the range of the Timber Rattlesnake is thought to have spanned most of this Commonwealth. Today, Timber Rattlesnakes occur in 50 of 67 counties in this Commonwealth within forested, mountainous regions with strongholds mainly within the southwest, central and northeast region of this Commonwealth (for example, Ridge and Valley Province, Laurel Highlands, Allegheny Plateau and the Pocono Plateau).

Historically, overhunting and habitat loss have been major threats to Timber Rattlesnake populations. The conversion of forest to agricultural land during the settlement of this Commonwealth by Europeans was likely responsible for the early extirpation of Timber Rattlesnakes from many portions of this Commonwealth (Surface, 1906). Significant declines in Timber Rattlesnake populations were noted in the 1960s to 1970s, primarily due to overhunting. Many counties maintained bounties on Timber Rattlesnakes and held round ups, harvesting hundreds of these animals.

In 1978, the Commission listed the Timber Rattlesnake as a candidate species due to reported population declines from overhunting and habitat loss. Protective measures and regulations by the Commission gradually increased, including permitting of organized hunts (1982), bag limits

(1982, then reduced further in 1993), hunting season shortened to protect gravid females (1993), and minimum size limit and prohibiting take of females (2007). These regulations were designed to discourage harvest of Timber Rattlesnakes, especially gravid females and immature snakes. Also, oversight of organized hunts by Commission personnel and law enforcement has increased, and education and protection measures by the Commission, the Department of Conservation and Natural Resources and the Game Commission, the other land-holding agencies, have also improved.

For the past 20 years, the Commission has reviewed development projects throughout this Commonwealth for their potential to impact Timber Rattlesnake habitat. Recommendations to adjust alignments or modify project areas to avoid dens and gestation areas, seasonal work restrictions or having Timber Rattlesnake monitors onsite during construction to move snakes out of harm's way have avoided and minimized direct and indirect impacts to Timber Rattlesnakes and their sensitive habitats.

In the past decade, encroachment by oil and gas development into Timber Rattlesnake strongholds has increased significantly with the relatively new shale gas industry in this Commonwealth. The northcentral portions of the range, once considered the core undisturbed populations, have been subject to high volume of exploration, well pad construction, pipeline construction, associated roads and infrastructure. However, anecdotal evidence thus far shows that while there are increasing threats to Timber Rattlesnakes through exposure to human disturbance, some of the habitat alteration (for example, pipeline development) can provide important additional basking habitat in areas where canopy closure has posed problems for available basking and gestating habitat. Additionally, most of the well pads thus far are on the top of slopes and plateaus and do not interfere directly with den habitat (Commission observations).

In the last 25 years, Commission biologists began compiling more refined locational information from amateur and professional herpetologists concerned with the conservation of Timber Rattlesnake. Over 600 historic rattlesnake dens (without field checking, many were suspected to be basking areas) were mapped in this Commonwealth. In 2003, the Commission allocated State Wildlife Grant funding to begin a Statewide assessment of these historic Timber Rattlesnake sites, including determining habitat type, ranking the site quality and assessing threats for each site. Phase 1 of the project (2003-2006) resulted in visits to 467 historic sites with 39% (182) confirmed to harbor Timber Rattlesnake. More than 80% of these confirmed sites were ranked as moderate to good quality in terms of viability and habitat.

During Phase 2 of the project (2005-2011), 1,087 sites (both historic and previously unassessed) were assessed and 71% (770) was found to be occupied by Timber Rattlesnakes. An occupied site averaged 6 snakes observed during the assessment, with a range of 1 to 75 per site. The status of the assessed sites was as follows: 39.2% of the sites were ranked as above high to medium quality; 35.2% of the sites were ranked as lower quality sites; 25.3% of the sites were considered historic sites; and 0.3% of the sites were classified as extirpated. Additionally, 65% of the occupied sites surveyed during the site assessment project documented the presence of gravid females, neonates or juvenile timber rattlesnakes, and an additional 20% of occupied sites had snakes that were not examined for their reproductive status. Site assessments have continued annually as part of Phase 3

of the project (2011-present). To date, 1,742 sites have been assessed for the project (2003-2014), resulting in 35.8% of the sites considered high to medium quality sites, 35.5% of the sites represent lower quality sites and 28.4% of the sites were rated as historic or unoccupied at the time of the surveys (1,241 (71%) of assessed sites were occupied). Large portions (estimated 50%) of the Timber Rattlesnake range remain unassessed due to lack of landowner permissions or access difficulty.

A Species Action (recovery) Plan was developed for the Timber Rattlesnake in June 2011 (<http://fishandboat.com/water/amprep/species-plan-timber-rattlesnake.pdf>). Commission staff have been working with its conservation partners to implement actions towards the recovery of the species. Protection of the Timber Rattlesnake will continue, warranting no changes to the take regulations or venomous snake hunt program. Additionally, an external workgroup comprised of representatives from State and Federal landholding agencies and experts in Timber Rattlesnake natural history was convened to review current conservation practices for the Timber Rattlesnake as well as develop and enhance best management practices for the Timber Rattlesnake on State lands, public education programs promoting protection of Timber Rattlesnakes and cooperative agreements with industry likely to encounter critical Timber Rattlesnake habitat. Finally, the Commission is working with East Stroudsburg University to develop a robust long-term population monitoring program of the Statewide population to track changes in the population and continue the understanding of the conservation status of the Timber Rattlesnake in this Commonwealth.

The Amphibian and Reptile Committee of PABS reviewed the Heritage rank of the Timber Rattlesnake and found it be "vulnerable-apparently secure" (S3S4) status—uncommon but not rare and usually widespread in this Commonwealth. On June 22, 2015, the PABS Committee recommended "delisting" status based on the aforementioned data and apparent commonality of the species in this Commonwealth.

The Timber Rattlesnake was listed in 1978 as a Pennsylvania candidate species based on limited knowledge of populations and reported declines due to overhunting and habitat alteration. After a 12-year Statewide assessment project was conducted, current data indicate the rattlesnake retains an extensive distribution across this Commonwealth, with large populations remaining in many areas, thus eliminating it from listing consideration based on Criteria B (Extent of Occurrence), Criteria C (Population Estimates and Decline), Criteria D (Small Population Size) or Criteria E (Probability of Extinction). The threat of overhunting has been significantly reduced through regulations and permit programs. Threats to habitat are ever-changing but may be managed through education and management of the species on public lands. Threats are not quantifiable enough to meet Criteria A2 (Projected Population Reduction). The Timber Rattlesnake exceeds minimum requirements needed for listing as candidate, threatened or endangered status. The Timber Rattlesnake currently appears secure within this Commonwealth, which justifies removal from Pennsylvania's list of candidate species. Therefore, the Commission proposes that the Timber Rattlesnake be removed from the Pennsylvania list of candidate species under § 75.3.

The Commission proposes to amend §§ 75.1, 75.2 and 75.3 to read as set forth in Annex A.

F. Paperwork

The proposed rulemaking will not increase paperwork and will not create new paperwork requirements.

G. Fiscal Impact

The proposed rulemaking will not have adverse fiscal impact on the Commonwealth or its political subdivisions. The proposed rulemaking will not impose new costs on the private sector or the general public.

H. Public Comments

Interested persons are invited to submit written comments, objections or suggestions about the proposed rulemaking to the Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000 within 30 days after publication of this proposed rulemaking in the Pennsylvania Bulletin. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically by completing the form at www.fishandboat.com/reg comments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

JOHN A. ARWAY, Executive Director

Fiscal Note: 48A-267. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart B. FISHING

CHAPTER 75. ENDANGERED SPECIES

§ 75.1. Endangered species.

* * * * *

(b) Fish. The following species are endangered:

* * * * *

(28) Eastern sand darter, Etheostoma pellucidum.

(29) Hornyhead chub, Nocomis biguttatus.

(c) Reptiles and amphibians. The following species are endangered:

* * * * *

§ 75.2. Threatened species.

* * * * *

(b) Fish. The following species are threatened:

[(1) Mountain brook lamprey, Ichthyomyzon greeleyi.

(2)] (1) Bigmouth shiner, Notropis dorsalis.

[(3)] (2) Southern redbelly dace, Phoxinus erythrogaster.

[(4)] (3) Spotted sucker, Minytrema melanops.

[(5)] (4) Brindled madtom, Noturus miurus.

[(6)] (5) Chesapeake Logperch, Percina bimaculata.

(c) Amphibians and reptiles. The following species are threatened:

* * * * *

§ 75.3. Candidate species.

(a) General. The species listed in subsections (b) and (c) are considered candidate species which could achieve endangered or threatened status in the future. They are subject to seasons, size, creel—bag—and possession limits specified in this subpart. A person who catches these species is encouraged to release them immediately and unharmed to the waters or other area from which they were taken.

(b) [Fishes] Fish.

[(1) Ohio lamprey, Ichthyomyzon bdellium.

(2)] (1) Least brook lamprey, Lampetra aepyptera.

[(3) Bowfin, Amia calva.

(4)] (2) Central mudminnow, Umbra limi.

[(5)] (3) Eastern mudminnow, Umbra pygmaea.

[(6) Hornyhead chub, Nocomis biguttatus.

(7)] (4) Brook stickleback, Culaea inconstans.

(c) Amphibians and reptiles.

(1) Blandings Turtle, Emydoidea blandingii.

(2) Broadhead Skink, Plestiodon laticeps.

[(3) Timber Rattlesnake, Crotalus horridus.]

[Pa.B. Doc. No. 15-2047. Filed for public inspection November 20, 2015, 9:00 a.m.]

[58 Pa. Code Ch. 65]

Fishing; Special Fishing Regulations

The Fish and Boat Commission (Commission) proposes to amend Chapter 65 (relating to special fishing regulations). The Commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code).

A. Effective Date

The proposed rulemaking, if approved on final-form rulemaking, will go into effect on June 19, 2016.

B. Contact Person

For further information on the proposed rulemaking, contact Laurie E. Shepler, Esq., P. O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This proposed rulemaking is available on the Commission's web site at www.fish.state.pa.us.

C. Statutory Authority

The proposed amendments to § 65.24 (relating to miscellaneous special regulations) are published under the statutory authority of section 2307 of the code (relating to waters limited to specific purposes).

D. Purpose and Background

The proposed rulemaking is designed to improve, enhance and update the Commission's fishing regulations. The specific purpose of the proposed amendments is described in more detail under the summary of proposals.

E. Summary of Proposals

(1) Opossum Lake, a 47-acre impoundment owned by the Commonwealth and managed by the Commission, is located in Lower Frankford Township, Cumberland

County, approximately 6 miles west-northwest of the Borough of Carlisle. The dam impounds Opossum Creek at river mile 0.5. This lake was completely dewatered in October 2008 to make dam and spillway repairs and modifications per dam safety standards of the Department of Environmental Protection (Department). Following completion of the dam and spillway repairs and modifications as well as construction of numerous habitat enhancement devices, the impoundment was refilled and the Commission resumed annual adult trout stocking during spring 2013 to provide angling opportunities for stocked trout. Additionally, the Commission began to re-establish a high quality warmwater and coolwater fishery through fingerling plants of select fish species beginning in summer 2013. This process is ongoing.

Immediately upon refilling of the lake, the Commission opened the lake to fishing under a miscellaneous special regulation that allows for the harvest of trout under Commonwealth inland seasons, sizes and creel limits but allows catch and release fishing only for all other fish species. The Commission took this approach to allow a balanced fishery to develop under protective regulations while offering acceptable levels of recreational angling opportunities. This regulation will remain in effect until June 18, 2016.

Based on a recent assessment of the fish community, the fishery continues to develop. However, the fishery has not progressed to levels where the Commission believes that regulations should be relaxed at this time. Therefore, the Commission proposes that the current miscellaneous special regulation be extended until deemed appropriate for its removal. Commission staff will continue to monitor the fish populations as they develop and make the necessary adjustments to the species being stocked and the regulations governing the fishery to continually provide high quality recreational angling opportunities at Opossum Lake. Once the warmwater fishery has been re-established, the Commission will propose that the lake be removed from the miscellaneous special regulation and included in one of the Commission's existing warmwater regulation programs.

The Commission proposes to amend § 65.24 to read as set forth in Annex A.

(2) Leaser Lake, a 117-acre impoundment owned by the Commonwealth and managed by the Commission, is located in Lynn Township, Lehigh County, approximately 20 miles west-northwest of Allentown. The dam impounds an unnamed tributary to Ontelaunee Creek. This lake was completely dewatered in 2008-2009 to make dam and spillway repairs and modifications per Department dam safety standards. Following completion of the dam and spillway repairs and modifications as well as construction of numerous habitat enhancement devices, the impoundment was nearly refilled by spring 2013, then partially drained by 20 feet in late summer 2014 for additional repairs and fully refilled in 2015. The Commission resumed annual adult trout stocking during spring 2013 to provide angling opportunities for stocked trout. Additionally, the Commission began to re-establish a high quality warmwater and coolwater fishery through fingerling plants of select fish species beginning in 2013. This process remains on-going albeit with some cancellations, such as walleye fingerlings, required in 2014 due to the partial drawdown.

Immediately upon refilling of the lake, the Commission opened the lake to fishing under a miscellaneous special regulation that allowed for the harvest of trout under Commonwealth inland seasons, sizes and creel limits but allowed catch and release fishing only for all other fish species. The Commission took this approach to permit balanced fish populations to develop under protective regulations while offering acceptable levels of recreational angling opportunities. This regulation will remain in effect until June 18, 2016.

Based on the stocking delay that occurred, a recent fisheries management assessment of the fish community and information from Commission staff and anglers regarding their catches, the growth and abundances of warmwater/coolwater fish populations have not progressed to levels where staff believe that regulations should be relaxed at this time. Therefore, the Commission proposes that the current miscellaneous special regulation be extended until deemed appropriate for its removal. Commission staff will continue to monitor the fish populations as they mature, make necessary adjustments to the species and numbers being stocked, and select regulations governing the fisheries with the goal of providing high quality recreational angling opportunities at Leaser Lake. Once the warmwater/coolwater fish populations have been re-established, the Commission will propose that the lake be removed from the miscellaneous special regulation and included in one of the Commission's existing warmwater regulation programs.

The Commission proposes to amend § 65.24 to read as set forth in Annex A.

F. Paperwork

The proposed rulemaking will not increase paperwork and will not create new paperwork requirements.

G. Fiscal Impact

The proposed rulemaking will not have adverse fiscal impact on the Commonwealth or its political subdivisions. The proposed rulemaking will not impose new costs on the private sector or the general public.

H. Public Comments

Interested persons are invited to submit written comments, objections or suggestions about the proposed rulemaking to the Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000 within 30 days after publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically by completing the form at www.fishandboat.com/reg comments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

JOHN A. ARWAY,
Executive Director

Fiscal Note: 48A-269. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart B. FISHING

CHAPTER 65. SPECIAL FISHING REGULATIONS

§ 65.24. Miscellaneous special regulations.

The following waters are subject to the following miscellaneous special regulations:

<i>County</i>	<i>Name of Water</i>	<i>Special Regulations</i>
		* * * * *
Crawford	Pymatuning Reservoir	Only carp and suckers may be taken by means of spearing or archery in compliance otherwise with § 63.8 (relating to long bows, crossbows, spears and gigs). Minnow seines and dip nets are restricted to no more than 4 feet in size, and the mesh of the nets shall measure no less than 1/8 nor more than 1/2-inch on a side. Float line fishing is prohibited.
Cumberland	Opossum Lake	All species except trout—Catch and release/no harvest; it is unlawful to take, kill or possess any fish except trout. All fish caught other than trout must be immediately returned unharmed. Trout—Inland regulations apply. See § 61.1.
Cumberland, Dauphin, Juniata, Lancaster, Northumberland, Perry, Snyder, York	Susquehanna River (98.0 miles) from the inflatable dam near Sunbury downstream to Holtwood Dam, including all tributaries to a point 1/2 mile upstream from the confluence	Bass (smallmouth and largemouth)—From May 1 to 12:01 a.m. the first Saturday after June 11—Closed season; no tournaments. During the closed season, it is unlawful to target or attempt to catch a bass. A bass that is accidentally caught during the closed season must be immediately released unharmed without being removed from the water. It is unlawful to possess bass in, on or along these waters. Remainder of the year—No harvest—Catch and immediate release only; catch-measure-immediate release tournaments only.
Dauphin, Juniata, Perry	Juniata River (31.7 miles) from SR0075 bridge at Port Royal downstream to the mouth, including all tributaries to a point 1/2 mile upstream from the confluence	Bass (smallmouth and largemouth)—From May 1 to 12:01 a.m. the first Saturday after June 11—Closed season; no tournaments. During the closed season, it is unlawful to target or attempt to catch a bass. A bass that is accidentally caught during the closed season must be immediately released unharmed without being removed from the water. It is unlawful to possess bass in, on or along these waters. Remainder of the year—No harvest—Catch and immediate release only; catch-measure-immediate release tournaments only.
Huntingdon	Raystown Lake (includes Raystown Branch from the Raystown Dam downstream to the confluence with the Juniata River).	Trout (all species)—no closed season. Daily limit: First Saturday after April 11 until Labor Day—5 trout per day; day after Labor Day to first Saturday after April 11 of the following year—3 trout per day. Size limits: Inland rules apply. Smelt may be taken from shore or by wading by means of dip nets not to exceed 20 inches in diameter or 20 inches square. The daily limit per person is the greater of 1 gallon of smelt by volume or 200 smelt by number.
Lehigh	Leaser Lake	All species except trout—Catch and release/no harvest; it is unlawful to take, kill or possess any fish except trout. All fish caught other than trout must be immediately returned unharmed. Trout—Inland regulations apply. See § 61.1.
Luzerne	Harveys Lake	During the period from the first Saturday after April 11 through midnight March 31, the daily creel limit for trout (combined species) is 3, only one of which may exceed 18 inches in length. Fishing is prohibited from April 1 through 8 a.m. of the first Saturday after April 11. Warmwater/coolwater species, except as provided in this section—Inland regulations apply.
		* * * * *

[Pa.B. Doc. No. 15-2048. Filed for public inspection November 20, 2015, 9:00 a.m.]

LIQUOR CONTROL BOARD

[40 PA. CODE CH. 3] Management Contracts

The Liquor Control Board (Board), under the authority of section 207(i) of the Liquor Code (47 P. S. § 2-207(i)), proposes to amend §§ 3.141 and 3.143 (relating to management contracts; and Board approval and licensee responsibility).

Summary

In recent years, the Board has encountered a growing number of management contracts, that is, agreements between a licensee and a management company to operate, manage or supervise all or part of the operation of the licensed premises. These agreements, which can involve multilayered business organizations with fees and profits being exchanged among the constituent parts of the licensee and management company, are expressly permitted by the Board's regulation in § 3.141(a) and sections 102 and 447(g) of the Liquor Code (47 P. S. §§ 1-102 and 4-477(g)). In fact, "management company" is defined in section 102 of the Liquor Code as an entity that operates, manages or supervises all or part of a licensed business on behalf of a licensee. However, § 3.143(b)(2) currently precludes a management company from having a pecuniary interest in the licensed business despite the fact that management companies are held to the same standards as a person involved in the license. In response to comments from the regulated community, the Board believes amendments are needed to recognize the reality of the modern business environment in which licensees enter into negotiated management agreements that, while not structured as a formal partnership or joint venture, may involve the sharing of profits and control. The Board further believes that proposed amendments will be more consistent with the statutory definition of "management company" than the regulations.

This proposed rulemaking eliminates the blanket prohibition of a pecuniary interest being held by a management company in § 3.141(d) as well as a similar reference in § 3.143(b)(1). In view of the statutory definition of "management company," the requirement that a management contract reserve to the licensee the capability to direct its own business is proposed to be deleted from § 3.141(b).

Sections 404 and 436 of the Liquor Code (47 P. S. §§ 4-404 and 4-436) provide that only the applicant for, in the case of section 404 of the Liquor Code, the issuance, transfer or extension of a hotel, restaurant or club liquor license, or, in the case of section 436 of the Liquor Code, the issuance or transfer of a distributors', importing distributors' or retail dispensers' license, may have a pecuniary interest in the license. However, the Board believes this provision was not meant to prevent a management company from having control and receiving a share of the profits of the licensed business when the management company is on the license application, particularly given the fact that management companies are required to meet the same eligibility criteria as the applicant under section 470(a.1) of the Liquor Code (47 P. S. § 4-470(a.1)), that is, reputation, criminal history, and current or prior involvement in other licenses, and particularly since "management company" is statutorily defined as an entity that manages or operates a licensed business on behalf of a licensee. The proposed amendments will prevent placing an undue burden on the formation and reporting of management contracts by the

regulated community while remaining consistent with the Liquor Code by having the management company listed on the application, investigated by the Board's Bureau of Licensing and subject to refusal by the Board if the management company would not qualify for the license in its own name.

Affected Parties

The affected parties include present and future licensees that contract with management companies to operate licensed businesses.

Paperwork Requirements

The proposed rulemaking will not require additional paperwork. License applicants are required under § 3.142 (relating to reporting) to identify management companies on license applications, and current licensees are required to notify the Board in the event they enter into management contracts.

Fiscal Impact

There is no anticipated adverse fiscal impact from this proposed rulemaking. This proposed rulemaking is meant to ease the burdens of compliance for the regulated community. Therefore, by making its regulations more accommodating to businesses, the Board anticipates the proposed amendments will have a positive fiscal impact on licensees as well as the Commonwealth.

Effective Date

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

Public Comments

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

Public comments are posted on the Independent Regulatory Review Commission's (IRRC) web site. Personal information is not redacted from the public comments received.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on October 29, 2015, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to IRRC and to the Chairpersons of the House Liquor Control Committee and Senate Committee on Law and Justice. A copy of this material is available to the public upon request.

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

TIM HOLDEN,
Chairperson

Fiscal Note: 54-86. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 40. LIQUOR

PART I. LIQUOR CONTROL BOARD

CHAPTER 3. LICENSE APPLICATIONS

Subchapter M. MANAGEMENT CONTRACTS

§ 3.141. Management contracts.

(a) A licensee may contract with another person to manage its licensed premises.

[(b) A management contract must reserve to the licensee the capability to direct its own business.

(c)] (b) A management contract must be in writing, and a copy shall be maintained on the licensed premises where it shall be available for inspection by the Board.

[(d) A management contract may not give a pecuniary interest to a management company.]

§ 3.143. Board approval and licensee responsibility.

(a) The Board will notify the current licensee or applicant, in writing, of the Board's decision to either approve or refuse the involvement of a person providing services as a management company.

(b) The Board may refuse the involvement of a person providing services as a management company. The Board's refusal may be based upon **[the following:] facts upon which the Board could refuse a person's involvement in the license which may include reasons specified in section 4-470(a.1) of the Liquor Code (47 P.S. § 4-470(a.1)) such as reputation, criminal history, and current or prior involvement in other licenses.**

[(1) The creation by the management contract of a pecuniary interest in the license.

(2) Facts upon which the Board could refuse a person's involvement in the license which may include reasons specified in section 4-470(a.1) of the Liquor Code (47 P.S. § 4-470(a.1)) such as reputation, criminal history, and current or prior involvement in other licenses.]

(c) The licensee's use of a management company will not affect the licensee's responsibility for violations of the Liquor Code or this title.

[Pa.B. Doc. No. 15-2049. Filed for public inspection November 20, 2015, 9:00 a.m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Addendum to the Order of Quarantine; Spotted Lanternfly

Recitals

A. Spotted lanternfly, *Lycorma delicatula*, is a new pest to the United States and has been detected in the Commonwealth. This is a dangerous insect to forests, ornamental trees, orchards and grapes and not widely prevalent or distributed within or throughout the Commonwealth or the United States. Spotted lanternfly has been detected in the Commonwealth and has the potential to spread to uninfested areas by natural means or through the movement of infested articles.

B. The Plant Pest Act (Act) (3 P. S. §§ 258.1—258.27) empowers The Department of Agriculture (Department) to take various measures to detect, contain and eradicate plant pests. A plant pest is defined as an organism, including other plants, causing or capable of causing injury or damage to plants or plant products (3 P. S. § 258.2). These powers include the authority, set forth at section 258.21 of the Act (3 P. S. § 258.21), to establish quarantines to prevent the spread of plant pests within this Commonwealth.

C. Under the authority of section 258.20 of the Act (3 P. S. § 258.20) the Department may declare a pest to be a public nuisance when the Department determines a plant pest to be dangerous or destructive to the agriculture, horticulture or forests of this Commonwealth. For the reasons set forth in Paragraph A above, the Department declares Spotted lanternfly, *Lycorma delicatula*, to be a public nuisance.

D. Consistent with the Order of Quarantine published at 44 Pa.B. 6947 issued Saturday, November 1, 2014, where the Department detects or confirms any of the plant pests established in this Order of Quarantine—Spotted lanternfly, *Lycorma delicatula*—the place or area in which any of these plant pests are detected or confirmed shall be subject to the provisions of that Order of Quarantine published at 44 Pa.B. 6947 issued Saturday, November 1, 2014.

E. The place or area in which the plant pest is detected or confirmed shall be added to the Order of Quarantine, published at 44 Pa.B. 6947 issued Saturday, November 1, 2014, through an addendum delineating the specific location and geographic parameters of the area or place. Such Addendum shall be published in the *Pennsylvania Bulletin* and enforcement of the Addendum to the Order of Quarantine, published at 44 Pa.B. 6947 issued Saturday, November 1, 2014, with regard to that place or area shall become effective immediately.

Order

Under authority of section 21 of the act (3 P. S. § 258.21), and with the Recitals previously listed incorporated into and made a part hereof this Addendum to the Order of Quarantine published at 44 Pa.B. 6947 issued Saturday, November 1, 2014 by reference, the Department orders the following:

1. *Establishment of Quarantine.*

A quarantine is hereby established with respect to Boyertown Borough, Berks County; Douglass Township, Montgomery County; Milford Township including Trumbauersville Borough, Bucks County; and South Coventry Township, Chester County. This is in addition to, and does not replace, any townships and areas already subject to the Spotted Lanternfly Quarantine Order published at 44 Pa.B. 6947 issued Saturday, November 1, 2014, and any previous Addendums to that Quarantine Order.

2. *All Provisions Apply.*

All of the provisions established in the Spotted Lanternfly Quarantine Order published at 44 Pa.B. 6947 issued Saturday, November 1, 2014, are hereby incorporated herein and made a part hereof this Addendum as if fully set forth herein and shall hereby be made applicable to Boyertown Borough, Berks County; Douglass Township, Montgomery County; Milford Township including Trumbauersville Borough, Bucks County; and South Coventry Township, Chester County.

RUSSELL C. REDDING,
Secretary

[Pa.B. Doc. No. 15-2050. Filed for public inspection November 20, 2015, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES

Adjustment to Definition of “Base Figure” in the Loan Interest and Protection Law

The Department of Banking and Securities (Department), as required by the definition of “base figure” in section 101 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 101), known as the Loan Interest and Protection Law, is publishing the following notice regarding the inflation-adjusted base figure for the calendar year 2016. The Department has determined that the current base figure of \$241,111 adjusted for annual inflation using the “Consumer Price Index—All Urban Consumers: U.S. All Items 1982-84 = 100” published by the United States Department of Labor Bureau of Labor Statistics results in a base figure of \$241,324. This new base figure will be effective January 1, 2016, for the calendar year 2016.

ROBIN L. WIESSMANN,
Secretary

[Pa.B. Doc. No. 15-2051. Filed for public inspection November 20, 2015, 9:00 a.m.]

DEPARTMENT OF DRUG AND ALCOHOL PROGRAMS

Pennsylvania Advisory Council on Drug and Alcohol Abuse Meeting

The Pennsylvania Advisory Council on Drug and Alcohol Abuse (Council) will hold a public meeting on December 17, 2015, from 1 p.m. to 3:30 p.m. The meeting will be held at the Child Welfare Resource Center, 403 East Winding Hill Way, Mechanicsburg, PA 17055, (717) 795-9048. The meeting is open to the public. For additional information visit the Department of Drug and Alcohol Programs' (Department) web site at www.ddap.pa.gov.

The primary focus of this Council meeting is for the Council members to meet to discuss current drug and

alcohol issues and challenges facing this Commonwealth and to serve in an advisory capacity to the Department on these issues.

For additional information visit the Department's previously listed web site or contact Ann Catalano, Department of Drug and Alcohol Programs, Executive Office at (717) 214-1937.

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

This meeting is subject to cancellation without notice.

GAROLD E. TENNIS, Esq.,
Secretary

[Pa.B. Doc. No. 15-2052. Filed for public inspection November 20, 2015, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0037290 (Sewage)	The Glen Tamiment Resort Tamiment, PA 18371	Pike County Lehman Township	Unnamed Tributary to Little Bush Kill (1-D)	Y
PA0061450 (Sewage)	Elmhurst Township Wastewater Treatment Plant 112 Municipal Lane Elmhurst Twp, PA 18444	Lackawanna County Elmhurst Township	Roaring Brook (5-A)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0032506—Sew	PA Dept of Conservation & Natural Resources— Reeds Gap State Park 1405 New Lancaster Valley Road Milroy, PA 17063-9517	Mifflin County/ Armagh Township	Honey Creek/12-A	Y

Northcentral Regional Office: Clean Water Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.0530.

<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>
PA0031852 (Sewage)	Central Columbia School District Wastewater Treatment Plant 4777 Old Berwick Road Bloomsburg, PA 17815-3515	Columbia County South Centre Township	Unnamed Tributary to Susquehanna River (5-D)	Y
PA0113221 (Sewage)	Youth Challenge International 1810 Snyderstown Road Sunbury, PA 17801	Northumberland County Upper Augusta Township	Unnamed Tributary of Shamokin Creek (6-B)	N
PA0209449 (IW)	GKN Sinter Metals Emporium Automotive Airport Road Emporium, PA 15834-9797	Cameron County Emporium Borough	Driftwood Branch Sinnemahoning Creek and West Creek (8-A)	Y

Southwest Regional Office: 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>
PA0094111 (Sewage)	Wellington Estates MHP Wellington Estates MHP Export, PA 15632	Westmoreland County Washington Township	Unnamed Tributary to Thorn Run (18-B)	Y
PA0216208 (Sewage)	Superior MHP STP Superior Lane Aliquippa, PA 15001	Beaver County Raccoon Township	Unnamed Tributary to Service Creek (20-D)	Y
PA0216208 (Sewage)	Superior MHP STP Superior Lane Aliquippa, PA 15001	Beaver County Raccoon Township	Unnamed Tributary to Service Creek (20-D)	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0239691 (Sewage)	Gayle F Smith SRSTP 13478 Old Lake Road East Springfield, PA 16411	Erie County Springfield Township	Unnamed Tributary to Lake Erie (15)	Y
PA0210056 (Sewage)	Amsterdam Estates MHP 39 Amsterdam Road Grove City, PA 16127	Mercer County Liberty Township	Unnamed Tributary to Black Run (20-C)	Y
PA0024392 (Sewage)	Rouseville Borough STP 8 Main Street Rouseville, PA 16344	Venango County Cornplanter Township	Oil Creek (16-E)	Y

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

Northcentral Regional Office: Regional Clean Water Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448, Telephone: 570.327.0530.

PA0020800, Sewage, SIC Code 4952, **White Deer Township Municipal Authority Union County**, PO Box 90, West Milton, PA 17886-0090. Facility Name: White Deer Township Municipal Authority Water System. This existing facility is located in White Deer Township, **Union County**.

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

The receiving stream(s), Unnamed Tributary to West Branch Susquehanna River, is located in State Water Plan watershed 10-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.6 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	
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	4.0	XXX	XXX	XXX
Total Residual Chlorine (Interim)	XXX	XXX	XXX	0.20	XXX	0.60
(Final)	XXX	XXX	XXX	0.14	XXX	0.46
CBOD ₅	125	200	XXX	25	40	50
BOD ₅ Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	150	225	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	10	15	XXX	2.0	3.0	4.0
Nov 1 - Apr 30	30	45	XXX	6.0	9.0	18.0
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Total Copper	Report	XXX	XXX	Report	XXX	XXX
Total Lead	Avg Qrtly Report	XXX	XXX	Avg Qrtly Report	XXX	XXX
Total Zinc	Avg Qrtly Report	XXX	XXX	Avg Qrtly Report	XXX	XXX

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

<i>Parameters</i>	<i>Mass (lbs)</i>		<i>Concentration (mg/l)</i>		
	<i>Monthly</i>	<i>Annual</i>	<i>Minimum</i>	<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report		Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen	Report	10,959			
Net Total Phosphorus	Report	1,461			

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

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

The EPA Waiver is not in effect.

PA0027171, Sewage, SIC Code 4952, **Municipal Authority of the Town of Bloomsburg**, 301 E 2nd Street, Bloomsburg, PA 17815-1963. Facility Name: Bloomsburg Municipal Authority Wastewater Treatment Plant. This existing facility is located in the Town of Bloomsburg, **Columbia County**.

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

The receiving stream(s), Susquehanna River, is located in State Water Plan watershed 5-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Report	XXX	XXX	XXX
Total Residual Chlorine (Interim)	XXX	XXX	XXX	0.78	XXX	4.0
(Final)	XXX	XXX	XXX	0.24	XXX	0.78
CBOD ₅	890	1,430	XXX	25	40	50
		Wkly Avg			Wkly Avg	
BOD ₅						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	1,070	1,610	XXX	30	45	60
		Wkly Avg			Wkly Avg	
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Antimony (µg/L)	Report	Report	XXX	Report	Report	XXX
Total Cobalt	5.36	10.73	XXX	0.15	0.30	0.37
Total Copper (µg/L)						
(Interim)	Report	Report	XXX	Report	Report	XXX
(Final)	0.97	1.94	XXX	27.24	54.48	68.1
Acrolein (µg/L)	Report	Report	XXX	Report	Report	XXX
Acrylonitrile (µg/L)	Report	Report	XXX	Report	Report	XXX
3,4-Benzofluoranthene (µg/L)	Report	Report	XXX	Report	Report	XXX
Vinyl Chloride (µg/L)	Report	Report	XXX	Report	Report	XXX

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

<i>Parameters</i>	<i>Mass (lbs)</i>		<i>Concentration (mg/l)</i>		
	<i>Monthly</i>	<i>Annual</i>	<i>Minimum</i>	<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report		Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen	Report	78,355			
Net Total Phosphorus	Report	10,447			

* 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:

- Requirements for Total Residual Chlorine (TRC)
- Total Copper Compliance Schedule

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

The EPA Waiver is not in effect.

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

PA0098558, Sewage, SIC Code 7033, **Fox Wilson C**, 390 Wilson Fox Road, New Stanton, PA 15672. Facility Name: Fox Den Acres Campground. This existing facility is located in Hempfield Township, **Westmoreland County**.

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

The receiving stream(s), Unnamed Tributary to Sewickley Creek, is located in State Water Plan watershed 19-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.049 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Minimum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Instant. Maximum</i>
Flow (MGD)					
Jan 1 - Apr 30	0.049	XXX	XXX	XXX	XXX
pH (S.U.)					
Jan 1 - Apr 30	XXX	XXX	6.0	XXX	9.0
Total Residual Chlorine					
Jan 1 - Apr 30	XXX	XXX	XXX	0.5	1.6
CBOD ₅					
Jan 1 - Apr 30	XXX	XXX	XXX	25	50
Total Suspended Solids					
Jan 1 - Apr 30	XXX	XXX	XXX	30	60
Fecal Coliform (CFU/100 ml)					
Jan 1 - Apr 30	XXX	XXX	XXX	2,000	10,000
Total Nitrogen					
	XXX	XXX	XXX	Geo Mean Report Daily Max	XXX
Ammonia-Nitrogen					
Jan 1 - Apr 30	XXX	XXX	XXX	7.0	14.0
Total Phosphorus					
	XXX	XXX	XXX	Report Daily Max	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 0.049 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Minimum</i>	<i>Maximum</i>	<i>Average Monthly</i>	<i>Daily</i>	
Flow (MGD)						
Jan 1 - Apr 30	0.049	XXX	XXX	XXX	XXX	XXX
pH (S.U.)						
Jan 1 - Apr 30	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine						
Jan 1 - Apr 30	XXX	XXX	XXX	0.5	XXX	1.6
CBOD ₅						
Jan 1 - Apr 30	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids						
Jan 1 - Apr 30	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
Jan 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
Total Nitrogen						
Jan 1 - Apr 30	XXX	XXX	XXX	Geo Mean	XXX	XXX
Report				Daily Max		
Ammonia-Nitrogen						
Jan 1 - Apr 30	XXX	XXX	XXX	7.0	XXX	14.0
Total Phosphorus						
Jan 1 - Apr 30	XXX	XXX	XXX	Report	XXX	XXX
Daily Max						

The EPA Waiver is in effect.

PA0095273, SIC Code 1381, **Fluid Recovery Service LLC**, PO Box 232, Creekside, PA 15732. Facility Name: FRS Josephine Facility. This existing facility is located in Burrell Township, **Indiana County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated oil and gas wastewater.

The receiving stream(s), Blacklick Creek, is located in State Water Plan watershed 18-D and is classified for Cold Water Fishery, 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 0.155 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)						
Report	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)						
XXX	XXX	XXX	6.0	XXX	XXX	9.0
BOD ₅						
(Final)	XXX	XXX	XXX	53	163	204
Total Suspended Solids						
(Final)	XXX	XXX	XXX	30	60	75
Total Dissolved Solids						
(Interim)	Report	Report	XXX	Report	Report	XXX
(Final)	Report	Report	XXX	500	1,000	1,250
Oil and Grease						
XXX	XXX	XXX	XXX	15	30	XXX
Acidity, Total (as CaCO ₃)						
XXX	XXX	XXX	XXX	Report	Report	XXX
Alkalinity, Total (as CaCO ₃)						
Effluent Net	XXX	XXX	0	XXX	XXX	XXX
Alkalinity, Total (as CaCO ₃)						
XXX	XXX	XXX	Report	Report	Report	XXX
Total Aluminum						
(Final)	Report	Report	XXX	0.75	0.75	0.75
Total Antimony						
(Interim)	XXX	XXX	XXX	0.206	0.249	0.515
(Final)	XXX	XXX	XXX	0.0312	0.111	0.139
Total Arsenic						
(Interim)	XXX	XXX	XXX	0.104	0.162	0.26
(Final)	XXX	XXX	XXX	0.0199	0.0993	0.124
Total Barium						
(Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	10	20	25
Total Cadmium						
(Final)	XXX	XXX	XXX	0.0102	0.0172	0.0255
Total Chromium						
(Interim)	XXX	XXX	XXX	0.323	0.746	0.808
(Final)	XXX	XXX	XXX	0.0522	0.167	0.209

NOTICES

6707

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Cobalt (Interim)	XXX	XXX	XXX	0.124	0.192	0.31
(Final)	XXX	XXX	XXX	0.0703	0.182	0.2275
Total Copper (Interim)	XXX	XXX	XXX	0.242	0.500	0.605
(Final)	XXX	XXX	XXX	0.216	0.500	0.54
Total Iron (Final)	Report	Report	XXX	1.5	3.0	3.0
Total Lead (Final)	XXX	XXX	XXX	0.160	0.350	0.4
Total Manganese (Final)	Report	Report	XXX	1.0	2.0	2.0
Total Mercury (Interim)	XXX	XXX	XXX	0.000739	0.00234	0.00293
(Final)	XXX	XXX	XXX	0.000246	0.000641	0.000801
Total Nickel (Interim)	XXX	XXX	XXX	1.45	3.95	4.94
(Final)	XXX	XXX	XXX	0.309	0.794	0.993
Total Selenium (Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	0.0698	0.176	0.22
Total Silver (Interim)	XXX	XXX	XXX	0.0351	0.120	0.15
(Final)	XXX	XXX	XXX	0.0122	0.0318	0.0398
Total Strontium (Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	10	20	25
Sulfate (Final)	Report	Report	XXX	Report	Report	XXX
Total Uranium (µg/L) (Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	XXX	Report Max	XXX
Total Thallium (Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	0.027	0.042	0.0675
Total Tin (Interim)	XXX	XXX	XXX	0.12	0.335	0.419
(Final)	XXX	XXX	XXX	0.0367	0.0955	0.1194
Total Titanium (Interim)	XXX	XXX	XXX	0.0618	0.0947	0.155
(Final)	XXX	XXX	XXX	0.00612	0.0159	0.0199
Total Vanadium (Interim)	XXX	XXX	XXX	0.0662	0.218	0.273
(Final)	XXX	XXX	XXX	0.0518	0.0628	0.130
Total Zinc (Interim)	XXX	XXX	XXX	0.420	0.497	1.05
(Final)	XXX	XXX	XXX	0.252	0.497	0.63
o-Cresol (Final)	XXX	XXX	XXX	0.561	1.92	2.4
2,4,6-Trichlorophenol (Final)	XXX	XXX	XXX	0.106	0.155	0.265
Phenol (Final)	XXX	XXX	XXX	1.08	3.65	4.56
Acetone (Final)	XXX	XXX	XXX	7.97	30.2	37.8
Acetophenone (Final)	XXX	XXX	XXX	0.0562	0.114	0.141
Ethylbenzene	XXX	XXX	XXX	Report	Report	XXX
Benzene (Interim)	XXX	XXX	XXX	0.01	0.02	XXX
(Final)	XXX	XXX	XXX	0.001	0.002	XXX
Butyl Benzyl Phthalate (Final)	XXX	XXX	XXX	0.0887	0.188	0.222
Total BTEX	XXX	XXX	XXX	0.1	0.2	XXX

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Chloride (Interim)	Report	Report	XXX	Report	Report	XXX
(Final)	Report	Report	XXX	250	500	625
Bromide (Final)	Report	Report	XXX	Report	Report	XXX
2-Butanone (Final)	XXX	XXX	XXX	1.85	4.81	6.01
Bis(2-Ethylhexyl)Phthalate (Final)	XXX	XXX	XXX	0.101	0.215	0.253
Fluoranthene (Final)	XXX	XXX	XXX	0.0268	0.0537	0.067
Carbazole (Final)	XXX	XXX	XXX	0.276	0.598	0.69
n-Decane (Final)	XXX	XXX	XXX	0.437	0.948	1.09
n-Octadecane (Final)	XXX	XXX	XXX	0.302	0.589	0.755
p-Cresol (Final)	XXX	XXX	XXX	0.205	0.698	0.873
Pyridine (Final)	XXX	XXX	XXX	0.182	0.370	0.455
Toluene	XXX	XXX	XXX	Report	Report	XXX
Total Xylenes	XXX	XXX	XXX	Report	Report	XXX
Gross Alpha (pCi/L) (Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	XXX	Report Max	XXX
Radium 226/228, Total (pCi/L) (Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	XXX	Report Max	XXX

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

- Chemical Additives, Kiskiminetas-Conemaugh TMDL Allocated Load

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

The EPA Waiver is not in effect.

PA0218308, Sewage, SIC Code 8211, **Outside In School of Experiential Ed**, 196 Hamill School Road, Bolivar, PA 15923. Facility Name: Outside In School of Experiential Ed. This existing facility is located in Fairfield Township, **Westmoreland County**.

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

The receiving stream(s), Unnamed Tributary to Hannas Run, is located in State Water Plan watershed 18-C and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.010 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	0.010	XXX	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	0.14	XXX	0.46
CBOD ₅	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	4.0	XXX	8.0
Nov 1 - Apr 30	XXX	XXX	XXX	12.0	XXX	24.0
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX

The EPA Waiver is in effect.

PA0264199, SIC Code 8811, **Reed William E**, 133 Ames Road, Bentleyville, PA 15314. Facility Name: William E Reed SRSTP. This proposed facility is located in Somerset Township, **Washington County**.

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

The receiving stream, Unnamed Tributary to Pigeon Creek, is located in State Water Plan watershed 19-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

The EPA Waiver is in effect.

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

PA0264130, Sewage, SIC Code 8800, **Slagle Gary**, 76 E Division Road, North East, PA 16428. Facility Name: Gary Slagle 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 sewage from a single residence treatment facility.

The receiving stream, an unnamed tributary to Sixteenmile Creek, 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 (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly		Minimum	Average Monthly		
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
BOD ₅	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	XXX
				Geo Mean		

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

- Septic Tank Pumping Requirement
- Abandonment of the Treatment System
- Annual Submittal of an AMR & DMR

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

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

WQM Permit No. 5215402, Sewage, **PA American Water Co.**, 800 West Hershey Park Drive, Hershey, PA 17033.

This proposed facility is located in Delaware Township, **Pike County**.

Description of Proposed Action/Activity: Marcel Lakes Wastewater Treatment Plant Upgrade (new headworks, new influent pump station) and replacement of existing gravity sewer portion of collection system (new gravity mains and two new pump stations).

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

WQM Permit No. 0602405, Amendment No. 1, Sewerage, **Centre Township Municipal Authority**, Hillcrest Estates II, 449 Bucks Hill Road, Mohrsville, PA 19541.

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

Description of Proposed Action/Activity: Re-rate.

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

WQM Permit No. 1115412, Sewage, **City of Johnstown**, 401 Main Street, Johnstown, PA 15901.

This proposed facility is located in City of Johnstown, **Cambria County**.

Description of Proposed Action/Activity: Proposed construction of new sanitary sewers to replace existing defective sewers in the Hornerstown Area in the City of Johnstown.

WQM Permit No. 0215200, Industrial Waste, **Three Rivers Marine & Rail Terminal LP**, 17 Arentzen Blvd, Charleroi, PA 15022.

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

Description of Proposed Action/Activity: Bulk Material Transloading Facility.

WQM Permit No. 6315406, Sewage, **Canonsburg Houston Joint Authority**, 68 E Pike St, Canonsburg, PA 15317-1375.

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

Description of Proposed Action/Activity: Installation of gravity sewers, manholes, and appurtenances.

WQM Permit No. 0290209 A-1, Industrial Waste, **Allegheny County Port Authority**, 345 6th Ave, Pittsburgh, PA 15222-2527.

This existing facility is located in Ross Township, **Allegheny County**.

Description of Proposed Action/Activity: Permit amendment for the installation of one, Stormwater 360 VORTECHS 5000 solids separator.

WQM Permit No. 0293201 A-2, Industrial Waste, **Allegheny County Port Authority**, 345 Sixth Avenue, Pittsburgh, PA 15222-2527.

This existing facility is located in West Mifflin Borough, **Allegheny County**.

Description of Proposed Action/Activity: Permit amendment authorizing the installation of one, Stormwater 360 VORTECHS Model 7000 solids separator.

WQM Permit No. 5615402, Sewage, **Jenner Township**, 2058 Lincoln Hwy, Boswell, PA 15531-4012.

This proposed facility is located in Jenner Township, **Somerset County**.

Description of Proposed Action/Activity: Construction of the Pine Run SFTF, which will serve 2 existing and 1 proposed home.

WQM Permit No. WQG02561502, Sewage, **Jenner Area Joint Sewer Authority**, 102 Saylor Street, Jennerstown, PA 15547.

This existing facility is located in Jenner Township, **Somerset County**.

Description of Proposed Action/Activity: Improvements to the Gray Area Pump Station.

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

WQM Permit No. 2015401, Sewage, **Robert M. Miller**, 131 Country Estates Drive, Rogersville, TN 37857-7663.

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI015115008	Priderock Capital Partners, LLC 4031 University Drive, Suite 422 Fairfax, VA 22030	Philadelphia	City of Philadelphia	Delaware River WWF-MF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023914014(1)	Cathy Bonaskiewich Salisbury Township 2900 S. Pike Ave. Allentown, PA 18103	Lehigh	Salisbury Township	Little Lehigh Creek (HQ-CWF, MF)
PAI023915017	David Jaindl Jaindl Land Company 3150 Coffeetown Rd. Orefield, PA 18069	Lehigh	South Whitehall Township	Jordan Creek (TSF, MF) Little Cedar Creek (HQ-CWF, MF)

Wyoming County Conservation District, 1 Hollowcrest Complex, Tunkhannock, PA 18657

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI026615001	Noxen DG, LLC 361 Summit Blvd. Birmingham, AL 35243	Wyoming	Monroe Township	Bowmans Creek (HQ-CWF, MF)

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

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032108006R	Parkview at Boiling Springs, LLC 220 Good Hope Road Enola, PA 17025	Cumberland	South Middleton Twp	Yellow Breeches Creek HQ-CWF/MF
PAI030115003	Holman Donald 20 Pennsylvania Avenue Avon, NY 14414	Adams	Franklin Twp/Menallen Twp	West Branch Conewago Creek Designated Use of Water HQ-CWF Existing Use of Water HQ-CWF
PAI033615005	Stephen J Fisher 5509 Meadeville Road New Holland, PA 17557	Lancaster	Salisbury Twp	UNT to Richardson Run Designated Use of Water HQ, CWF, MF Existing Use of Water N/A

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

PAG-12 CAFOs

CAFO Notices of Intent Received

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

PAG123816, CAFO, Emway Farms, 820 Luxemburg Road, Lykens, PA 17048.

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

Description of Size and Scope of Proposed Operation/Activity: 1,898.58 AEUs/Poultry (Layer).

The receiving stream, Deep Creek, is in watershed 6-C, and classified for: WWF.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 100-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>
Galen Boyd 581 Pine Road, Mohrsville, PA 19541	Berks	102	268.52	Broilers	NA	New
L&W Farms, LLC 4251 Fletcher Drive Greencastle, PA 17225	Franklin	379, 308 available for manure	402.07	Poultry and Heifers	NA	Renewal
Stone Chimney Hollow 3449 Delta Road Airville, PA 17302	York	214	673.77	Swine/ Poultry	NA	Renewal
Dennis J Boop Dennis J Boop Jr. 1555 Swengel Road Mifflinburg, PA 17844	Union	391.4	1,365.7	Swine	NA	New

PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

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

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

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

SAFE DRINKING WATER

Applications Received Under the Pennsylvania Safe Drinking Water Act

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

Application No. 5415506, Public Water Supply.

Applicant **Schuylkill County Municipal Authority**
221 S. Centre St.
Pottsville, PA 17901

[Township or Borough] West Brunswick Township,
Schuylkill County

Responsible Official Mr. Patrick Caulfield, PE
Schuylkill County Municipal Authority
221 S. Centre St.
Pottsville, PA 17901

Type of Facility PWS

Consulting Engineer Mr. Byron A. Killian, PE
Entech Engineering, Inc.
P. O. Box 32
Reading, PA 179603

Application Received Date 10/22/2015

Description of Action Application proposes the creation of a new consecutive PWS system owned by the SCMA. Finished water from the Borough of Orwigsburg's PWS system (PWS ID 3540024) will be transferred via an interconnection to the new consecutive PWS system owned by SCMA.

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

Permit No. 0215531, Public Water Supply.

Applicant **Veteran Administration**
Pittsburgh Healthcare System
University Drive C
Pittsburgh, PA 15240

[Township or Borough] City of Pittsburgh

Responsible Official Barbara Forsha,
Interim Director
Veteran Administration
Pittsburgh Healthcare System
University Drive C
Pittsburgh, PA 15240

Type of Facility University Drive Campus

Consulting Engineer Civil & Environmental
Consultants
333 Baldwin Road
Pittsburgh, PA 15205

Application Received Date November 2, 2015

Description of Action Installation of secondary disinfection.

Permit No. 0215532, Public Water Supply.

Applicant **Veteran Administration**
Pittsburgh Healthcare System
University Drive C
Pittsburgh, PA 15240

[Township or Borough] City of Pittsburgh

Responsible Official Barbara Forsha,
Interim Director
Veteran Administration
Pittsburgh Healthcare System
University Drive C
Pittsburgh, PA 15240

Type of Facility H. J. Heinz Campus

Consulting Engineer Civil & Environmental
Consultants
333 Baldwin Road
Pittsburgh, PA 15205

Application Received Date November 2, 2015

Description of Action Installation of secondary disinfection.

Permit No. 5615512, Public Water Supply.

Applicant **Hooversville Borough**
Municipal Authority
PO Box 176
Hooversville, PA 15936

[Township or Borough] City of Pittsburgh

Responsible Official Kenneth Karashowsky Council
President
Hooversville Borough Municipal Authority
PO Box 176
Hooversville, PA 15936

Type of Facility Water system

Consulting Engineer The EADS Group, Inc.
450 Aberdeen Drive
Somerset, PA 15501

Application Received Date September 30, 2015

Description of Action Addition of a new coagulation chemical to replace alum.

MINOR AMENDMENT

Applications Received Under the Pennsylvania Safe Drinking Water Act

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

Application No. 4515509MA, Minor Amendment.

Applicant **Manwalamink Water Company**
River Road, Fort Depuy, 3rd
Floor
P. O. Box 48
Shawnee on Delaware, PA 18356

[Township or Borough] Smithfield Township

Responsible Official Christopher Karlson
General Manager
Manwalamink Water Company
River Road, Fort Dupuy,
3rd Floor
P. O. Box 48
Shawnee on Delaware, PA 18356

Type of Facility Public Water Supply

Consulting Engineer N/A

Application Received Date 10/21/2015

Description of Action Ground Water Rule Log 4
Demonstration application.

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

Application No. 0215533MA, Minor Amendment.

Applicant **East Deer Township**
927 Freeport Road
Creighton, PA 15030

[Township or Borough] East Deer Township

Responsible Official Anthony Talliani, Jr., President
Board of Commissioners
East Deer Township
927 Freeport Road
Creighton, PA 15030

Type of Facility Water system

Consulting Engineer Senate Engineering Company
U-PARC
420 William Pitt Way
Pittsburgh, PA 15238

Application Received Date October 26, 2015

Description of Action Rehabilitation of the 1 MG water
storage tank.

Application No. 0215526MA, Minor Amendment.

Applicant **Hampton Shaler Water
Authority**
PO Box 66
3101 McCully Road
Allison Park, PA 15101

[Township or Borough] Township of Shaler

Responsible Official Samuel Scarfone,
Executive Director
Hampton Shaler Water Authority
PO Box 66
3101 McCully Road
Allison Park, PA 15101

Type of Facility Water system

Consulting Engineer KLH Engineers, Inc.
5173 Campbells Run Road
Pittsburgh, PA 15205

Application Received Date November 5, 2015

Description of Action Installation of a pressure
reducing-metering vault and
transmission main to provide an
interconnection with the
Borough of Sharpsburg.

Application No. 3015512MA, Minor Amendment.

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

[Township or Borough] German Township

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

Type of Facility Water system

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

Application Received Date November 5, 2015

Description of Action Installation of approximately
3,135 feet of 8-inch and 12-inch
diameter waterline and a meter
vault to provide an
interconnection with Masontown
Borough.

Application No. 5688505-T1, Minor Amendment.

Applicant **Evergreen Associates, LLC**
26 Maple Street
Frostburg, MD 21532

[Township or Borough] Conemaugh Township

Responsible Official Brandon Reece, President
Evergreen Associates, LLC
26 Maple Street
Frostburg, MD 21532

Type of Facility Water system

Consulting Engineer

Application Received Date November 9, 2015

Description of Action Transfer of the public water
supply permit for Pine Crest
Mobile Home Park from Robert
McKool to Evergreen Associates,
LLC.

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 Man-
ager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

**WA 48-191B, Water Allocations, Pennsylvania
American Water Company**, 800 West Hershey Park
Drive, Hershey, PA 17033, Upper Mount Bethel Township,
Northampton County. The application proposes the
renewal of Water Allocation Permit No. WA-191-A dated
September 13, 1955. The right to withdraw up to 96,000
gpd from the West Fork of Martin's Creek and quarries
(Oxford Quarry, Smith Quarry and Birch Quarry) to be
used as conjunctive use with West Fork Martin's Creek
was proposed. Application received on October 21, 2015.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 1

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

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

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

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

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

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

D & D Distribution Services, 789 Kings Mill Road, Spring Garden Township, **York County**. ARCADIS, 35 Columbia Road, Branchburg, NJ 08876, on behalf of Safe Harbor Reserve, Inc., 789 Kings Mill Road, York, PA 17403 and 789 Kings Mill, LP, 40 Morris Avenue, Suite 230, Bryn Mawr, PA 19010, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with VOCs, chlorinated solvents, and metals. The site will be remediated to a combination of the Non-residential Statewide Health and Site Specific Standards. Future use of the site remains non-residential. The Notice of Intent to Remediate was published in the York Dispatch/York Daily Record on October 20, 2015.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit Application No. 100022. Chrin Brothers, Inc., 1225 Industrial Drive, Easton, PA 18042. An application for major permit modification for Eastern Expansion and Overlay. The Eastern Expansion and Overlay consists of a lateral expansion to the east of the facility and an overlay on the existing disposal area of the municipal solid waste landfill located in Williams Township, **Northampton County**. The new disposal area proposed is approximately 32.7 acres and, with the overlay, will increase the capacity of the landfill by approximately 6.15 million cubic yards, which translates to an additional 8.7 years of disposal life. The application was originally submitted to the Department on July 14, 2015 and was subject to the Local Municipality Involvement Process (LMIP) and an Alternative Timeline. The LMIP meeting took place on October 5, 2015 and an alternative timeline of 405 days was negotiated for review of the application. The application was found to be administratively complete by the Northeast Regional Office on November 9, 2015.

Comments concerning the application should be directed to Roger Bellas, Regional Waste Management Program Manager, Department of Environmental Protection, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18704-1915 at 570-826-2511. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

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 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

21-05026C: Carlisle SynTec Inc. (1295 Ritner Highway, Carlisle, PA 17013) for the construction of a devulcanization process to recycle sheet roofing material from their manufacturing process at the facility in Carlisle Borough, **Cumberland County**. The maximum projected increases in air emissions from the facility are less than one ton per year each of total organic compounds and sulfuric compounds. The facility is a Title V facility. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed will comply with all air quality regulatory requirements. Based upon these findings, the Department proposes to issue a plan approval for the proposed construction. If after the project is completed, the Department determines that the sources and control devices are operating in compliance with the plan approval conditions and specifications of the plan approval application, the plan approval requirements 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

08-00053A: Delmar Energy, LLC (6051 Wallace Road Extension, Suite 100, Wexford, PA 15090) for the construction of three (3) 9,708 bhp (7.2 MW) 4 stroke, lean burn Rolls Royce Bergen B-35:40-V16AG-2 natural gas-fired engine/generator sets, each equipped with both catalytic oxidation and selective catalytic reduction (SCR), at the proposed electric generating station located in Stevens Township, **Bradford County**. The facility will also include one (1) 0.64 MMBtu/hour natural gas-fired natural gas line heater; three (3) storage tanks ranging in size from 2,600 gallons to 6,000 gallons; one (1) desiccant dehydration system; various fugitive emissions. The Department of Environmental Protection's (Department) review of the information submitted by Delmar Energy, LLC indicates that the air contamination sources to be constructed will comply with all regulatory requirements, including monitoring, 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 Stationary Reciprocating Internal Combustion Engines, 40 CFR Sections 63.6580—63.6675, the Standards of Performance for Stationary Spark Ignition Internal Combustion Engines, 40 CFR Sections 60.4230—60.4248, the Mandatory Greenhouse Gas Reporting Rule, 40 CFR Part 98, 25 Pa. Code Chapter 123 and the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction.

The emissions from each proposed engine included in this project will not exceed the following limits: 0.058 g/bhp-hr and 5.44 TYPY NO_x, 0.114 g/bhp-hr and 10.69 TYPY CO, 0.037 g/bhp-hr and 3.47 TYPY VOCs, 0.0006 lbs/MMBtu and 0.13 TYPY SO_x, 0.050 g/bhp-hr and 4.67 TYPY PM₁₀/PM_{2.5}, 0.0009 g/bhp-hr and 0.84 TYPY formaldehyde, 10 ppmvds at 15% O₂ ammonia; no visible

emissions equal to or greater than 10% for a period or periods aggregating more than three minutes in any 1 hour and equal to or greater than 30% at any time. 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: performance testing requirement for all engines to verify compliance with the emissions limitations; establish a facility-wide leak detection and repair (LDAR) program to account for fugitive emissions from high pressure connections; restrict the engines to natural gas firing only; in addition to performance testing, establish follow-up portable analyzer testing for NO_x and CO for all engines every 2,500 hours of operation.

The facility is a State Only facility. If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 08-00053A, the applicant will subsequently apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F. 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.

14-00041A: Compass Energy Partners, LP (1865 Center St. Camp Hill, PA 17011-1703) for the construction of two 2,328 bhp Caterpillar model G3516C natural gas-fired engine to drive generators capable of producing 1,660 kW of electricity equipped with a Caterpillar model Clariant Catalyst Element—ENVICAT-5314-33.5 x 3.5-300 cps oxidation catalyst. Additionally, this facility will include a 231 bhp Caterpillar model G3406NA natural gas-fired emergency generator capable of producing 150 kW of electricity equipped with a Clariant—ENVICAT-8364-11.5 x 3.5-300 cpsi non-selective catalytic reduction unit at the Bald Eagle CNG Truck Terminal located in **Boggs Township, Centre County**. The Department of Environmental Protection's (Department) review of the information submitted by Compass Energy Partners, LP indicates that the air contamination sources to be constructed will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including [40 CFR Part 60 Subpart JJJJ and Part 63 Subpart ZZZZ] and the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction.

The emission from each proposed source included in this project will not exceed the following limits for the 2,328 bhp Caterpillar model G3516C engines equipped with an oxidation catalyst: (a) nitrogen oxides (NO_x, expressed as NO₂)—0.50 gram per brake horsepower-hour and 9.91 tons in any 12 consecutive month period, (b) carbon monoxide (CO)—0.15 gram per brake horsepower-hour and 2.97 tons in any 12 consecutive month period, (c) total combined volatile organic compounds (VOCs)—0.15 gram per brake horsepower-hour and 2.97 tons in any 12 consecutive month period, (d) formaldehyde—0.05 gram per brake horsepower-hour and 0.99 ton in any 12 consecutive month period. 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.

1. Pursuant to the best available technology provisions of 25 Pa. Code §§ 127.1 and 127.12, the air contaminant emissions from each Caterpillar G3516C engine shall not exceed the following limitations: (a) nitrogen oxides (NO_x, expressed as NO₂)—0.50 gram per brake horsepower-hour and 10.69 tons in any 12 consecutive month period, (b) carbon monoxide (CO)—0.15 gram per brake horsepower-hour and 3.21 tons in any 12 consecutive month period, (c) total combined volatile organic compounds (VOCs)—0.15 gram per brake horsepower-hour and 3.21 tons in any 12 consecutive month period, (d) formaldehyde—0.05 gram per brake horsepower-hour and 1.07 ton in any 12 consecutive month period.

2. Pursuant to the best available technology provisions of 25 Pa. Code §§ 127.1 and 127.12, the emission of visible air contaminants into the outdoor atmosphere from the Caterpillar G3516C engines shall not occur in such a manner that the opacity of the emission is either of the following: (a) Equal to or greater than 10% for a period or periods aggregating more than three minutes in any 1 hour, (b) Equal to or greater than 30% at any time.

3. Pursuant to the best available technology provisions of 25 Pa. Code §§ 127.1 and 127.12, all engines shall be fired only on natural gas.

4. Pursuant to the best available technology provisions of 25 Pa. Code §§ 127.1 and 127.12, the Caterpillar G3516C engines shall be equipped with an air-to-fuel ratio controller.

5. Pursuant to the best available technology provisions of 25 Pa. Code §§ 127.1 and 127.12, the Caterpillar G3516C engines and the Caterpillar model G3406NA emergency engine shall be equipped with a non-resettable meter that will indicate the hours of operation.

6. Pursuant to the best available technology provisions of 25 Pa. Code §§ 127.1 and 127.12, each Caterpillar G3516C engine shall not be operated more than 8,328 hours in any 12 consecutive month period and the Caterpillar model G3406NA emergency engine shall not be operated more than 500 non-emergency hours in any 12 consecutive month period.

7. Pursuant to the best available technology provisions of 25 Pa. Code §§ 127.1 and 127.12, Source ID P101 and P102 are Caterpillar G3516C four stroke, ultra-lean-burn, natural gas-fired compressor engines and shall be equipped with a Caterpillar model Clariant Catalyst Element—ENVICAT-5314-33.5 x 3.5-300 cps oxidation catalysts.

8. Pursuant to the best available technology provisions of 25 Pa. Code §§ 127.1 and 127.12, the Caterpillar model Clariant Catalyst Element—ENVICAT-5314-33.5 x 3.5-300 cps oxidation catalysts shall be equipped with a catalyst bed temperature monitor and pressure differential monitor. Should the monitor detect a low or high temperature or abnormal pressure differential event, an alarm will sound.

9. Pursuant to the best available technology provisions of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall keep accurate and comprehensive records of the number of hours each engine is operated on a monthly basis as well as emissions calculations to demonstrate compliance with the emission limitations.

10. Pursuant to the best available technology provisions of 25 Pa. Code §§ 127.1 and 127.12, Source ID P103 is a Caterpillar G3406NA four stroke, rich burn, natural gas-fired engine controlled by a Clariant—ENVICAT-8364-11.5 x 3.5-300 cpsi non-selective catalytic reduction unit.

11. Pursuant to the plan approval exemption criteria provisions of 25 Pa. Code § 127.14(a)(8)(6), and the plan approval condition provision of 25 Pa. Code § 127.12b(a), the air contaminant emissions from the Caterpillar model G3406NA engine shall not equal or exceed the following limitations: (a) nitrogen oxides (NO_x, expressed as NO₂)—100 lbs/hr, 1,000 lbs/day, 2.75 tons per ozone season, and 6.6 tons in any 12 consecutive month period.

The facility is a State Only facility. If 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 14-00041A, the requirements established in the plan approval will be incorporated into State Only Operating Permit 14-00041 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.

49-00066A: Elysburg GD, LLC dba Great Dane Trailers (207 Progress Road, Elysburg, PA 17824) for the construction of a truck trailer assembly and surface coating operation consisting of three surface coating spray booths, associated cleanup operations, assembly lines and a 0.465 MMBtu/hr natural gas-fired surface coating curing oven at the company's Elysburg facility located in Ralpho Township, **Northumberland County**.

The Department of Environmental Protection's (Department) review of the information submitted by Elysburg GD, LLC indicates that the air contamination sources to be constructed will comply with all regulatory requirements, including monitoring, recordkeeping, and reporting requirements, and pertaining to air contamination sources and the emission of air contaminants including 25 Pa. Code Chapter 123, the surface coating process requirements of 25 Pa. Code § 129.52, and the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction. The emissions from all proposed sources included in this project will not exceed the following limits: 0.06 TPY NO_x, 0.11 TPY CO, 41.35 TPY VOCs, 0.001 TPY SO_x, 0.11 TPY PM/PM₁₀/PM_{2.5}, 5.48 TPY HAPs. 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: restrictions on surface coating spray gun technologies; VOC and HAP content limitations for all surface coatings; cleanup operation work practice standards; VOC content restrictions on all solvents, sealants and adhesives.

The facility is a State Only facility. If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 49-00066A, the applicant will subsequently apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F. 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

11-00535: Laurel Highlands Crematory at Harris Funeral Home, Inc. (500 Cherry Lane, Johnstown, PA 15904) for intent to issue Air Quality Plan Approval PA-11-00535 to authorize construction and temporary operation of one (1) Matthews International-Cremation Division IE43-PPI natural gas-fired crematory incinerator for the cremation of human remains and one (1) Matthews International-Cremation Division IEB-16 natural gas-fired crematory incinerator for the cremation of animal remains at the above referenced facility located in Richland Township, **Cambria County**. The proposed crematory incinerators have maximum cremation rates of 150 pounds per hour and 100 pounds per hour, respectively.

With annual operation of each proposed crematory incinerator limited to 3,744 hours, combined annual potential to emit (PTE) from the facility will be of less than 3.0 tons of carbon monoxide (CO); less than 1.75 ton each of PM, PM₁₀, and PM_{2.5}; less than 1.25 ton of nitrogen oxides (NO_x); less than 1.0 ton each of sulfur oxides (SO_x) and volatile organic compounds (VOC); and less than 0.25 ton of total hazardous air pollutants (HAP). Best available technology (BAT) for the proposed crematory incinerators includes good combustion practices; operation and maintenance in accordance with the manufacturer's specifications and instructions; and multi-chamber design with a minimum secondary chamber temperature of 1,800°F. The proposed crematory incinerators are subject to applicable portions of 25 Pa. Code Chapters 123 and 127. The proposed Plan Approval has been conditioned to ensure compliance with all applicable regulations and includes emissions limitations, limitations on hours of operation, and also work practice, monitoring, recordkeeping, and reporting requirements.

Copies of the application, the Department's analysis, and other documents used in the evaluation of the application are available for public review during normal business hours at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To schedule an appointment to review the Plan Approval Application and related documents, 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 Phil Bouse at pbouse@pa.gov or 412-442-4000.

Any person may submit comments or object to the plan approval or a proposed condition thereof by filing a written protest with 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.

A protest 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 § 127.44 (relating to public notice). A protest shall include the name, address and telephone number of the person filing the protest; identification of the proposed plan approval issuance being opposed (Plan Approval 11-00535); and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted

based on the information received. All persons who have properly filed a protest under 25 Pa. Code § 127.46 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

Written comments, protests, and requests for a public hearing should be directed to Devin P. Tomko, Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222, or via email to dtomko@pa.gov. For additional information concerning the plan approval or the issuance procedure, contact Devin P. Tomko at 412-442-5231.

OPERATING PERMITS

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

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

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

30-00194: EQM Gathering Opco, LLC (EQT Plaza, 625 Liberty Ave, Suite 1700, Pittsburgh, PA 15222) for natural gas transmission at the Callisto Compressor Station in Morris Township, **Greene County**. This is a new Title V application.

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

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

16-00132, Clarion Boards, Inc./Clarion Plant (P. O. Box 340, 143 Fiberboard Road, Shippensburg, PA 16254-0340) for a Title V Operating Permit to operate a Reconstituted Wood Products manufacturing facility, located in Paint Township, **Clarion County**. This is a major facility due to its potential to emit NO_x and VOC emissions.

This facility continues to be subject to the existing requirements of 40 CFR 63—Subpart DDDD, National Emission Standards for Hazardous Air Pollutants: Plywood and Composite Wood Products.

The Emergency Fire Water Pump and Emergency Power Generator at this facility is now subject to the requirements of 40 CFR 63—Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

This re-issuance also incorporated the requirements from Plan Approval Number PA16-132K. These plan approval requirements will become effective once the required source testing and subsequent review have been accomplished.

The potential emissions from this facility are as follows. (All values are in tons/year.) PM = 85.57, PM₁₀/PM_{2.5} = 85.57, SO_x = 9.40, NO_x = 124.00, VOC = 122.00, CO = 24.00, CO_{2e} = 101,262.00, and Total HAPs = 15.00.

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

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

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

09-00225: North Penn & North Wales Water Authority dba Forest Park Water, (144 Park Avenue, Chalfont, PA 18914-0317) located in Chalfont, **Bucks County** for the issuance of an initial State Only (Synthetic Minor) Operating Permit No. 09-00225 for its water treatment plant. The facility's air emissions sources consist of three stationary reciprocating internal combustion engines (RICE) to power three emergency generators. The Nitrogen Oxide emissions from these stationary RICE will not exceed 11.0 tons per year. The operating permit also contains work practice standards, monitoring and recordkeeping requirements, and operating restrictions designed to keep the sources and facility operating within all applicable air quality requirements.

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

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

54-00076: Pottsville Materials, LLC (PO Box 1467, Skippack, PA 19474) for the operation of a stone crushing/screening operation and a hot mix asphalt plant in New Castle Township, **Schuylkill County**. The sources consist of crushers, screens, and a double drum asphalt plant. The emissions are controlled by water sprays, an internal collector, and a baghouse. This is a renewal of a State-Only Operating Permit. The State-Only operating permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

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

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

06-05068 Reading Terminals, DE LLC (PO Box 2621, Harrisburg, PA 17105-2621) to issue a State Only Operating Permit for the existing petroleum bulk station and terminal in Sinking Spring Borough, **Berks County**. Actual emissions from the facility in 2014 were estimated at 0.03 ton CO, 0.14 ton NO_x, 0.01 ton PM₁₀ & PM_{2.5}, 0.06 ton SO_x, and 29.73 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 provisions derived from 25 Pa. Code §§ 129.56, 129.57, 129.59 and 129.62, 40 CFR 60, Subpart Kb—Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984, 40 CFR 60, Subpart XX—Standards of Performance for Bulk Gasoline Terminals, 40 CFR 63, Subpart BBBB—National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities, and 40 CFR 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

07-05015: UPMC Altoona/Altoona Hospital (620 Howard Avenue, Altoona, PA 16601) to issue a State Only

Operating Permit for four natural gas-fired boilers, and six No. 2 oil-fired emergency generators at their medical center in Altoona City, **Blair County**. The potential emissions of the facility are 34 tons of CO per year, 58 tons of NO_x per year, 6 tons of PM per year, 3 tons of SO_x per year, and 6 tons of VOC per year, and 0.5 ton of HAPs per year. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. The facility is subject to 40 CFR Part 60 Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units, and 40 CFR Part 60 Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines.

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

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

59-00014: Wellsboro Small Animal Hospital (12043 Route 287 Middlebury Center, PA 16935) to issue a renewal State Only Operating Permit for their Wellsboro Small Animal Hospital facility located in Richmond Township, **Tioga County**. The facility is currently operating under State Only Operating Permit 59-00014. The facility's main sources include one crematory with propane-fired burners with a total combined maximum rated heat input of 2.0 MMBtus/hr. The facility has potential annual emissions of 0.70 ton of carbon monoxide, 0.84 ton of nitrogen oxides, 0.06 ton of particulate matter (including particulate matter less than 10 microns in size and particulate matter less than 2.5 microns in size), 0.04 ton of volatile organic compounds, 0.02 ton of hazardous air pollutants, and 1,024 tons of carbon dioxide equivalent. 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. 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.

19-00010: Wise Foods, Inc. (228 Raseley Street, Berwick, PA 18603) for their Wise Foods Berwick plant located in Berwick Borough, **Columbia County**. The facility is currently operating under the State Only operating permit 19-00010. The facility's main sources include three (3) potato chip manufacturing lines, seven (7) related snack food manufacturing lines, 71 combustion units and six (6) process ovens. The facility has potential emissions of 63.72 tons per year of nitrogen oxides, 77.43 tons per year of carbon monoxide, 54.56 tons per year of sulfur oxides, 33.49 tons per year of particulate matter, 9.77 tons per year of volatile organic compounds, and 0.89 ton per year of total hazardous air pollutants (HAPs) while burning natural gas fuel at the facility. The facility has taken synthetic minor restriction to limit the air emissions at the site. No major emission or equipment changes are being proposed by this action at the site. The emergency generators are subject to 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal

Combustion Engines. 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: and Tom Joseph, Permitting Chief— Telephone: 412-442-5226

03-00209: Buffalo Limestone, Inc./Stitt Mine Plant (805 Garretts Run Road, Ford City, PA 16226) Natural Minor Operating Permit is for the processing of limestone located in the Kittanning Township, **Armstrong County**. The operation of the facility's air contamination source consisting: crushing, screening, transferring, stockpiling, and unloading/loading. The facility utilizes two diesel engines to operate the processing equipment. The potential emissions are estimated at 54.31 tpy NO_x, 11.70 tpy CO, 3.59 tpy SO_x, 4.33 tpy VOC, 5.43 tpy PM and 4.68 tpy PM₁₀. This facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. Proposed SOOP includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting and work practice standards requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Appointments for scheduling a review must be made by contacting Phil Bouse at 412-442-4000 or pbouse@pa.gov.

04-00680: Georgetown Sand & Gravel Inc./Georgetown Plant (PO Box 127, 3rd Street Extension, Georgetown, PA 15043) Natural Minor Operating Permit is for the surface mining operation of sand and gravel located in Georgetown Borough, **Beaver County**. The operation of the facility's air contamination source consisting of 1-primary crusher, 1-secondary crusher, 5-vibrating screens, transfer belts, stockpiles, and unloading/loading of trucks and barges. The facility is not to exceed the following limits: 100 tpy CO; 100 tpy NO_x; 100 tpy SO_x; 50 tpy VOC; 100 tpy PM and 10 tpy HAPs. This facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. Proposed SOOP includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting and work practice standards requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Appointments for scheduling a review must be made by contacting Phil Bouse at 412-442-4000 or pbouse@pa.gov.

56-00199: Shade Central City School District (203 McGregor Avenue, Cairnbrook, PA 15924) for continued operation of emergency electric generator combustion unit at the Shade Central High School in Shade Township, **Somerset County**. This is a SOOP renewal.

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

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

20-00263: The TAPCO Tube Company (10748 South Water Street, Meadville, PA 16335) for the renewal of a State Only operating permit for steel tube manufacturing facility located in West Mead Township, **Crawford County**. The sources at the facility include a dip coating operation, a powder coating operation, 30 natural gas fueled space heaters for building heat, and 5 parts washers. The facility is a Synthetic Minor. The potential emissions from the facility are as follows: VOCs, 49.9 tpy; CO, < 1 tpy; NO_x, < 1 tpy; SO₂, < 1 tpy; PM, < 1 tpy; any single HAP 9.9 tpy; and all combined HAPs 24.9 tpy. The permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

42-00155: MSL Oil and Gas Corporation (Route 219 and Route 59 intersection, Lewis Run, Lafayette, PA 16738) for a Natural Minor Permit to operate a gas production and distribution facility located in Lafayette Township, **McKean County**. The emitting sources include: 1) Ajax, Model # DPC-360, 4SRB compressor engine of 360 HP engine, 2) Waukesha Model # F1197G, 186 HP compressor engine, 2SLB with a catalytic converter; 3) Ajax Model # DPC-180, 180 HP, 2SRB, compressor engine; 4) One 30,000 gallon propane tank, 5) Miscellaneous equipment leaks and, 6) Glycol Regenerator (DEHY). The three compressors at the facility are subject to 40 CFR Part 63, Subpart ZZZZ. All applicable conditions of Subpart ZZZZ have been included in the permit. The Glycol Dehydrator unit is subject to 40 CFR Part 63, Subpart HH. All applicable conditions of Subpart HH have been included in the source level. The facility is a natural minor. The emissions from the facility are less than Title V threshold limits. The reviewer calculated the potential emissions from the facility and used AP-42 emission factors NO_x: 21.74 Tons per year (TPY), CO: 26.75 TPY, SO₂: 47.47 TPY, PM₁₀: 52.77 TPY, and VOC: 16.74 TPY.

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

58-00017A: Mineral Point Energy, LLC (6015 Wallace Road Extension, Suite 1000, Waxford, PA 15090) for their facility located in Oakland Twp, **Susquehanna County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Mineral Point Energy, LLC (6015 Wallace Road Extension, Suite 1000, Waxford, PA 15090) for their facility located in Oakland Twp, Susquehanna County.

This Plan Approval No. 58-00017A will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 58-00017A is for the installation and operation of 3 Rolls-Royce Bergen Natural gas fired engines with oxidation catalyst and SCR to control emissions. The company shall be subject to and comply with New Source Performance Standards 40 CFR Part 60 Subpart JJJJ and MACT 40 CFR Part 63 Subpart ZZZZ. 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 18701-1915.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 58-00017A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application and request for Section 401 water quality certification application may be submitted

by any person or any officer or head of any Federal, state or local government agency or authority to the Department at the address of the district mining office indicated before each application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

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

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

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

Coal Applications Received

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

30841317 and NPDES No. PA0213527. Consol Pennsylvania Coal Company LLC, (1000 CONSOL Energy Drive, Canonsburg, PA 15317). To renew the permit for the Enlow Fork Mine in Morris and Richhill Townships, Greene County, Buffalo, East Finley, Morris, South Franklin and West Finley Townships, **Washington County** and related NPDES permit and remove acreage from subsidence control plan. Subsidence Control Plan Acres Proposed -5,447.0. No additional discharges. The application was considered administratively complete on November 2, 2015. Application received July 28, 2015.

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

17130103 and NPDES PA0269557. Waroquier Coal, Inc. (P. O. Box 128, Clearfield, PA 16830). Permit revision to add 3.6 acres to permit area and to mine within the 100 foot barrier to Township Road T-521 on a bituminous surface mine in Lawrence Township, **Clearfield County** affecting 29.6 acres. Receiving stream(s): Orr's Run to West Branch Susquehanna River classified as CWF. There are no potable water supply intakes within 10 miles downstream. Application received: November 3, 2015.

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

26080104 and NPDES Permit No. PA0251453. Steve Patterson Excavating (170 Yasenosky Road, Smithfield, PA 15478). Renewal application for continued mining and restoration to an existing bituminous surface mine, located in Dunbar Township, **Fayette County**, affecting 88.2 acres. Receiving streams: unnamed tributaries to Gist Run, classified for the following use: TSF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: October 29, 2015.

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

Permit No. 49663004R6. Reading Anthracite Company, (PO Box 1200, Pottsville, PA 17901), renewal of an existing anthracite surface mine operation in Zerbe and West Cameron Townships, **Northumberland County** affecting 2,222.0 acres, receiving stream: Zerbe Run, classified for the following uses: cold water and warm water fishes. Application received: October 27, 2015.

Permit No. 54030102C3. Timber Coal Co., LLC, (PO Box 188, Sacramento, PA 17968), correction of an existing anthracite surface mine and refuse disposal operation to update the post-mining land use from unmanaged wildlife habitat to agricultural and unmanaged wildlife habitat in Hegins & Porter Townships, **Schuylkill County** affecting 316.7 acres, receiving stream: East Branch Rausch Creek, classified for the following use: cold water fishes. Application received: October 29, 2015.

Permit No. 54803004R5. Rausch Creek Land, LP, (978 Gap Street, Valley View, PA 17983), renewal of an existing anthracite surface mine with coal ash for reclamation in Porter & Hegins Townships, **Schuylkill County** affecting 214.0 acres, receiving streams: Good Spring Creek and East Branch Rausch Creek: classified for the following use: cold water fishes. Application received: October 30, 2015.

Coal Applications Withdrawn

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

Permit No. 11130104 and NPDES No. PA279331. Hoffman Mining, Inc., P. O. Box 130, 118 Runway Road, Friedens, PA 15541, transfer of an existing bituminous surface mine from Rampside Collieries, Inc., 527 Slate Hill Road, Berlin, PA 15530 located in Richland Township, **Cambria County**, affecting 18.0 acres. Receiving stream: Solomon Run classified for the following use: warm water fishes. The first downstream potable water supply intake from the point of discharge is Buffalo Township municipal Authority intake at Freeport, PA on Allegheny River. Application received: August 5, 2015. Application withdrawn: November 5, 2015.

MINING ACTIVITY NPDES DRAFT PERMITS

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

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

Effluent Limits for Coal Mining Activities

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

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

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

* The parameter is applicable at all times.

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

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

Effluent Limits for Noncoal Mining Activities

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

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

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

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

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

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

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

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

Coal NPDES Draft Permits

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

NPDES No. PA0606201 and Mining Permit No. 56753119, Jenners, Inc., P. O. Box 171 Shelocta, PA 15774, renewal of an NPDES permit for discharge of water resulting from surface coal mining in Jenner Township, **Somerset County**, affecting 485.6 acres. Receiving stream: unnamed tributary to Hoffman Run, classified for the following use: cold water fishes. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received December 2, 2014.

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

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
013 (Sediment Pond S-10)	N

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

<i>Outfalls: 013 (All Weather Conditions)</i> <i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
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. PA0279636 and Mining Permit No. 56140104, Fieg Brothers, 3070 Stoystown Road, Stoystown, PA 15563, new NPDES permit for a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 55.6 acres. Receiving streams: unnamed tributaries to Buffalo Creek, classified for the following use: cold water fishes. This receiving stream is included in the Buffalo Creek TMDL. Application received: March 31, 2015.

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

The treated waste water outfalls listed below discharge to unnamed tributaries to Buffalo Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001 (Treatment Pond 1)	Y
002 (Treatment Pond 2)	Y
003 (Treatment Pond 3)	Y

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

<i>Outfalls: 001, 002, 003</i> <i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	2.5	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
Selenium (mg/l)		Monitor and Report	
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 tributaries to Buffalo Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
004 (Sediment Pond 4)	Y
005 (Sediment Pond 5)	Y
006 (Sediment Pond 6)	Y

<i>Outfalls: (Dry Weather)</i> <i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35	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			

<i>Outfalls: (\leq10-yr/24-hr Precip. Event)</i> <i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	N/A	N/A	7.0
Total Settleable Solids (ml/l)	N/A	N/A	0.5
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

NPDES No. PA0597724 and Mining Permit No. 11860104, Cooney Brothers Coal Co., P. O. Box 246 Cresson, PA 16630, renewal of an NPDES permit for discharge of water from a post-mining treatment system in Conemaugh Township, **Cambria County**, affecting 301.7 acres. Receiving streams: unnamed tributary to/and Little Conemaugh River, classified for the following use: warm water fishes. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: August 29, 2013.

The outfalls listed below discharge to an unnamed tributary to/and Little Conemaugh River:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001 (Treatment Pond 1)	N
002 (Treatment pond 3A)	N
003 (Treatment Pond 3B)	N
004 (Treatment Pond 4)	N

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

Outfalls: 001, 002, 003, & 004

(All Weather Conditions)

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.2	4.4	5.5
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 10.0 standard units at all times			
Alkalinity must exceed acidity at all times			

Noncoal NPDES Draft Permits

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

NPDES Permit No. 0224308 on Surface Mining **Permit No. 46030301. Gibraltar Roc, Inc.**, (355 Newbold Road, Fairless Hills, PA 19030), renewal of an NPDES Permit for an argillite quarry operation in New Hanover Township, **Montgomery County**, affecting 241.0 acres. Receiving stream: unnamed tributaries to Swamp Creek, classified for the following use: trout stock and migratory fishes. Application received: October 14, 2014.

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

The outfalls listed below discharge to unnamed tributaries to Swamp Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	No	O.D.
002	No	E&S
003	No	E&S

Outfall 001—O.D. The following effluent limits apply to the other discharge (groundwater—average discharge rate 0.4 MGD)

<i>Discharge Parameter</i>	<i>Discharge Limitations (in mg/l)</i>			<i>Monitoring Requirements</i>	
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>	<i>Measurement Frequency</i>	<i>Sample Type</i>
Total Suspended Solids	35	70	90	monthly	grab
pH (STD)	6—9 at all the time			monthly	grab
Total Dissolved Solids	1,000			monthly	grab
Benzene	0.001	0.002	0.0025	monthly	grab
Total BETX	0.1	0.2	0.25	monthly	grab
Carbon Tetrachloride	<0.0005	<0.0005	<0.0005	monthly	grab
Chlorobenzene	<0.0005	<0.0005	<0.0005	monthly	grab
Trichloroethylene	0.0025	0.0050	0.0063	monthly	grab
1,1 Dichloroethylene	<0.0005	<0.0005	<0.0005	monthly	grab
1,2 Dichloroethane	<0.0005	<0.0005	<0.0005	monthly	grab
1,1,1 Trichloroethane	0.02	0.04	0.05	monthly	grab
1,1,2 Trichloroethane	<0.0005	<0.0005	<0.0005	monthly	grab
Vinyl Chloride	<0.0005	<0.0005	<0.0005	monthly	grab
Pentachlorophenol	<0.0005	<0.0005	<0.0005	monthly	grab
Benzo(a)Anthracene	<0.0025	<0.0025	<0.0025	monthly	grab
Benzo(a)Pyrene	<0.0025	<0.0025	<0.0025	monthly	grab
Benzo(k)Fluoranthene	<0.0025	<0.0025	<0.0025	monthly	grab
Bis(2-Ethylhexyl)Phthalate	<0.005	<0.0025	<0.0025	monthly	grab
1,2 Dichlorobenzene	0.01	0.020	0.25	monthly	grab
1,4 Dichlorobenzene	0.01	0.020	0.25	monthly	grab
Chrysene	<0.0025	<0.0025	<0.0025	monthly	grab
1,4 Dioxane	Monitor	Monitor	Monitor	monthly	grab
MTBE	0.02	0.04	0.05	monthly	grab
Average discharge rate	0.4 MGD			continuous discharge monitoring with flow meter	

Outfalls 002 and 003—E & S (Erosion and Sediment Control Facilities)

Discharge Parameter	Discharge Limitations (in mg/l)			Monitoring Requirements	
	Average Monthly	Maximum Daily	Instantaneous Maximum	Measurement Frequency	Sample Type
Total Suspended Solids	35	70	90	monthly	grab
pH (STD)	6—9 at all the time			monthly	grab

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

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

E39-540. Matthew Allison, 7054 Passer Rd, Coopersburg, PA 18036, in Upper Saucon Township, **Lehigh County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a driveway crossing of EV wetlands, tributary to Saucon Creek (CWF, MF), consisting of a 24-foot long, 24-inch diameter concrete pipe, rock backfill, and a paved surface. The project is located at

6385 Vera Cruz Road, Center Valley, PA 18034 (Allentown East, PA Quadrangle, Latitude: 40°31'49.5"; Longitude: -75°27'56.0").

E52-251. Verizon North, LLC, 40 S Mercer St, New Castle, PA 16101, in Shohola Township, **Pike County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain two 3-inch diameter communication conduits for a length of 270-foot long in the deck of Pond Eddy Bridge crossing the Delaware River (WWF, MF). The project is located at the intersection of Flagstone Road and Pond Eddy Bridge (Pond Eddy, PA Quadrangle, Latitude: 41°26'21"; Longitude: -74°49'11").

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

E36-943: Manbel Devco I, LP, 200 Old Forge Road, Suite 201, Kennett Square, Pennsylvania 19348-1895 in Manheim Township, **Lancaster County**, U.S. Army Corps of Engineers Baltimore District.

To:

1) Place and maintain fill in an existing 3.81 acre quarry pond, reducing the open water aerial footprint to 1.64 acre.

2) Install and maintain two (2), 42-inch, high-density polyethylene (HDPE) pipe outfalls including an endwall and rock plunge pool in the floodway of an unnamed tributary to Little Conestoga Creek (WWF, MF).

3) Install and maintain a 24-inch, reinforced concrete pipe outfall including an endwall and rock plunge pool in the floodway of an unnamed tributary to Little Conestoga Creek (WWF, MF). This activity qualifies for the use of General Permit 4.

4) Install and maintain a 75 lineal feet, 53-inch, elliptical, reinforced concrete pipe, endwalls, and rock plunge pool in an unnamed tributary to Little Conestoga Creek (WWF, MF). This activity qualifies for the use of General Permit 7.

5) Install and maintain 90 lineal feet, 8-inch diameter, PVC sewer pipe under an unnamed tributary to Little Conestoga Creek (WWF, MF). This activity qualifies for the use of General Permit 5.

6) Install and maintain 353 lineal feet, 8-inch diameter, PVC sewer pipe under an unnamed tributary to Little Conestoga Creek (WWF, MF). This activity qualifies for the use of General Permit 5.

7) Relocate and maintain 1,120 lineal feet of an unnamed tributary to Little Conestoga Creek (WWF, MF). The relocation includes removing 931 cubic yards of fill from the floodway. Approximately one (1) acre of wetland will be permanently impacted by this activity. The application proposes 1.47 acre of onsite wetlands to be created as a part of the project.

8) Install and maintain an 18-inch, reinforced concrete pipe outfall including an endwall and rock plunge pool in the floodway of an unnamed tributary to Little Conestoga Creek (WWF, MF). This activity qualifies for the use of General Permit 4.

9) Install and maintain a 22 feet wide weir with a 12 feet wide primary spillway outfall, rock plunge pool, and vegetated conveyance swale outfall in the floodway of an unnamed tributary to Little Conestoga Creek (WWF, MF). This activity qualifies for the use of General Permit 4.

10) Install and maintain an 18-inch, reinforced concrete pipe outfall including an endwall in the floodway of an unnamed tributary to Little Conestoga Creek (WWF, MF). This activity qualifies for the use of General Permit 4.

11) Install and maintain 90 lineal feet, 8-inch diameter, PVC water pipe under an unnamed tributary to Little Conestoga Creek (WWF, MF). This activity qualifies for the use of General Permit 5.

All of the activities are located near the coordinates of Latitude 40°4'10", Longitude -76°18'50.9" in Manheim Township, Lancaster County.

E22-617: Lykens Borough, 200 Main Street, Lykens, PA 17048 in Lykens Borough, **Dauphin County**, U.S. Army Corps of Engineers Baltimore District.

Lykens Borough proposes to perform work on Rattling Creek (HQ-CWF, MF) a wild and stocked trout stream. The proposed work is to (1) repair a scour hole along the north bank of Rattling Creek approximately 250 feet upstream of Edward Street Bridge (Lykens Quadrangle 40° 33' 54.5" N, 76° 42' 24" W) by placing R-6 rip rap within the 30-foot by 24-foot void area to a depth between elevation 660 feet and 666 feet to match surrounding grade, (2) remove approximately 500 feet of deposited rock/gravel bar downstream of Edward Street Bridge to a depth of 6 inches above the water surface, (3) remove failed gabion baskets and loose basket fill material along a 460-foot stretch of the south stream bank and channel downstream of Edward Street Bridge and stabilize stream bank by placing R-6 rip rap at a slope not to exceed 2H:1V, and (4) remove 350 feet of failed gabion baskets and loose basket fill material along the north stream bank and channel, construct a Redi-Rock wall, and tie the wall into the existing concrete wall on the upstream end and remaining, intact, gabion basket on the downstream end. There are no wetlands located in the project area.

E28-382: Greene Township Municipal Authority, 4182 Sunset Pike, Chambersburg, Pennsylvania 17202 in Greene Township, **Franklin County**, U.S. Army Corps of Engineers Baltimore District.

To replace approximately 2.75 miles of existing 15-inch main interceptor with a new 24-inch sanitary sewer between manholes 507 and 554 along Conococheague Creek (CWF, MF). Activity also impacts Cold Spring Run (HQ-CWF, MF). Replacement activity will result in ten (10) stream encroachments and seven (7) wetland encroachments. Pipe impacts will result in seven (7) stream impacts and three (3) wetland impacts. Total areal and linear stream impacts of 5,605 square feet (0.129 acre) and 802 feet respectively. Total areal wetland impacts of 12,522 square feet (0.287 acre). Project is centered on Cold Spring Road (Latitude: 39° 54' 59.1"N, Longitude: 77° 32' 51.9"W) in Greene Township, Franklin County (Scotland, PA quadrangle).

Conococheague Creek impacts: (Latitude: 39° 55' 16.4"N, Longitude: 77° 33' 44.3"W) 960 square feet, 35 linear feet, stream impact and temporary road crossing; (Latitude: 39° 55' 3.2"N, Longitude: 77° 33' 18.2"W) 450 square feet, 150 linear feet, temporary coffer dam; (Latitude: 39° 55' 0.5"N, Longitude: 77° 33' 6.4"W) 660 square feet, 110 linear feet, temporary coffer dam; (Latitude: 39° 55' 55.4"N, Longitude: 77° 32' 46.5"W) 360 square feet, 120 linear feet, temporary coffer dam.

Conococheague Creek and Cold Spring Run impact: (Latitude: 39° 55' 31.1"N, Longitude: 77° 34' 9.8"W) 1,450 square feet, 120 linear feet, impact at stream confluence, open cut installation, temporary coffer dam.

Perennial streams impacts (UNTs to Conococheague Creek): (Latitude: 39° 54' 58.7"N, Longitude: 77° 32' 50.5"W) 260 square feet, 32 linear feet, temporary road crossing; (Latitude: 39° 54' 45.0"N, Longitude: 77° 32' 9.8"W) 60 square feet, 30 linear feet, temporary road crossing; (Latitude: 39° 54' 40.6"N, Longitude: 77° 31' 45.9"W) 180 square feet, 30 linear feet, open cut installation; (Latitude: 39° 55' 27.1"N, Longitude: 77° 34' 3.5"W) 910 square feet, 70 linear feet, open cut installation, temporary coffer dam.

Intermittent stream impact (UNTs to Conococheague Creek): (Latitude: 39° 55' 8.3"N, Longitude: 77° 33' 22.3"W) 315 square feet, 105 linear feet, open cut installation, rock construction entrance.

Wetlands impacts: (Latitude: 39° 55' 15.3"N, Longitude: 77° 33' 43.1"W) 560 square feet, 80 linear feet, no pipe installation, temporary timber matting; (Latitude: 39° 55' 14.1"N, Longitude: 77° 33' 41.6"W) 660 square feet, 82 linear feet, pipeline adjacent to wetland edge, temporary timber matting; (Latitude: 39° 55' 8.3"N, Longitude: 77° 33' 22.3"W) 550 square feet, 42 linear feet, temporary timber matting; (Latitude: 39° 55' 5.1"N, Longitude: 77° 33' 19.2"W) 5,200 square feet, 260 linear feet, wetland pipe crossing, temporary timber matting; (Latitude: 39° 54' 46.2"N, Longitude: 77° 32' 11.3"W) 680 square feet, 45 linear feet, wetland pipe crossing, temporary timber matting; (Latitude: 39° 55' 30.0"N, Longitude: 77° 34' 8.5"W) 72 square feet, 36 linear feet, no pipe crossing, temporary timber matting; (Latitude: 39° 54' 38.7"N, Longitude: 77° 31' 42.3"W) 4,800 square feet, 260 linear feet, wetland pipe crossing, temporary timber matting.

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

E02-1715, Borough of Plum, 4575 New Texas Road, Plum, PA 15239, Borough of Plum, **Allegheny County**, ACOE Pittsburgh District.

The applicant is proposing to:

Construct and maintain a 160 linear foot, 36" smooth lined corrugated plastic pipe (SLCPP) with an R-4 riprap apron located at the inlet and outlet of the SLCPP within an Unnamed Tributary (UNT) to Plum Creek (WWF) for the purpose of remediating an earth movement/slide along the northern lane of Repp Road near the intersection of Repp Road and Milltown Road (New Kensington West PA USGS topographic quadrangle; Latitude: 40° 30' 49.85"; Longitude: -79° 47' 31.1"; Pittsburgh District U.S. Army Corps of Engineers) in the municipality of Plum Borough. The project will result in a permanent impact of 210 linear feet to a UNT to Plum Creek (WWF).

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

E10-498, Moraine State Park, 225 Pleasant Valley Road, Portersville, PA 16051. North Country Trail Pedestrian Bridge in Muddy Creek & Worth Townships, Butler County, ACOE Pittsburgh District (Portersville, PA Quadrangle N: 40°, 57', 49.658"; W: -80°, 7', 24.618").

To construct and maintain a pedestrian bridge having a total span length of 57 feet supported by 8' x 6' x 2' concrete abutments crossing Muddy Creek along North Country Trail with a clear span of approximately 50 feet and an average under clearance of 5.09 feet within Moraine State Park approximately 920' downstream of Moraine State Park Dam (D10-068).

ACTIONS

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

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

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

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

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

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

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

I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0034746 (Sewage)	Li'l Wolf MHP 3411 Lil Wolf Drive Orefield, PA 18069-2138	Lehigh County North Whitehall Township	Unnamed Tributary to Coplay Creek (2-C)	Y

Northcentral Regional Office: Clean Water Program Manager, 208 W Third Street, Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.0530.

<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>
PA0036846 (Sewage)	New Berlin Municipal Authority Wastewater Treatment Plant 710 Water Street New Berlin, PA 17855-8046	Union County New Berlin Borough	Penns Creek (6-A)	Y
PA0014567 (Industrial Waste)	Jersey Shore Area Joint Water Authority Route 973 Jersey Shore, PA 17740-5046	Clinton County Pine Creek Township	Unnamed Tributary to Pine Creek (9-A)	Y

<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>
PAS214801 (Storm Water)	Wayne Concrete Batch Plant #2 E. Second Street Sr. 6 East Coudersport, PA 16915	Potter County Shinglehouse Borough	Mill Creek (16-C)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0104370 (Industrial Waste)	Quality Components 103 Bridge Street Ridgway, PA 15853	Elk County Ridgway Township	Un-named tributary of Elk Creek and Elk Creek (17-A)	Y
PA0002038 (Industrial Waste)	OMG Americas Chemical Manufacturing 240 Two Mile Run Road Franklin, PA 16323-0111	Venango County Sugarcreek Borough	Allegheny River and Two Mile Run and UNT Two Mile Run (16-E)	Y

Northcentral Regional Office: Clean Water Program Manager, 208 W Third Street, Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.0530.

<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>
PAR804870 (Industrial Stormwater)	Northumberland Terminal 1230 Point Township Drive Northumberland, PA 17857-0300	Northumberland County Point Township	North Branch of Susquehanna River (5-E)	Y

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

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

NPDES Permit No. PA0273023, Storm Water, SIC Code 5171, **Reed Oil Co.**, 511 Montgomery Avenue, New Castle, PA 16102-1111.

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

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

NPDES Permit No. PA0273147, SIC Code 8800, **Thomas C. Judge**, 3029 Egypt Hollow Road, Russell, PA 16345.

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

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

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

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

WQM Permit No. 5215401, Sewage, SIC Code 4952, **Pocono Lakefront, LLC**, 40 Warren Street, Paterson, NJ 07524.

This proposed facility is located in Palmyra Township, **Pike County**.

Description of Proposed Action/Activity: This permit is for an extended aeration wastewater treatment plant, sewage conveyance system and three (3) pump stations to serve a proposed 218 unit townhome development known as Pocono Lakefront Townhomes—Phase I. The existing wastewater treatment plant and conveyance system that served the former White Beauty View Resort and Sky Top Heights trailer park at this same location will be completely demolished and replaced as part of this project. The treated effluent from the proposed wastewater treatment plant will continue to be discharged to Lake Wallenpaupack through the existing outfall structure located approximately 800 northwest of the intersection of State Route 0507 and Yacht Club Drive.

WQM Permit No. 3915402, Sewage, SIC Code 4952, **Lehigh County Authority**, 1053 Spruce Street, Allentown, PA 18106.

This facility is located in Weisenberg Township, **Lehigh County**.

Description of Proposed Action/Activity: The project is for the replacement of a 50-gallon tank for storage of Sodium Bicarbonate with a 250-gallon double wall polyethylene storage tank at the Arcadia West Industrial Park wastewater treatment plant. In addition, an in-line 4-inch magnetic flowmeter will be installed downstream of the ultraviolet light disinfection system, insulated tank covers will be installed over the bioreactors to maintain temperature, an effluent analyzer will be installed to monitor ammonia, and an influent analyzer will be installed to monitor pH, temperature, and ammonia.

WQM Permit No. 4015401, Sewage, SIC Code 9223, **PA Department Of Corr Dallas State Corr Institution**, 1000 Folies Road, Dallas, PA 18612.

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

Description of Proposed Action/Activity: Enhancements to the Sludge Processing System of an existing Waste Water Treatment Plant.

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

WQM Permit No. 0615405, Sewerage, **Maxatawny Township Municipal Authority**, 127 Quarry Road, Suite 1, Kutztown, PA 19530.

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

Description of Proposed Action/Activity: Permit approval for the modifications of sewage facilities consisting of: The re-route of the existing Koffee Lane PS forcemain such that it runs from outside the Koffee Lane Pumping Station valve pit westward to Noble Street, and then run northward in Noble Street, West Main Street, Greenwich Street and Krumsville Road to the Influent Pumping Station along Krumsville Road. The forcemain diameter will be increased from the existing 6" to 8". The rated capacity of the Koffee Lane Pumping Station shall not change.

WQM Permit No. 3615401, Sewerage, **Suburban Lancaster Sewer Authority**, PO Box 458, Lancaster, PA 17608.

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

Description of Proposed Action/Activity: Permit approval for the construction/modification of sewage facilities consisting of: replacement of the existing wet well with a deeper one; replacement of existing submersible pumps with new pumps of greater capacity; installation of three-phase electrical service; installation of emergency generator; and bypass pumping during construction of the upgrade.

WQM Permit No. 3696408, Amendment #4, Sewerage, **Lancaster Area Sewer Authority**, 130 Centerville Road, Lancaster, PA 17603.

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

Description of Proposed Action/Activity: Permit amendment approves the construction/modification of sewage facilities consisting of: two (2) new anaerobic digesters and appurtenances, a digester building, one (1) new centrifuge, sludge drying, a covered biosolids storage pad, a sludge dryer and boiler building, an operation building, modifications to the existing control building, and a parking lot expansion.

WQM Permit No. 3615402, Sewerage, **Safe Harbour Partners**, 1903 Lititz Pike, Lancaster, PA 17601.

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

Description of Proposed Action/Activity: Permit approval for the construction of sewage facilities at Safe Harbor Village consisting of: a duplex influent pumping station; a 1,900 gallon sedimentation tank; a 21,000 gallon tank for EQ and Sludge Holding; two 20,000 gallon SBR; dosing pump station (PS-2) and a 110,400 sq ft drip field composed of twenty three 4,800 sq ft drip zones.

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

WQM Permit No. 1115400, Sewage, SIC Code 4952, **City of Johnstown**, 401 Main Street, Johnstown, PA 15901.

This proposed facility is located in the City of Johnstown, **Cambria County**.

Description of Proposed Action/Activity: Proposed construction of new sanitary sewers to replace existing defective sewers in the Morrellville Area of the City of Johnstown.

The Pennsylvania Infrastructure Investment Authority (PENNVEST) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department's review of the Water Quality Management (Part II) Permit has not identified any significant environmental impacts resulting from this proposal.

WQM Permit No. 0270464-A1, Sewage, SIC Code 4952, **Robinson Township Municipal Authority Allegheny County**, 4200 Campbells Run Road, Pittsburgh, PA 15205.

This existing facility is located in Robinson Township, **Allegheny County**.

Description of Proposed Action/Activity: replacement of coarse bubble diffusers with fine bubble diffusers.

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

WQM Permit No. WQG02251501, Sewage, **Fairview Township Water & Sewer Authority**, P. O. Box 429, 7485 McCray Road, Fairview, PA 16415-0429.

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

Description of Proposed Action/Activity: Sanitary sewer lift station.

WQM Permit No. 6215404, Sewage, **Thomas C. Judge**, 3029 Egypt Hollow Road, Russell, PA 16345.

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011505075R	Southdown Properties, Inc. 55 Country Club Drive Suite 200 Downingtown, PA 19335	Chester	Caln Township	Unnamed Tributary to Valley Run CWF
PAI015115006	Philadelphia Industrial Development Corporation 1500 Market Street Suite 2600 Philadelphia, PA 19102	Philadelphia	City of Philadelphia	Delaware River WWF-MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023912012(1)	Nestle Purina Petcare 2020 Pope Road Allentown, PA 18104	Lehigh	South Whitehall Township	Jordan Creek (TSF, MF) UNT to Jordan Creek (HQ-CWF, MF)
PAI023915019	Cloverleaf Plaza, LLC 327 Star Road Allentown, PA 18106	Lehigh	Upper Macungie Township	Iron Run (HQ-CWF, MF)

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

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

List of NPDES and/or Other General Permit Types

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

*General Permit Type—PAG-02**Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5160.*

<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>
Falls Township Bucks County	PAG02000914065	Buckingham Retail Properties, LLC 329 South Main Street, Suite B Doylestown, PA 18902	Rock Run WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Buckingham Township Bucks County	PAG02000914079	Toll Brothers, Inc. 250 Gibraltar Road Horsham, PA 19044	Watson Creek CWF-MF Lahaska Creek CWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Providence Township Montgomery County	PAG02004615069	Lower Providence Rod Gun Club 2857 Egypt Road Audubon, PA 19407	Perkiomen Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Skippack Township Montgomery County	PAG02004615059	Skippack Township 4089 Heckler Road P. O. Box 164 Skippack, PA 19474	Perkiomen Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Moreland Township Montgomery County	PAG02004615078	Maryland Road Realty Investors LP 50 Swamp Road Doylestown, PA 18901	Pennypack Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Merion Township Montgomery County	PAG02004615076	750 Moore Road Associates LP 2701 Renaissance Boulevard Fourth Floor King of Prussia, PA 19406	Trout Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Springfield Township Delaware County	PAG02002315026	Duke Scott Enterprises, LP 321 Baltimore Pike Springfield, PA 19064	Stony Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Eddystone Borough Delaware County	PAG02002315025	Carl Abbonizio P. O. Box 315 Sewell, NJ 08080	Ridley Creek TSF-WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Radnor Township Delaware County	PAG02002315023	Archbishop John Carroll High School 211 Matsonford Road Wayne, PA 19087	Little Darby Creek CWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
City of Allentown Lehigh County	PAG02003913005(2)	Allentown Classic Motor Cars, Inc. 808 N. Fenwick St. Allentown, PA 18109	UNT to Lehigh River (CWF, MF)	Lehigh County Conservation District 610-391-9583
North Whitehall Township Lehigh County	PAG02003915007	Matthew Sorrentino Scenic Vistas, LLC 6265 Whitehall Dr. Coopersburg, PA 18036	UNT to Lehigh River (CWF, MF)	Lehigh County Conservation District 610-391-9583

NOTICES

6733

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>
Silver Spring Township Cumberland County	PAG02002114033 Issued	Ag Choice Farm Credit Gary Heckman 900 Bent Creek Boulevard Mechanicsburg, PA 17050	Conodoguinet Creek/WWF	Cumberland County Conservation District 310 Allen Road, Suite 301 Carlisle, PA 17013 717-240-5359
Penn Township Lancaster County	PAG02003615111 Issued	Manheim Central School District 261 White Oak Road Manheim, PA 17545	UNT To Chiques Creek/WWF, MF	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717-299-5361

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>
Somerset Township Somerset County	PAG02005615014	Somerset Hotels, LLC 52 Blueberry Lane Grove City, PA 16127	UNTB to East Branch of Coxes Creek (WWF)	Somerset County Conservation District, Somerset County Ag Center, 6024 Glades Pike, Suite 103, Somerset, PA 15501 (814) 445-4652
Stonycreek Township Somerset County	PAG02005615015	PennTex Ventures, LLC 1563 Woodward Drive Extension, Greensburg, PA 15601	UNTB to the Stonycreek River (CWF)	Somerset County Conservation District, Somerset County Ag Center, 6024 Glades Pike, Suite 103, Somerset, PA 15501 (814) 445-4652
South Strabane Township Washington County	PAG02006315036	Chapman Business Properties, LLC 100 Leetsdale Industrial Drive, Leetsdale, PA 15056	UNT to Chartiers Creek (WWF)	Washington County Conservation District, 2800 North Main Street, Suite 105, Washington, PA 15301 (724) 705-7098
Somerset Township Washington County	PAG02006315039	Golden Triangle Construction, 8555 Old Steubenville Pike, Imperial, PA 15126	UNT to North Branch Pigeon Creek (WWF)	Washington County Conservation District, 2800 North Main Street, Suite 105, Washington, PA 15301 (724) 705-7098
South Greensburg Borough Westmoreland County	PAG02006513036(1)	Jodaron Realty Company 1335 South Main Street Greensburg, PA 15601	Jacks Run (WWF)	Westmoreland County Conservation District, 218 Donohoe Road, Greensburg, PA 15601 (724) 837-5271
Unity Township Westmoreland County	PAG02006513057(1)	WCIDC, Fifth Floor, Suite 520, 40 North Pennsylvania Avenue, Greensburg, PA 15601 Freightliner, 16777 Halfway Boulevard, Hagerstown, MD 21740	Nine Mile Run (WWF)	Westmoreland County Conservation District, 218 Donohoe Road, Greensburg, PA 15601 (724) 837-5271

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
Hempfield Township Westmoreland County	PAG02006513058(1)	Adam Eidemiller, Inc., 56 Sheraton Drive, Suite 100, Greensburg, PA 15601	Jacks Run (WWF)	Westmoreland County Conservation District, 218 Donohoe Road, Greensburg, PA 15601 (724) 837-5271
Hempfield Township and New Stanton Borough Westmoreland County	PAG02006514012(1)	PennDOT District 12-0, 825 North Gallatin Avenue, P. O. Box 459, Uniontown, PA 15401	Sewickley Creek (WWF)	Westmoreland County Conservation District, 218 Donohoe Road, Greensburg, PA 15601 (724) 837-5271
Hempfield Township and Sewickley Township Westmoreland County	PAG02006515004	Westmoreland County Industrial Development Corporation, Fifth Floor, Suite 520, 40 North Pennsylvania Street, Greensburg, PA 15601	UNT to Sewickley Creek (WWF)	Westmoreland County Conservation District, 218 Donohoe Road, Greensburg, PA 15601 (724) 837-5271
North Huntingdon Township and Irwin Borough Westmoreland County	PAG02006515020	Willow Glenn Development Company, 1383 Samantha Way, North Huntingdon, PA 15642	Tinkers Run (TSF)	Westmoreland County Conservation District, 218 Donohoe Road, Greensburg, PA 15601 (724) 837-5271
East Huntingdon Township Westmoreland County	PAG02006515029	Pennsylvania Department of Transportation, Engineering District 12-0, 825 North Gallatin Avenue Extension, Uniontown, PA 15401	Sherrick Run (WWF); Belson Run (WWF)	Westmoreland County Conservation District, 218 Donohoe Road, Greensburg, PA 15601 (724) 837-5271

General Permit Type—PAG-03

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Philadelphia City Philadelphia County	PAG030038	Eco Energy Distr Philadelphia LLC 6100 Tower Circle, Ste 500 Franklin, TN 37067	Delaware River—3J	Southeast Region Clean Water Program 2 East Main Street Norristown, PA 19401 484.250.5970
Pottstown Borough Montgomery County	PAR600033	Mayer Pollock Steel Corp P. O. Box 759 Pottstown, PA 19464	Schuylkill River and Unnamed Tributary to French Creek—3D	Southeast Region Clean Water Program 2 East Main Street Norristown, PA 19401 484.250.5970
Philadelphia City Philadelphia County	PAR600088	Dortone William d.b.a. Bill's Auto Parts 6235 Passyunk Ave. Philadelphia, PA 19153	Unnamed Tributary of Schuylkill River— 3F	Southeast Region Clean Water Program 2 East Main Street Norristown, PA 19401 484.250.5970
West Goshen Township Chester County	PAR800042	Eldredge Inc. 898 Fernhill Road West Chester, PA 19380	Unnamed Tributary to Chester Creek and Unnamed Tributary to Taylor Run—3G/3H	Southeast Region Clean Water Program 2 East Main Street Norristown, PA 19401 484.250.5970
Lower Moreland Township Montgomery County	PAR800140	First Student Inc. 110 Perimeter Park, Ste E Knoxville, TN 37922	Huntingdon Valley Creek—3J	Southeast Region Clean Water Program 2 East Main Street Norristown, PA 19401 484.250.5970

NOTICES

6735

<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>
Nazareth Borough Northampton County	PAR802250	Fedex Freight Inc. 2200 Forward Drive Dc:2270 Harrison, AR 72601	Unnamed Tributary to Shoeneck Creek— 1-F/CWF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Parker City Armstrong County	PAR226119	UFP Parker LLC 2801 E Beltline NE Grand Rapids, MI 49525	Allegheny River— 17-C	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Kittanning Township Armstrong County	PAR606211	Manor Metals Inc. 163 Anderson Road Templeton, PA 16259	Unnamed Tributary to Garretts Run—17-E	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Monaca Borough Beaver County	PAR216141	Anchor Hocking LLC 400 Ninth Street Monaca, PA 15061-1862	Ohio River—20-G	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
South Strabane Township Washington County	PAR806274	ECM Transport, LLC 15 27th Street Pittsburgh, PA 15222	Chartiers Creek—20-F	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Titusville City Crawford County	PAG038325	Roser Tech Inc. 347 E Industrial Drive Titusville, PA 16354	Unnamed Tributary to Oil Creek—16-E	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street, Meadville, PA 16335-3481 814.332.6942

General Permit Type—PAG-10

<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>
Cumberland County/ Hampden Township	PAG103527	Sunoco Partners Marketing & Terminals, LP—Mechanicsburg Terminal 5145 Simpson Ferry Road Mechanicsburg, PA 17050	UNT Cedar Run/CWF & MF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Blair County/ Sugar Run	PAG103526	Sunoco Partners Marketing & Terminals LP—Altoona Terminal 620 Sugar Run Road Altoona, PA 16601	Sugar Run/CWF & MF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Blair County/ Taylor Township	PAG103569	Texas Eastern Transmission, LP—2015 Lilly to Entriiken Lines 12 and 19 USDOT Replacement Project 5400 Westheimer Court 5b—44 Houston, TX 77056	Cabbage Creek/WWF & MF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue 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>
JoBo Holstein Farms, LLC 200 Tall Oaks Road Gettysburg, PA 17325	Adams	978.7	1,602.11	Dairy	NA	Approved
Shady Brae Farms, Inc. Theodore L. Esbenshade 29 Engle Road Marietta, PA 17547	Lancaster	500	4,105.55	Layer	NA	A
Franklin View Farms 1700 Prospect Road Washington Boro, PA 17582	Lancaster	400	1,461.17	Dairy	NA	A
Garrett Weaver 1501 Eshelman Mill Road Willow St., Lancaster, PA 17584	Lancaster	102.9	144.77	Ducks/ Horses	NA	A
Terry Hershey 573 Strasburg Road Paradise, PA 17567	Lancaster	82	487.07	Swine/ Beef	NA	A
Longacre Farm Path Valley Road Dry Run, PA 17220	Franklin	69, 0 acres available for manure	576.82	Swine	NA	Approved
Amos Newswanger Garraeu Farm 158 Miller Road Lewisburg, PA 17834	Union	2	469.99	Swine/ Poultry	HQ	Approval
James Kurtz 1070 Grand Valley Road Mifflinburg, PA 17844	Union	16.89	636.14	Swine	HQ	Approval
Gary Pfleeger 560 Goodman Road Lewisburg, PA 17837	Union	80	583.54	Swine	NA	Approval
David Groff	Union	23.1	631.68	Swine	NA	Approval

PUBLIC WATER SUPPLY PERMITS

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

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

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

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

Permit No. 1515525, Public Water Supply.

Applicant	Nottingham Property Management, LLC 478 Christine Road Nottingham, PA 19382
Township	West Nottingham
County	Chester
Type of Facility	PWS
Consulting Engineer	Nottingham Property Management, LLC 478 Christine Road Nottingham, PA 19382
Permit to Construct Issued	November 5, 2015

Operations Permit #1515523 issued to: **Atlantic Reality Management Imperial MHP** 31052 Shady Acres Lane, Laurel, DE 19956, [(PWSID)] West Caln Township, **Chester County** on November 2, 2015 for the operation of additional retention tanks at entry points 102 and 103 and certification of 4-log treatment of viruses at entry points 101, 102 and 103 facilities approved under construction permit #1515523.

Permit No. 1515537, Minor Amendment. Public Water Supply.

Applicant	Aqua Pennsylvania, Inc. 762 West Lancaster Avenue Bryn Mawr, PA 19010
Township	Schuylkill
County	Chester
Type of Facility	PWS
Consulting Engineer	GHD 1250 North Mountain Road Harrisburg, PA 17112
Permit to Construct Issued	November 6, 2015

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

Permit No. 4015511MA, Minor Amendment, Public Water Supply.

Applicant	Hyland Mobile Home Park (Paul J. Goettner) 239 Main Street, Suite 203 East Greenville, PA 18041
Municipality	Foster Township
County	Luzerne
Type of Facility	PWS
Consulting Engineer	Michael P. Goodwin, P.E. Milnes Engineering, Inc. 12 Frear Hill Road Tunkhannock, PA 18657
Permit to Construct Issued	November 4, 2015

Permit No. 4515504MA, Public Water Supply.

Applicant	Pennsylvania American Water Company 800 W. Hersheypark Dr. Hershey, PA 17033
[Borough or Township]	Hamilton Township
County	Monroe
Type of Facility	PWS
Consulting Engineer	Scott Thomas, PE Pennsylvania American Water Company 852 Wesley Drive Mechanicsburg, PA 17055
Permit to Construct Issued	October 26, 2015

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

Operation Permit No. 2815502 issued to: **Guilford Water Authority (PWS ID No. 7280038)**, Guilford Township, **Franklin County** on 11/2/2015 for facilities approved under Construction Permit No. 2815502.

Operation Permit No. 0613509 MA issued to: **Borough of Shoemakersville, PA (PWS ID No. 3060100)**, Shoemakersville Borough, **Berks County** on 11/6/2015 for facilities approved under Construction Permit No. 0613509 MA.

Operation Permit No. 7380321 issued to: **Smita Shah, LLC (PWS ID No. 7380321)**, Jackson Township, **Lebanon County** on 10/29/2015 for facilities at Lantern Lodge Motor Inn submitted under Application No. 7380321.

Operation Permit No. 7366413 issued to: **H2O to Go (PWS ID No. 7366413)**, Lancaster, **Lancaster County** on 10/29/2015 for facilities submitted under Application No. 7366413.

Operation Permit No. 3615506 issued to: **Kinsey's Archery Products, Inc. (PWS ID No. 7360990)**, Mount Joy Township, **Lancaster County** on 11/6/2015 for facilities approved under Construction Permit No. 3615506.

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

Permit No. 2615503, Public Water Supply.

Applicant **Indian Creek Valley Water Authority**
2019 Indian Head Road
Indian Head, PA 15446

[Borough or Township] Springfield Township
County **Fayette**
Type of Facility Pleasant Hill water storage tank
Consulting Engineer Bankson Engineers, Inc.
Suite 200
267 Blue Run Road
Cheswick, PA 15024

Permit to Construct Issued October 28, 2015

Permit No. 3215506, Public Water Supply.

Applicant **Central Indiana County Water Authority**
30 East Wiley Street
Homer City, PA 15748

[Borough or Township] Center Township
County **Indiana**
Type of Facility Circle Drive water storage tank
Consulting Engineer Bankson Engineers, Inc.
Suite 200
267 Blue Run Road
Cheswick, PA 15024

Permit to Construct Issued October 29, 2015

Permit No. 3215507, Public Water Supply.

Applicant **Central Indiana County Water Authority**
30 East Wiley Street
Homer City, PA 15748

[Borough or Township] Center Township
County **Indiana**
Type of Facility Chlorine booster station at Route 119 pump station
Consulting Engineer Bankson Engineers, Inc.
Suite 200
267 Blue Run Road
Cheswick, PA 15024

Permit to Construct Issued October 29, 2015

Operations Permit issued to: **North Star School District**, 1200 Morris Avenue, Boswell, PA 15531, (PWSID #4560341) Stoystown Borough, **Somerset County** on October 28, 2015 for the operation of facilities approved under Construction Permit #5615507.

Operations Permit issued to: **Windber Area Authority**, 1700 Stockholm Avenue, Windber, PA 15963, (PWSID #4560013) Paint Township, **Somerset County** on October 28, 2015 for the operation of facilities approved under Construction Permit #5615504MA.

Operations Permit issued to: **Windber Area Authority**, 1700 Stockholm Avenue, Windber, PA 15963, (PWSID #4560013) Paint Township, **Somerset County** on October 28, 2015 for the operation of facilities approved under Construction Permit #5615501MA.

Operations Permit issued to: **Pittsburgh Water and Sewer Authority**, Penn Liberty Plaza I, 1200 Penn Avenue, Pittsburgh, PA 15222, (PWSID #5020038) City of Pittsburgh, **Allegheny County** on October 28, 2015 for the operation of facilities approved under Construction Permit #0213520MA.

Operations Permit issued to: **Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033, (PWSID #5020039) West Mifflin Borough, **Allegheny County** on October 26, 2015 for the operation of facilities approved under Construction Permit #0213534MA.

Operations Permit issued to: **Ligonier Township Municipal Authority**, One Municipal Park Drive, Ligonier, PA 15658, (PWSID #5650080) Ligonier Township, **Westmoreland County** on October 29, 2015 for the operation of facilities approved under Construction Permit #6515510MA.

Operations Permit issued to: **Highland Sewer and Water Authority**, 120 Tank Drive, Johnstown, PA 15904, (PWSID #4110017) Summerhill Township, **Cambria County** on November 2, 2015 for the operation of facilities approved under Construction Permit #1114502MA.

Operations Permit issued to: **Highland Sewer and Water Authority**, 120 Tank Drive, Johnstown, PA 15904, (PWSID #4110017) Richland Township, **Cambria County** on November 2, 2015 for the operation of facilities approved under Construction Permit #1115501MA.

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

Applicant **National Pike Water Authority**
PO Box 10
Markleysburg, PA 15459

[Borough or Township] Wharton Township
County **Fayette**
Type of Facility Water system
Consulting Engineer

Permit to Construct Issued October 23, 2015

Permit No. 3015507MA, Minor Amendment. Public Water Supply.

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

[Borough or Township] Whiteley Township
 County **Greene**
 Type of Facility Water system
 Consulting Engineer Bankson Engineers, Inc.
 Suite 200
 267 Blue Run Road
 Cheswick, PA 15024
 Permit to Construct October 29, 2015
 Issued

Permit No. 5615510MA, Minor Amendment. Public Water Supply.

Applicant **HiTop, LLC**
 PO Box 1180
 Chambersburg, PA 17201

[Borough or Township] Somerset Township
 County **Somerset**
 Type of Facility Brook Haven Acres
 Consulting Engineer T3 Global Strategies, Inc.
 10 Emerson Lane
 Suite 808
 Bridgeville, PA 15017
 Permit to Construct November 2, 2015
 Issued

Permit No. 3214501GWR, Minor Amendment. Public Water Supply.

Applicant **Green Township Municipal Authority**
 PO Box 129
 77 Musser Street
 Commodore, PA 15729

[Borough or Township] Green Township
 County **Indiana**
 Type of Facility Commodore water system
 Consulting Engineer
 Permit to Operate October 28, 2015
 Issued

Permit No. 0215523WMP, Minor Amendment. Public Water Supply.

Applicant **Fox Chapel Authority**
 255 Alpha Drive
 Pittsburgh, PA 15238

[Borough or Township] O'Hara Township
 County **Allegheny**
 Type of Facility Bulk water station
 Consulting Engineer Bankson Engineers, Inc.
 Suite 200
 267 Blue Run Road
 Cheswick, PA 15024
 Permit to Operate November 2, 2015
 Issued

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

Permit No., 2515502 Public Water Supply
 Applicant **Erie City Water Authority**

Township or Borough Millcreek Township
 County **Erie**
 Type of Facility Public Water Supply
 Consulting Engineer Edward J. St. John, P.E.
 CDM Smith
 1468 West 9th Street
 Cleveland, OH 44113
 Permit to Construct November 3, 2015
 Issued

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Dover Township	2480 West Canal Road, Dover, PA 17315	York County

Plan Description: Kip Hershey: The approved plan provides for the construction of a Small Flow Treatment Facility (SFTF) to replace a malfunctioning on-lot disposal system serving an existing single-family residence on 0.57 acre with total estimated sewage flows of 400 gpd. The proposed discharge will be to a dry stream channel draining to an un-named tributary of the Conewago Creek. The proposed development is located at 5550 Pinchtown Road in Dover Township, York County. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-67915-366-3s and the APS Id is 874066. Any required NPDES Permits or WQM Permits must be obtained in the name of the Property Owner.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Drumore Township	1675 Furniss Road, Drumore, PA 17518	Lancaster

Plan Description: Approval of a revision to the official plan of Drumore Township, Lancaster County. The project is known as Tractor Supply/Turkey Hill Subdivision. The plan provides for the subdivision of a tract with a Tractor Supply store on one lot and a Turkey Hill store on the other lot. Both developments will share a proposed denitrification treatment system in the form of a recirculating sand filter with a subsurface flow wetland and on lot disposal bed to be located on the Turkey Hill lot. The proposed development is located on the west side of Lancaster Pike (#1008) (Route 272), just south of PA Rt 372 in Drumore Township, Lancaster County. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-36922-134-2 and the APS Id is 872881. Any permits must be obtained in the name of property owner.

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:

Northcentral Region: Environmental Cleanup & Brownfields Program Manager, 208 West Third Street, Williamsport, PA 17701

Bumpus Trucking, Interstate 80 at MM202.4W, White Deer Township, **Union County**. Northridge Group, Inc., P. O. Box 231, Northumberland, PA 17857, on behalf of Bumpus Trucking, 491 Jonesboro Road, Washington Court House, OH 43160, submitted a Final Report concerning remediation of site soil contaminated with Diesel Fuel and Used Motor Oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Metso Minerals Industries, Inc., 350 Railroad Street, Danville, **Montour County**. ELM Energy, LLC, 60 State Street, Suite 201, Peoria, IL on behalf of Metso Minerals Industries, Inc., 350 Railroad Street, Danville, PA 17821 submitted a Cleanup Plan concerning remediation of site soil & groundwater contaminated with Petro-

leum Hydrocarbons & Volatile Organic Compounds. The report was received on August 14, 2015 and is intended to document remediation of the site to meet the Site-Specific Standard.

Sandra & Jeremy Cook, 389 Beth Ellen Drive, Buffalo Township, **Union County**. Northridge Group, Inc., P. O. Box 231, Northumberland, PA 17857 on behalf of Sandra & Jeremy Cook, 389 Beth Ellen Drive, Lewisburg, PA 17837 submitted a Final Report concerning remediation of site soil contaminated with #2 heating oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

XTO Energy—Laurel Ridge State Park #1 Well Site, Route 271, Fairfield Township, **Westmoreland County**. Groundwater & Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Twp., PA 16066 on behalf of XTO Energy, Inc., 395 Airport Road, Indiana, PA 15701 has submitted a Remedial Investigation/Final Report concerning site soils contaminated with aluminum, barium, boron, iron, lithium, manganese, strontium, vanadium, zinc, selenium and chloride from a release of brine. Notice of the RIR/FR was published in the *Tribune-Democrat* on September 28, 2015.

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

309 Camer Drive, 309 Camer Drive, Bensalem Township, **Bucks County**. Joseph E. LaPann, P.G., Keith Valley Environmental Inc., P. O. Box 5376, Deptford, NJ 08096, Darryl D. Borrelli, Manko, Gold Katcher & Fox, LLP, 401 City Avenue, Suite 901, Bala Cynwyd, PA 19004 on behalf of Phil Yampolsky, 309 Camer Drive Partnership, 632 Montgomery Avenue, 3rd Floor, Narberth, PA 19072 has submitted a Remedial Investigation and Cleanup Plan concerning remediation of site soil and groundwater contaminated with metals, vocs, and pahs. The report is intended to document remediation of the site to meet the Site Specific and Statewide Health Standard. PF 803433.

Barakat Property, 1056—1058 Middletown Road, Egemont Township, **Delaware County**. Terence A. O'Reilly, PG, TriState Environmental Management Services, Inc., 368 Dunksferry Road, Bensalem, PA 19020, Michael A. Downs, PE, Toll PA XI, L.P., 516 North Newton Street Road, Newtown, PA 19073 on behalf of Joseph Barakat, P. O. Box 200, Chadds Ford, PA 19371 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF781316.

Colonial Heritage Mobile Homes, 221 Vaux Drive, New Britain Township, **Bucks County**. Alan R. Hirschfeld, PG, L&A Environmental Specialties, Inc., 219 Laureen Road, Schwenksville, PA 19473 on behalf of James Perano, GSP Management, P. O. Box 677 Morgantown, PA 19543 has submitted a Remedial Investigation and Cleanup Plan concerning remediation of site soil and groundwater contaminated with diesel and no. 2 heating oil compounds. The report is intended to document remediation of the site to meet the Site Specific Standards. PF782124.

Budget/Avis Rent A Car, 6501 Essington Avenue, City of Philadelphia, **Philadelphia County**. Bernie Boldt, MCK Real Estate Corporation, 152 East 22nd Street,

Suite B, Indianapolis, Indiana 46202 on behalf of Tripp Fischer, P.G., Brownfield Science & Technology, 3157 Limestone Road, Cochranville, PA 19330 has submitted a Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with vocs, svocs and metals. The report is intended to document remediation of the site to meet the Site Specific Standard. PF785096.

US Steel, Corporation IPC 95-Acres Parcel, on Ben Fairless Drive, Falls Township, **Bucks County**. John A. Garges, GHD, 410 Eagleview Blvd, Suite 110, Exton, PA 91341 on behalf of Michael H. Leon, Unites States Steel Corporation, 1350 Penn Avenue, Suite 200, Pittsburgh, PA 15222 has submitted a Final Report concerning remediation of site soil contaminated with inorganics and chlorinated solvents. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF805128.

Meier Residence, 6368 Old Carversville Road, Solebury Township, **Bucks County**. Douglas S. Wright, P.E., INTEX Environmental Group, Inc., 6907 A Easton Road, Pipersville, PA 18947 on behalf of Scott Meier, P. O. Box 92, Lumberville, PA 18933 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF772028.

Waterloo Gardens Property, 200 North Whitford Road, West Whiteland Township, **Chester County**. Terrance A. O'Reilly, PG., TriState Environmental Management Services, Inc., 200 Witmer Road, Suite 200, Horsham, PA 19044 on behalf of Peter J. Clelland, BT Exton, L.P. c/o BET Investment, Inc., 200 Witmer Road, Suite 200, Horsham, PA 19044 has submitted a Remedial Investigation/Risk Assessment and Cleanup Plan concerning remediation of site soil contaminated with heavy metals arsenic and the organic pesticide compounds delta-BHC, gamma-BHC, chlordane, dieldrin, 4,4'-DDE, 4,4'-DDT, endosulfan sulfate, heptachlor expoxide, and methoxychlor. The report is intended to document remediation of the site to meet the Site Specific Standard and Statewide Health Standard. PF781706.

1200 Washington Avenue, 1201-206 Washington Avenue, City of Philadelphia, **Philadelphia County**. Paul Martino, PG., Pennoni Associates, Inc., 3001 Market Street, Suite 200, Philadelphia, PA 19104, William Schmidt, PE, Pennoni Associates, Inc., 3001 Market Street, Suite 200, Philadelphia, PA 19104 on behalf of Sam Carlo, VP, GPL Washington Properties, L.P., 130 Virginia Drive, Suite 215, Fort Washington, PA 19034 has submitted a Remedial Investigation and Cleanup Plan concerning remediation of site soil and groundwater contaminated with voc, metals and chlorinated. The report is intended to document remediation of the site to meet the Site Specific Standard. PF802538.

Marshall Auto Sales, 239 South Easton Road, Cheltenham Township, **Montgomery County**. Mark Irani, Land Recycling Solutions, LLC, 3101 Mount Carmel Avenue, Suite 3, Glenside, PA 19038 on behalf of George Weinert, 1854 Sheralee Court, Port Orange, FL 32128 has submitted a Remedial Investigation and Final Report concerning remediation of site soil and groundwater contaminated with leaded and unleaded gasoline constituents, pah's and vocs. The report is intended to document remediation of the site to meet the Site Specific Standard. PF750079.

Sunoco Twins Oaks Terminal 0234-3268, 4041 Market Street, City of Philadelphia, **Philadelphia County**.

Michael Sarcinello, Aquaterra Technologies, Inc., P. O. Box 144, West Chester, PA 19381, William Brochu, Sunoco, Inc., (R&M), P. O. Box 4209, Concord, NH 03302-4209 on behalf of Gus Borkland, Sunoco Logistics, L.P., 1818 Market Street, Suite 1500, Philadelphia, PA 19103 has submitted a Remedial Investigation and Risk Assessment Report concerning remediation of site groundwater and soil contaminated with leaded gasoline. The report is intended to document remediation of the site to meet the Site Specific Standard. PF733789.

2038-2040 Annin Street, 2040 Annin Street, City of Philadelphia, **Philadelphia County**. Mark Kuczynski, REPSG, Inc., 6901 Kingessing Avenue, Suite 201, Philadelphia, PA 19142 on behalf of Mark Girsh, LH Realty, 1006 Yorkshire Drive, Yardley, PA 19067 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF804669.

Heeney Residence, 1420 East Columbia Avenue, City of Philadelphia, **Philadelphia County**. Bruce Middleman, Stantec Consulting Services Inc., 400 Davis Drive, Suite 400, Plymouth Meeting, PA 19462 on behalf of Charlene Heeney, 1420 East Columbia Avenue, Philadelphia, PA 19125 has submitted a Remedial Investigation and Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF 803600.

Estate of Austin Quinlan Residence, 1066 Almshouse Road, Northampton Township, **Bucks County**. Richard D. Trimpi Associates, PG, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Clark Miller, State Farm Insurance Company, PA Fire Claims, P. O. Box 106110, Atlanta, GA 30348-6110 on behalf of The Estate of Austin Quinlan, 1104 Almshouse Road, Ivyland, PA 18974 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF793929.

Commercial Property, 8001 Caster Avenue, City of Philadelphia, **Philadelphia County**. Jeffery T. Bauer, P.G., Whitestone Associates Inc., 160 Manor Drive, Suite 220, Chalfont, PA 18914 on behalf of Charles Muchnick, Levering Mill Company, 822 Montgomery Avenue, Suite 209, Narberth, PA 19072 has submitted a Final Report concerning remediation of site soil contaminated with leaded gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF805131.

Pfizer Great Valley Office & Information System Technical Center, 31-43 Morehall Road, East Whiteland Township, **Chester County**. Elizabeth Bongard, Godler Associates, Inc., 1100 East Hector Street, Suite 395, Conshohocken, PA 19428 on behalf of Michael A. Bray, Horatio Realty Trust (c/o The Vanguard Group Inc.) P. O. Box 2600, Valley Forge, PA has submitted a Final Report concerning remediation of site groundwater contaminated with other organics. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF 748303.

Drexline Dry Cleaners, 4998 State Road, Upper Darby Township, **Delaware County**. Michael S. Welsh, Welsh Environmental, Inc., 131 Clearview Drive, Downingtown, PA 19335 on behalf of H. David Seegul, Drexline Shopping Center, Inc., 5100 State Rod, Drexel Hill, PA 19026 has submitted a Cleanup Plan concerning

remediation of site soil and groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site Specific Standard. PF779752.

Sharon Hill Shopping Center, 1130 Chester Pike, Borough of Sharon Hill, **Delaware County**. Michael A. Christie, P.G., Penn E&R, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of William Frutkin, Sharon Hill Chester Pike, LP, 544 West Lancaster Avenue, Suite 110, Ardmore, PA 19003 submitted a Remedial Investigation/Risk Assessment and Final Report concerning remediation of site soil and groundwater contaminated with vocs. The report is intended to document remediation of the site to meet the Site Specific Standard. PF617846.

Tioga Pipe Supply Company, 3917—3979 Aramingo Avenue, City of Philadelphia, **Philadelphia County**. Bill Schmidt, PE, Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104, Paul Martino, Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104 on behalf of Michael Cooley, The Provco Group, 795 East Lancaster Avenue, Bldg. 2, Suite 200, Villanova, PA 19085 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with voc, metals and pah's. The report is intended to document remediation of the site to meet the Site Specific Standard. PF805130.

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:

Northcentral Region: Environmental Cleanup & Brownfields Program Manager, 208 West Third Street, Williamsport, PA 17701

SWEPI—Netterman Compressor Station, 66 Ashley Road, Charleston Township, **Tioga County**.

AECOM, 681 Drive, Suite 400, Pittsburgh, PA 15220, on behalf of SWEPI LP, 12880 Route 6, Wellsboro, PA 16901, submitted a Final Report concerning the remediation of site soils contaminated with production fluid, glycol and lube oil. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on October 26, 2015.

Bumpus Trucking, Interstate 80 at MM202.4W, White Deer Township, **Union County**. Northridge Group, Inc., P. O. Box 231, Northumberland, PA 17857, on behalf of Bumpus Trucking, 491 Jonesboro Road, Washington Court House, OH 43160, submitted a Final Report concerning the remediation of site soil contaminated with Diesel Fuel and Used Motor Oil. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on October 21, 2015.

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

Hertzog Property, 1215 North 23rd Street, South Whitehall Township, **Lehigh County**. Rory Hertzog, 1215 North 23rd Street, Allentown, PA 18104, submitted a Final Report concerning the remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, MTBE, Naphthalene, 1,3,5-Trimethylbenzene, 1,2,4-Trimethylbenzene and Cumene. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on November 3, 2015.

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

Former American Color Graphics, 215 North Zarfoss Drive, York, PA 17404, West Manchester Township, **York County**. Rambol ENVIRON US Corporation, 214 Carnegie Center, Suite 200, Princeton, NJ 08540, on behalf of Gordon York, LP, 215 North Zarfoss Drive, York, PA 17404, and Alvarez & Marsal North America, LLC, 600 Madison Avenue, 8th Floor, New York, NY 10022, submitted a Final Report concerning remediation of site soils and groundwater contaminated with VOCs, PAHs

and PCBs. The Final Report demonstrated attainment of the Nonresidential Statewide Health Standard, and was approved by the Department on November 2, 2015.

Douglas Arnick Property, 2844 State Road SR 22, Fredericksburg, PA, Bethel Township, **Lebanon County**. McKee Environmental, Inc., 218 Washington Avenue, Bellefonte, PA 16823, on behalf of Douglas Arnick, 672 Jonestown Road, Jonestown, PA 17038, and Nationwide Agribusiness, 1100 Locust Street, Dept. 3011, Des Moines, IA 50391, submitted a Final Report concerning remediation of site soils contaminated with diesel fuel. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on November 5, 2015.

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

XTO Energy—Louisa Black #4 Site, Black Road, Washington Township, **Indiana County**. ARCADIS U.S., Inc., 6041 Wallace Road Extension, Wexford, PA 15090 on behalf of XTO Energy, Inc., 395 Airport Road, Indiana, PA 15701 submitted a Final Report concerning the remediation of site soil contaminated with brine from a release at a storage tank at the site. The Final Report demonstrated attainment of the Site Specific standards for chlorides and a residential Statewide Health standard for all other constituents sampled for in soils and was approved by the Department on November 4, 2015.

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

Drexeline Dry Cleaners, 4998 State Road, Upper Darby Township, **Delaware County**. Michael S. Welsh, Welsh Environmental, Inc., 131 Clearview Drive, Downingtown, PA 19335 on behalf of H. David Seegul, Drexeline Shopping Center, Inc., 5100 State Rod, Drexel Hill, PA 19026 has submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with chlorinated solvents. The Remedial Investigation Report was approved by the Department on August 13, 2015.

Rushton Farms, 967 Delchester Road, Willistown Township, **Chester County**. Andrew Gingrich, Synergy Environmental Inc., 155 Railroad Plaza, Royersford, PA 19468 on behalf of William Sudhaus, 967 Delchester Road, Newtown Square, PA 19073 has submitted a 90 day Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 9, 2015. PF784413.

Lackey Residence, 1813 West Grange Avenue, City of Philadelphia, **Philadelphia County**. Lee Westcott, Insurance Restoration Specialist, 30 Abeel Road, Monroe, NJ 08831 on behalf of Bobby Lackey, 1813 West Grange Avenue, Philadelphia, PA 19141 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on August 21, 2015. PF785060.

Maggio Residence, 35 Signal Hill Road, Northampton Borough, **Bucks County**. Thomas Hippensteal, P.G., Envirosearch Consultants Inc., P. O. Box 940, Springhouse, PA 19477 on behalf of Vincent Maggio, 35 Signal Hill Road, Holland, PA 18966 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with no. 2 fuel oil. The Final

report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 8, 2015. PF 763469.

(Revised) Rhodia, Inc., 230 South Pennsylvania Avenue, Falls Township, **Bucks County**. Ryan Fitzpatrick, ARCADIS, 10 Friends Lane, Suite 200, Newtown, PA 18940, Mike Shatynski, Rhodia, Inc., 8 Cedar Brook Drive, Cranbury, NJ 08512 on behalf of Rhodia, Inc., 8 Cedar Brook Drive, Cranbury, NJ 08512 has submitted a Remedial Investigation Report/Risk Assessment and Cleanup Plan concerning the remediation of site soil and groundwater contaminated with arsenic and chromium. The Remedial Investigation Report/Risk Assessment and Cleanup Plan were approved by the Department on October 6, 2015. PF 620000.

New Palladium Nightclub, 229 West Allegheny Avenue, City of Philadelphia, **Philadelphia County**. Jeffrey T. Bauer, Whitestone Associates, Inc., 1600 Manor Drive, Suite 220, Chalfont, PA 18914 on behalf of Aaron Lorah, Boos Development Group Inc., 607 Easton Road, Building B, Suite A, Willow Grove, PA 19090 has submitted a Final Report concerning the remediation of site soil contaminated with no. 6 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on September 22, 2015. PF803170.

Neely Residence, 731 Grove Street, Borough of Bridgeport, **Montgomery County**. Staci Cottone, J&J Environmental, P. O. Box 370, Blue Bell, PA 19422 on behalf of Patricia Newly, 751 Golf View Drive Warrington, PA 18976 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 8, 2015. PF794507.

Davis Shappell Residence, 570 North Guthriesville Road, East Brandywine Township, **Chester County**. Paul White, Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19383 on behalf of Thomas and Sara-Davis Shappell, 570 North Guthriesville Road, Downingtown, PA 19335 has submitted a Final Report concerning the remediation of site soil contaminated with heating oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 7, 2015. PF804805.

13625-13649 Philmont Avenue, 13625—13649 Philmont Avenue, City of Philadelphia, **Philadelphia County**. Richard S Werner, P.G., Environmental Consulting, Inc., 2002 Renaissance Boulevard, King of Prussia, PA 19406 on behalf of Steve Izzi, M.I.S.I., L.P., 7510 Brous Avenue, Philadelphia, PA 19152 has submitted a Final Report concerning the remediation of site soil contaminated with chlorinated vocs. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 8, 2015. PF803696.

Dreshertown Plaza, 1424 Dreshertown Road, Upper Dublin Township, **Montgomery County**. Craig Herr, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406, Christopher Orzechowski, P.G., RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of James Koller, Vesterra Corporation, 585 Skippack Pike, Suite 200, Blue Bell, PA 19422 has submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with chlorinated solvents. The Remedial Investigation Report was disapproved by the Department on October 9, 2015. PF631832.

HAZARDOUS WASTE TRANSPORTER LICENSE

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

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

Hazardous Waste Transporter License Issued

SWS Environmental Services, 901 McClosky Boulevard, Tampa, FL 36605. License No. PA-AH 0831. Effective Nov 05, 2015.

Hazardous Waste Transporter License Reissued

Goulet Trucking, Inc., PO Box 259, South Deerfield, MA 01373. License No. PA-AH 0768. Effective Nov 06, 2015.

The Environmental Service Group (NY), Inc., 177 Wales Avenue, Tonawanda, NY 14150. License No. PA-AH S144. Effective Nov 09, 2015.

Three Rivers Trucking, Inc., 3250 Country Rd 427, Waterloo, IN 46793. License No. PA-AH 0769. Effective Nov 04, 2015.

Renewal Applications Received

Three Rivers Trucking, Inc., 3250 Country Rd 427, Waterloo, IN 46793. License No. PA-AH 0769. Effective Nov 04, 2015.

MUNICIPAL WASTE GENERAL PERMITS

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

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

General Permit Number WMGM053. Organix Recycling, LLC, 19065 Hickory Creek Drive, Suite 240, Mokena, IL 60448. General Permit Number WMGM053 authorizes the collection, transport and supplying of unpackaged food waste from grocery sellers to farmers for use in the farmers' livestock feeding operations. These feeding sites will vary over time, with the permittee notifying the Department of each feeding operation they service. To date, two facilities have been identified—Graywood Farms, LLC, 225 Mason Dixon Road, Peach Bottom, PA 17563 and Hess Agri, LLC, 218 Rock Point Road, Marietta, PA 17547. Both facilities are located in **Lancaster County**. The permit was issued by Central Office on October 20, 2015.

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

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Applications deemed administratively complete 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 17110-8200

Permit No. 400561 York County Solid Waste & Refuse Authority, 2700 Blackbridge Road, York, PA 17406-7901. Manchester Township, **York County**. A major permit modification to the York County Resource Recovery Facility was submitted for a new ash recycling and processing facility onsite. The application was deemed administratively complete by the Southcentral Regional Office on November 2, 2015. The Department will accept comments from the general public recommending revisions to, and approval or denial of the application during the entire time the Department is reviewing the permit application.

Comments concerning the application should be directed to Mr. John Oren, Permits Chief, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200. Persons interested in obtaining more information about this permit application may contact the Southcentral Regional Office at (717) 705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

AIR QUALITY

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

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

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

GP9-46-0082: Terra Technical Services LLC (600 Brandywine Ave, Bldg. 100, Downingtown, PA 19353) On November 5, 2015 for a diesel-fired internal combustion engine in Cheltenham Township, **Montgomery County**.

GP3-46-0126: Terra Technical Services LLC (600 Brandywine Ave, Bldg. 100, Downingtown, PA 19353) On November 5, 2015 for a portable Non-metallic Mineral Processing Plant in Cheltenham Township, **Montgomery County**.

GP7-46-0046: Alcom Printing Inc (140 Christopher Lane, Harleysville, PA 19438) On November 5, 2015 for a sheet-fed offset lithographic printing press in Lower Salford 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

GP3-21-05037A: Union Quarries, Inc. (102 Bonny Brook Road, Carlisle, PA 17013) on October 30, 2015, for

portable nonmetallic mineral processing equipment at the Bonny Brook Quarry, located in South Middleton Township, **Cumberland County**.

GP11-21-05037A: Union Quarries, Inc. (102 Bonny Brook Road, Carlisle, PA 17013) on October 30, 2015, for a diesel fuel-fired internal combustion engine to power portable nonmetallic mineral processing equipment at the Bonny Brook Quarry, located in South Middleton Township, **Cumberland County**.

GP3-44-05014: Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823) on October 30, 2015, for portable nonmetallic mineral processing equipment at the Milroy Quarry, located in Armagh Township, **Mifflin County**.

GP3-06-03113F: The H&K Group, Inc. (PO Box 196, 2052 Lucon Road, Skippack, PA 19474) on November 3, 2015, for portable nonmetallic mineral processing equipment, under GP3, at the Birdsboro Materials Quarry, in Robeson Townships, **Berks County**.

GP9-06-03113F: The H&K Group, Inc. (PO Box 196, 2052 Lucon Road, Skippack, PA 19474) on November 3, 2015, for three non-road engines, under GP9, to power portable nonmetallic mineral processing equipment, at the Birdsboro Materials Quarry, in Robeson Townships, **Berks County**.

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

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

GP5-10-394B: Axiop Producer Services-Axiop Constellation Facility (919 Milam, Suite 850, Houston, TX 77002) on November 3, 2015, for the authority to construct and/or operate a 4,735 bhp natural gas fired compressor engine (Caterpillar G3616LE), a 415 bhp natural gas fired generator engine (Caterpillar 379TA) and storage tanks (BAQ-GPA/GP5) located at their facility in Oakland Township, **Butler County**.

GP3-61-226A: Temple Portable Crushing (228 Georgetown Road, Hadley, PA 16130) on October 29, 2015, for the authority to construct and/or operate one (1) Jaw Crusher (Manufactured by Trio, Model CT3648), One (1) Cone Crusher (Manufactured by Cedar Rapids, Model RC542), One (1) Non-Vibratory Screen, Dump Hopper Style (Manufactured by Caterpillar), One (1) Vibratory Screen (Manufactured by Cedar Rapids, Model LJ-TSV6202-32), and Ten (10) Conveyors (BAQ-GPA/GP3) located at their facility in Irwin Township, **Venango County**.

Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

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

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

09-0196I: Abington Reldan Metals, LLC (550 Old Bordertown Road, Fairless Hills, PA 19030) On November 6, 2015 for installation and operation of a new thermal destructor to replace the existing Thermal Destructor #1. This facility, located in Falls Township, **Bucks County**, is a non-Title V facility. The proposed Plan Approval will contain record keeping requirements, monitoring require-

ments, operating conditions and performance testing requirements designed to keep the facility operating within the allowable emission limitations and all applicable air quality requirements.

46-0005AQ: Merck, Sharp & Dohme, Corp. (770 Sunmeytown Pike, West Point, PA 19486-0004) On November 6, 2015 for the installation and operation of two (2) lean burn, natural gas-fired generator sets rated at 2,185 bhp and 1,818 bhp in upper Gwynedd Township, **Montgomery County**. The sources in this plan approval are located at an existing Title V facility. These units will be used to provide back-up electrical power to the various buildings during utility power outages/fluctuations and/or electrical infrastructure maintenance. These units may also be used for peak shaving, thereby classifying them as non-emergency RICE Units subject to 40 CFR 60, Subpart JJJJ and 40 CFR 63, Subpart ZZZZ. The facility is applying to operate each engine a maximum of 500 hours in any 12 consecutive month period. The aggregate potential annualized emissions (in tons) are as follows: NO_x—1.10, VOC—0.55, CO—0.55, SO_x—0.004, PM—0.0006, PM₁₀—0.07, and PM_{2.5}—0.07. This project will not trigger applicability to the federal PSD regulations or PADEP's NSR regulations. The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

08-00049B: Alpaca Energy, LLC (6051 Wallace Road Extension, Suite 100, Wexford, PA 15090) on November 4, 2015, to construct three (3) 9,708 bhp (7.2 MWs) 4 stroke, lean burn Rolls Royce Bergen B-35:40-V16AG-2 natural gas-fired engine/generator sets, each equipped with both catalytic oxidation and selective catalytic reduction (SCR), at the proposed electric generating station located in Canton Township, **Bradford County**. The facility will also include one (1) 0.64 MMBtu/hour natural gas-fired natural gas line heater; three (3) storage tanks ranging in size from 2,600 gallons to 6,000 gallons; one (1) desiccant dehydration system; various fugitive emissions. If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 08-00049B, the applicant will subsequently apply for a State Only (Natural Minor) Operating Permit in accordance with 25 Pa. Code Subchapter F.

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

09-0222: Telex Metals LLC: (105 Phyllis Avenue, Croydon, PA 19021) On November 5, 2015 for the installation of 30 metal refining process tanks (as part of two metal refining lines) and three associated packed tower wet scrubbers (each with a high-efficiency entrainment separator) in Bristol Township, **Bucks County**.

46-0200E: John Middletown Co. (PO Box 85108, Richmond, VA 23285) On November 9, 2015 for the construction of a new regenerative thermal oxidizer to

control emissions of volatile organic compounds (VOC) from the Dryers (Source ID 103A) and changes in method of operation and emissions limits for several sources forming part of the tobacco conditioning and flavoring process in Upper Merion Township, **Montgomery County**.

46-0040B: National Label Co. (2025 Joshua Road, Lafayette Hill, PA 19444-2431) On November 9, 2015 to route the air emissions from existing Source 101 through a permanent total enclosure (CO5) then to a previously permitted regenerative thermal oxidizer (CO3), in White marsh Township, **Montgomery County**.

46-0020K: Superior Tube Co. Inc (3900 Germantown Pike, Collegeville, PA 19426) On November 9, 2015 to manufacture steel pipe and tubes in Lower Providence 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

67-05092H: Starbucks Coffee Co. (3000 Espresso Way, York, PA 17406) on November 3, 2015, for the construction of the following sources: two coffee roasters controlled by a regenerative thermal oxidizer; two cooling trays controlled by dedicated cyclones; two destoners controlled by dedicated cyclones; and a chaff press controlled by a cyclone at its York Roasting Plant in East Manchester Township, **York County**. The plan approval was extended.

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

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

47-00001D: PPL Montour LLC (P. O. Box 128, Washingtonville, PA 17884-0128) on October 8, 2015, to extend the authorization an additional 180 days from October 19, 2015 to April 16, 2016, in order to continue the compliance evaluation and permit operation pending issuance of an operating permit for the sources. The extension authorization allows continued operation of the dry injection system that controls sulfuric acid mist emissions from the coal-fired electric generating units located at the Montour Steam Electric Station facility. The facility is located in Derry Township, **Montour County**. The plan approval has been extended.

47-00001E: PPL Montour LLC (P. O. Box 128, Washingtonville, PA 17884-0128) on October 29, 2015, to extend the authorization an additional 180 days from October 30, 2015 to April 27, 2016, in order to continue the compliance evaluation and permit operation pending issuance of an operating permit for the sources. The extension authorization allows continued operation of the auxiliary boiler used for utility boiler start-up at the Montour Steam Electric Station located in Derry Township, **Montour County**. The plan approval has been extended.

18-00009F: Clinton County Solid Waste Authority (P. O. Box 209, McElhattan, PA 17748) on November 5, 2015, to extend the authorization an additional 180 days from November 27, 2015, to March 25, 2016, for the construction and operation of the Northside municipal solid waste landfill expansion located in Wayne Township, **Clinton 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-63-00965A: Rice Poseidon Midstream LLC (400 Woodcliff Drive, Canonsburg, PA 15317-9554) Plan Approval Extension issuance date effective November 06, 2015, to extend the period of temporary operation for 180 days to obtain State Only Operating Permit for their Twilight Compressor Station located in West Pike Run Township, **Washington County**.

26-00588: Laurel Mountain Midstream Operating, LLC (1550 Coraopolis Heights Road, Suite 140, Moon Township, PA 15108) Extension effective November 16, 2015, to extend the period of temporary operation of the three new ultra lean burn natural gas-fired compressor engines rated at 1,380 bhp each and controlled by oxidation catalysts, and the natural gas-fired turbine rated at 15,525 bhp covered under plan approval PA-26-00588 until April 28, 2016, at Shamrock Compressor Station located in German Township, **Fayette County**.

30-00183C: EQM Gathering Opco, LLC (625 Liberty Ave., Suite 1700, Pittsburgh, PA 15222) Extension effective November 18, 2015, to extend the period of temporary operation of two Caterpillar G3616LE lean burn natural gas-fired compressor engines rated at 4,735 bhp each and controlled by oxidation catalysts until April 28, 2016, at Jupiter Compressor Station located in Morgan Township, **Greene County**.

65-00839B: Texas Eastern Transmission, L.P. (PO Box 1642, Houston, TX 77251) Extension effective November 25, 2015, to extend the period of temporary operation of the Solar Titan 250 turbine rated at 30,000 HP and controlled by an oxidation catalyst until April 28, 2016, at the Delmont Compressor Station located in Salem Township, **Westmoreland County**.

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

21-05005: PA Department of Corrections, Camp Hill SCI (PO Box 598, Camp Hill, PA 17001-0598) on November 3, 2015, for the Camp Hill State Correctional Institution located in Lower Allen Township, **Cumberland County**. The Title V permit was renewed.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.

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

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

48-00050: Bethlehem City Waste Water Treatment Plant (144 Shimersville Road, Bethlehem, PA 18015-9528) issued on 11/9/15, for the operation of a wastewater treatment facility in Bethlehem Township, **Northampton County**. The sources consist of two (2) boilers, four (4) digesters, and one (1) parts washer. The digesters emissions are controlled by a waste gas flare. This is a renewal of a State-Only Operating Permit. The proposed operating permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and report-

ing requirements designed to keep the facility operating within applicable air quality requirements.

66-00003: Deer Park Lumber, Inc. (3042 SR 6, Tunkhannock, PA 18657) issued on 11/9/15, for the operation of a sawmill facility in Tunkhannock Township, **Wyoming County**. The source includes one (1) wood-fired boiler. This is a renewal of a State-Only (Synthetic Minor) Operating Permit. The proposed operating permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

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

07-05037: Cove Shoe Co. (107 Highland Street, Martinsburg, PA 16662-1424) on October 30, 2015, for the boot and shoe manufacturing facility located in Martinsburg Borough, **Blair County**. The State-only permit was renewed.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

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

46-00048: Wyeth Pharmaceuticals (500 Arcola Road, Collegeville, PA 19426) On November 2, 2015 located in Upper Providence Township, **Montgomery County**. The operating permit was amended to incorporate a reporting requirement from 40 CFR 60.48c(e)(2) for two (2) 14.65 MMBtus/hr dual-fired boilers. This requirement was inadvertently left out when the facility's Title V Operating Permit was renewed in 2014. The Administrative Amendment is issued in accordance with the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450.

46-00007: Holy Redeemer Hospital & Med Ctr (1648 Huntingdon Pike, Meadowbrook, PA 19046) On November 5, 2015 for a non-Title V, Natural Minor facility in Abington Township, **Montgomery County**. This amended operating permit changes the Responsible Official for the facility.

15-00029: Pactiv Packaging, Inc. (241 Woodbine Rd, Downingtown, PA 19335) On November 6, 2015 for amendment of TVOP 15-00029 for its facility located in Downingtown Borough, **Chester County**. The amendment addresses the change in the permit contact and the consistency of monitoring, recordkeeping and testing requirements for the gravure and flexographic printing presses. The amended permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

09-00013: Wheelabrator Falls, Inc. (1201 New Ford Mill Road, Morrisville, PA, 19067) On November 5, 2015 located in Falls Township, **Bucks County**. The Title V permit is amended to address an inconsistency between the State and Federal regulations concerning the maximum inlet temperature of the particulate matter control

device. Amendment of the Title V Operating Permit issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450.

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

07-05041: Core Label A Fort Dearborn Co. (13985 S. Eagle Valley Road, Tyrone, PA 16686-7905) on November 3, 2015, for the printing facility located in Snyder Township, **Blair County**. The State-only permit was administratively amended in order to reflect a change of name.

De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.

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

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

28-05002: US Department of Defense—Letterkenny Army Depot (One Overcash Avenue, Chambersburg, PA 17201). Pursuant to 25 Pa. Code § 127.449(i), this *Pennsylvania Bulletin* Notice is for de minimis emission increases of 0.0906 TPY NO_x; 0.0195 TPY CO; 0.006 TPY of SO_x; .0048 TPY of VOCs and 0.0064 TPY PM₁₀ resulting from the firing of JP-8 jet fuel while testing MTH150 heaters at the facility located in Greene/Letterkenny Townships, **Franklin County**. These are the fourth de minimis emission increases at the facility during the term of the current operating permit.

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

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

OP-65-00235: Alcoa, Inc. (100 Technical Drive, Alcoa Center, PA 15069). Per 25 Pa. Code § 127.449(i), this Notice is for the following de minimis emission increase at Alcoa, Inc.'s Alcoa Technical Center located in Upper Burrell Township, **Westmoreland County**:

One new 3D metal printer with aqueous binder and associated electric oven curing and sintering are included as this project's de minimis emission increase. Total emissions from this project will not exceed 0.1 ton of VOC per year.

The list of de minimis increases for this facility includes only this project.

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

Contact: Devendra Verma, New Source Review Chief—Telephone: 814-332-6940

25-00066: Accuride—Erie Forge (1015 E. 12th Street, Erie, PA 16503) for its facility located in Erie City, **Erie County**. The de minimis emission increase is for modifying a total of nine mist collectors to vent process emissions outdoors instead of inside the plant. In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8). The Department hereby approves the de minimis emission increase. The following table is a list of the de minimis emission increases as required by 25 Pa. Code 127.449(i). This list includes the de minimis emission increases since the Title V Operating Permit issuance on April 1, 2014.

Date	Source	PM ₁₀ (tons)	SO _x (tons)	NO _x (tons)	VOC (tons)	CO (tons)
11-3-15	Venting Mist Collectors outdoors	0.353			0.0865	
Total Reported Increases		0.353			0.0865	
Allowable		0.6 ton/source 3 tons/facility	1.6 ton/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

25-01038: Lord Corporation (2455 Robison Road West, Erie, PA 16509) for its facility located in Summit Township, **Erie County**. The de minimis emission increase is for installation of a Torit Donaldson Dust Collector for plastic bead blasters. In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8). The Department hereby approves the de minimis emission increase. The following table is a list of the de minimis emission increases as required by 25 Pa. Code § 127.449(i). This list includes the de minimis emission increases since the Title V Operating Permit issuance on July 8, 2015.

Date	Source	PM ₁₀ (tons)	SO _x (tons)	NO _x (tons)	VOC (tons)	CO (tons)
11-3-15	Torit Donaldson Dust Collector for Plastic Bead Blasters	0.0645				
Total Reported Increases		0.0645				
Allowable		0.6 ton/source 3 tons/facility	1.6 ton/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act and 25 Pa. Code §§ 127.431 and 127.461.

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

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

GP5-53-103A: Pennsylvania General Energy Company, LLC (120 Market Street, Warren, PA 16365) on November 4, 2015, for the termination of a *General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities* (BAQ-GPA/GP-5) due to the conventional well pad qualifying for exemption from operating permit and the remaining sources at the facility having emissions below permitting thresholds. The general permit for the Well 1877 compression facility located in Eulalia Township, **Potter County** is terminated.

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. 32940109 and NPDES No. PA0212954. KMP Associates, Inc., 3756 Route 981, Saltsburg, PA 1568, permit renewal for the continued operation and

restoration of a bituminous surface mine site's operation and maintenance of the permanent treatment systems in Young Township, **Indiana County**, affecting 133.1 acres. Receiving streams: unnamed tributary to/and Whisky Run classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Permit Issued: October 26, 2015.

Permit No. 32990104 and NPDES No. PA0235059. ABM Mining Co., Inc., 3330 Johnston Road, Smicksburg, PA 16256, renewal for the continued operation and restoration of a bituminous surface and auger mine in Grant Township, **Indiana County**, affecting 118.7 acres. Receiving streams: unnamed tributaries to Little Mahoning Creek classified for the following use: high quality cold water fishes. There are no potable water supply intakes within 10 miles downstream. Permit Issued: October 23, 2015.

Permit No. 05753004 and NPDES No. PA0124869. J&J Svonavec Excavating, Inc., 618 Samuels Road, Somerset, PA 15501, permit renewal of a bituminous surface mine in Broad Top and Carbon Townships, **Bedford and Huntingdon Counties**, affecting 222.1 acres. Receiving streams: unnamed tributaries to/and Coal Bank Run classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Permit Issued: October 30, 2015.

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

10000103 and NPDES Permit No. PA0241776. Seneca Landfill, Inc. (P. O. Box 1080, Mars, PA 16046) Renewal of an existing bituminous surface mine and associated NPDES permit in Jackson & Lancaster Townships, **Butler County**, affecting 82.1 acres. Receiving streams: Unnamed tributary to Connoquenessing Creek. Application received: April 4, 2015. Permit Issued: October 26, 2015.

33100103. Ben Hal Mining Company (389 Irishtown Road, Grove City, PA 16127) Renewal of an existing bituminous surface mine in Corsica Borough & Union Township, **Jefferson County**, affecting 28.5 acres. Receiving streams: Welch Run. This renewal is issued for reclamation only. Application received: September 14, 2015. Permit Issued: November 4, 2015.

33100102. MSM Coal Company, Inc. (P. O. Box 243, DuBois, PA 15801) Renewal of an existing bituminous surface mine in Oliver Township, **Jefferson County**, affecting 32.0 acres. Receiving streams: Three unnamed tributaries to Little Sandy Creek. This renewal is issued for reclamation only. Application received: September 10, 2015. Permit Issued: November 5, 2015.

33140101 and NPDES Permit No. PA0259560. P. and N. Coal Company, Inc. (P. O. Box 332, Punxsutawney, PA 15767) Commencement, operation and restoration of a bituminous surface mine and associated NPDES permit in McCalmont & Young Townships, **Jefferson County**, affecting 245.6 acres. Receiving streams: Unnamed tributaries to Little Elk Run and unnamed tributaries to Elk Run. Application received: February 24, 2015. Permit Issued: November 4, 2015.

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

SMP 17040111 and NPDES No. PA0243892. Swisher Contracting, Inc. (P. O. Box 1223, Clearfield, PA 16830). Permit renewal for reclamation only of a bituminous surface mine located in Lawrence Township, **Clearfield County** affecting 41.8 acres. Receiving stream(s): Unnamed Tributary to Moose Creek classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: February 20, 2015. Permit issued: October 29, 2015.

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

Permit No. 54803204R6. Gilberton Coal Company, (10 Gilberton Road, Gilberton, PA 17934), renewal of an existing anthracite coal refuse reprocessing operation in Butler and Conyngham Townships and Ashland Borough, **Schuylkill and Columbia Counties** affecting 24.6 acres, receiving stream: unnamed tributary to Mahanoy Creek. Application received: July 1, 2015. Permit issued: November 2, 2015.

Permit No. 54803204GP104R. Gilberton Coal Company, (10 Gilberton Road, Gilberton, PA 17934), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54803204 in Butler and Conyngham Townships and Ashland Borough, **Schuylkill and Columbia Counties**, receiving stream: unnamed tributary to Mahanoy Creek. Application received: July 1, 2015. Permit issued: November 2, 2015.

Permit No. 19793201R6. Gilberton Coal Company, (10 Gilberton Road, Gilberton, PA 17934), renewal of an existing anthracite coal refuse reprocessing operation in Conyngham Township, **Columbia County** affecting 3.4

acres, receiving stream: unnamed tributary to Mahanoy Creek. Application received: January 30, 2015. Renewal issued: November 3, 2015.

Permit No. 19793201GP104. Gilberton Coal Company, (10 Gilberton Road, Gilberton, PA 17934), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 19793201GP104 in Conyngham Township, **Columbia County**, receiving stream: unnamed tributary to Mahanoy Creek. Application received: January 30, 2015. Permit issued: November 3, 2015.

Permit No. 49773204R6. Gilberton Coal Company, (10 Gilberton Road, Gilberton, PA 17934), renewal of an existing anthracite surface mine, coal refuse reprocess, refuse disposal and preparation plant operation in Mt. Carmel, Conyngham and Butler Townships, **Northumberland, Columbia and Schuylkill Counties**, receiving stream: unnamed tributary to Mahanoy Creek. Application received: June 22, 2015. Renewal issued: November 4, 2015.

Permit No. 49773204GP104R. Gilberton Coal Company, (10 Gilberton Road, Gilberton, PA 17934), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 49773204 in Mt. Carmel, Conyngham and Butler Townships, **Northumberland, Columbia and Schuylkill Counties**, receiving stream: unnamed tributary to Mahanoy Creek. Application received: June 22, 2015. Renewal issued: November 4, 2015.

Permit No. 54763209R6. Gilberton Coal Company, (10 Gilberton Road, Gilberton, PA 17934), renewal of an existing anthracite surface mine and refuse reprocessing operation in Butler Township and Ashland Borough, **Schuylkill County** affecting 109.0 acres, receiving stream: Mahanoy Creek. Application received: July 1, 2015. Renewal issued: July 1, 2015.

Permit No. 54763209GP104R. Gilberton Coal Company, (10 Gilberton Road, Gilberton, PA 17934), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54763209 in Butler Township and Ashland Borough, **Schuylkill County**, receiving stream: Mahanoy Creek. Application received: July 1, 2015. Renewal issued: November 4, 2015.

Noncoal Permits Issued

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

42910801-GP-104. Duffy, Inc. (P. O. Box 374, Smethport, PA 16749) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 42910801 in Keating Township, **McKean County**. Receiving streams: Potato Creek. Application received: October 9, 2015. Permit Issued: November 4, 2015.

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

Permit No. 6277SM1A1C11 and NPDES Permit No. PA0595080. Compass Quarries, Inc. d/b/a Allan Myers Materials, (638 Lancaster Avenue, Malvern, PA 19355), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Paradise Township, **Lancaster County** affecting 157.1 acres, receiving stream: Londonland Run and Eshleman Run. Application received: March 11, 2015. Renewal issued: November 5, 2015.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Issued

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

02154004. Sippel Development Co., Inc. (174 Tomlinson Road, Zelienople, PA 16063). Blasting activity permit for the construction of Walmart Store 4644, located in Moon Township, **Allegheny County** with an exploration date of February 1, 2016. Blasting permit issued: November 4, 2015.

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

Permit No. 48154109. Brubacher Excavating, Inc., (P. O. Box 528, Bowmansville, PA 17507), construction blasting for Majestic Outer Loop Road in the City of Bethlehem, **Northampton County** with an expiration date of October 28, 2016. Permit issued: October 30, 2015.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

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

E52-248. Pennsylvania Department of Transportation, Engineering District 4-0, 55 Keystone Industrial Park, Dunmore, PA 18512. Shohola Township, **Pike County**, Army Corps of Engineers Philadelphia District.

To remove the existing structure; and to construct and maintain a 29-foot wide two-span steel truss bridge immediately upstream of the existing structure. The structure will have a span of 495 feet and an approximate underclearance of 31.5 feet over the Delaware River (HQ-CWF, MF). The proposed project is located along S.R. 1011, Section 470, Segment 0010, Offset 2769 (Pond Eddy, PA Quadrangle Latitude: 41°26'22"; Longitude: -74°49'10").

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

E22-613: Lykens Borough, 200 Main Street, Lykens, PA 17048 in Lykens Borough, **Dauphin County**, U.S. Army Corps of Engineers, Baltimore District.

To install a Type M inlet with a sump at the intersection of North and Spruce Streets in order to reduce the backwater flooding effects from Wiconisco Creek (WWF, MF) and provide easier access for the use of pumps, and to install a new endwall accompanying the replacement of an inlet and a broken 24-inch stormwater discharge pipe that inlets at the intersection of North and Municipal Streets. This Lykens Borough project is located in Dauphin County (Lycens, PA Quadrangle, Latitude: 40°34'6.3", Longitude: -76°42'1.1"). The permit was issued on October 14, 2015.

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

E63-664, Louis J. Siyufy, 140 Sherwood Drive, McMurray, PA 15317, Peters Township, **Washington County**, ACOE Pittsburgh District.

Has been given consent to:

- Operate and maintain in, along or across an unnamed tributary (UNT) to Little Chartiers Creek (HQ-WWF) a) an existing home; b) approximately 300 lf of riprap stream bank protection, along both banks; c) three (3) wooden bridges; d) approximately 2,500 sf of fill and e) a debris fence,

- Construct and maintain an approximately 240' long bypass channel, parallel to the UNT,

For the purpose of directing flood flows to the east of the existing home that was constructed over the watercourse. The project is located at 140 Sherwood Drive, in

Peters Township, Washington County (USGS Bridgeville, PA topographic quadrangle; Latitude: 40° 15' 30.70"; Longitude: -80° 7' 25.73"; Sub-basin: 20F; Chapter 93 Type: HQ-WWF).

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this

notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

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

<i>ESCGP-2 No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
ESG0012515007	MarkWest Liberty Midstream and Resources, LLC, 4600 J. Barry Court, Suite 500, Canonsburg, PA 15317	Washington County	Smith Township	UNT to Raccoon Run (WWF)

Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701

ESCGP-2 # ESX29-115-14-0128(01)
 Applicant Name Angelina Gathering Company LLC
 Contact Person Tory Thompson
 Address 10000 Energy Dr.
 City, State, Zip Spring, TX 77389-4954
 County Susquehanna
 Township(s) Great Bend Twp
 Receiving Stream(s) and Classification(s) High Bridge Creek & UNT to Susquehanna River (CWF)
 Secondary—Susquehanna River

ESCGP-2 # ESX10-115-0015(03)
 Applicant Name Cabot Oil & Gas Corporation
 Contact Person Kenneth Marcum
 Address 2000 Park Lane, Suite 300
 City, State, Zip Pittsburgh, PA 15275-1121
 County Susquehanna
 Township(s) Harford Twp
 Receiving Stream(s) and Classification(s) Leslie Creek #8305 (CWF), UNT to Nine Partners Creek #7511 (CWF)

ESCGP-2 # ESX29-131-15-0008
 Applicant Name Appalachia Midstream Services, LLC
 Contact Person Michael Tucker
 Address 400 IST Center, Suite 404
 City, State, Zip Horseheads, NY 14845-1015
 County Wyoming
 Township(s) Mehoopany Twp
 Receiving Stream(s) and Classification(s) Susquehanna River (WWF), UNT to Susquehanna River (CWF)

ESCGP-2 # ESX29-115-15-0038
 Applicant Name Williams Field Services Company, LLC
 Contact Person Lauren Miladinovich
 Address Park Place Corporate Center 2, 2000 Commerce Drive

City, State, Zip Pittsburgh, PA 15275
 County Susquehanna
 Township(s) Lathrop Twp
 Receiving Stream(s) and Classification(s) UNT to Martins Creek, Martins Creek Watershed (CWF)
 Secondary—Tunkhannock Creek

ESCGP-2 # ESX29-115-15-0036
 Applicant Name Cabot Oil & Gas Corporation
 Contact Person Kenneth Marcum
 Address 2000 Park Lane, Suite 300
 City, State, Zip Pittsburgh, PA 15275-1121
 County Susquehanna
 Township(s) Brooklyn & Dimock Twps
 Receiving Stream(s) and Classification(s) UNT to Horton Creek #3820 (CWF), UNT to Horton Creek #3821 (CWF)

ESCGP-2 # ESG29-081-15-0027
 Applicant Name Anadarko Marcellus Midstream, LLC
 Contact Person Rane Wilson
 Address 33 West Third Street, Suite 200
 City, State, Zip Williamsport, PA 17701
 County Lycoming
 Township(s) Cascade Twp
 Receiving Stream(s) and Classification(s) West Branch Wallis Run (EV)
 Secondary—Wallis Run (EV)

ESCGP-2 # ESX10-115-0055(01)
 Applicant Name Carrizo Marcellus, LLC
 Contact Person Gary Byron
 Address 251 Drain Lick Road
 City, State, Zip Drifting, PA 16834
 County Susquehanna
 Township(s) Jessup Twp
 Receiving Stream(s) and Classification(s) UNT to East Branch Wyalusing Creek (CWF)

Special Notices

Minor State Only Operating Permit

Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543, Contact: Edward Wiener, Chief of Source Registration, 215-685-9426.

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

S13-014: The Purolite Company (3620 G Street, Philadelphia, PA 19134) issued on October 14, 2015, for the operation of an ion exchange manufacturing facility in the City of Philadelphia, **Philadelphia County**. The facility's air emissions sources include one 4.2 MMBTUs/hr boiler, two 8.4 MMBTUs/hr boilers, a polymerization process (includes a Carrier Dryer, a Witte Dryer with a baghouse, a Fitzpatrick Dryer, an Aeromatic Dryer, a monomer tank that vents to a carbon adsorption unit, and two reactors with a Perry Products Condenser), a sulfonation process, two 40,000-gal wastewater equalization tanks, a 11,000-gal styrene storage tank, copolymer fugitives, and copolymer wastewater.

Public Meeting and 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 meeting and hearing regarding a draft National Pollution Discharge Elimination System (NPDES) permit (Permit No. PA0275727) to authorize the discharge of treated wastewater to waters of the Commonwealth from a proposed 1,500-megawatt power plant to be constructed on Industrial Drive in Jessup, Lackawanna County, by Lackawanna Energy Center, LLC of 1 South Wacker Drive, Chicago, IL 60606.

The public meeting and hearing will be held on Monday, January 4, 2016, from 6-9 pm at Valley View High

School, 1 Columbus Drive, Archbald, PA 18403. The Department is holding the public meeting and hearing in response to requests from the public concerning discharges to surface waters from the proposed project. The purpose of the meeting will be to answer questions and receive public comment regarding the draft NPDES permit.

The draft NPDES Permit is for a new discharge of cooling tower blowdown, low volume industrial wastewater, chiller effluent, and stormwater into Grassy Island Creek, a designated cold water fishery.

The Department published notice at 45 Pa.B. 6509 (November 7, 2015) and solicited written comment concerning draft effluent concentration 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 questions to no more than two per person and 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 questions and comments stay within the scope of the meeting, particularly questions and comments related to draft NPDES Permit No. PA0275727. 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 1-800-654-5984 (TDD).

Drinking Water State Revolving Fund

Special Notice Under the Federal Safe Drinking Water Act (42 U.S.C.A. §§ 300f, et. seq.)

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

Project Location:

<i>Applicant</i>	<i>Applicant Address</i>	<i>County</i>
Schuylkill County Municipal Authority	221 South Centre Street Pottsville, PA 17901	City of Pottsville, Boroughs of Mount Carbon, Mechanicsville, Palo Alto, St. Clair and Tremont and the Townships of Butler, Blythe, Branch, Cass, East Norwegian, Foster, Frailey, Mahanoy, New Castle, North Manheim, Norwegian, Ryan, Tremont, West Brunswick and West Mahanoy

Schuylkill County

Project Description: The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project, known as the Schuylkill County Municipal Authority (SCMA) Meters and Tanks Upgrade Project (54138051510-CW). SCMA proposes to repaint/rehabilitate their existing Park Basin Tank, Mt. Laurel Tank No. 1 and Sharp Mountain Tank No. 2 located in their Pottsville System and replace approximately 10,022 residential water meters in their Pottsville and Tremont Systems. The Department's review of the project and the information received for the project has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby approves a Categorical Exclusion for the project.

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

Project Location: South Williamsport, Armstrong Township and Loyalsock Township

<i>Applicant</i>	<i>Applicant Address</i>	<i>Twp./County</i>
Muncy Borough Municipal Authority	14 North Washington Street, Muncy, PA 17756	Muncy Creek Township, Lycoming

Project Description: The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. Muncy Borough Municipal Authority (MBMA) proposes to construct a 1.0 MG ground level storage tank to replace the existing 3.2 MGs in-ground reservoir. MBMA proposes to construct a 500,000 gallon elevated storage tank to replace the existing 200,000 gallon Kellogg's elevated storage tank. The project also includes 3,500 l.f. of 12" new DIP waterline from existing water main to the existing reservoir/new tank site. Also, an aging 8" waterline along Muncy Exchange and Glade Run Roads will be inserted with 3" HDPE to decrease water age and improve water quality. The Department's review of the project and the information received in the Environmental Report for the project has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby approves the Environmental Assessment.

Notice of Action of Land Application of Biosolids Pursuant to General Permit PAG-08

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

14128001. WeCare Organics LLC, (9293 Bonta Bridge Road, Jordan, NY 13080). Amendment to a biosolids authorization on a clay mine reclamation project in Burnside and Snow Shoe Townships, **Centre County** affecting 8.3 acres. Receiving stream(s): Sandy Run and Contrary Run classified for the following use(s): CWF and MF. Application received: October 29, 2015.

[Pa.B. Doc. No. 15-2053. Filed for public inspection November 20, 2015, 9:00 a.m.]

Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) web site at <http://www.eLibrary.dep.state.pa.us>. The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final technical guidance documents are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft technical guidance documents.

Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

Changes to Technical Guidance Documents

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

Final TGD: Minor Revision

DEP ID: 262-5800-001. **Title:** Guidance for Commonwealth-Funded Water Supply Response Actions. **Description:** This guidance document describes the procedures to be used by Department personnel in implementing Commonwealth-funded water supply response actions as authorized by the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.101—6020.1305) and the Storage Tank and Spill Prevention Act (35 P. S. §§ 6021.101—6021.2104). The

document has been updated to provide additional clarification of existing content and to delete outdated attachments.

Contact: Questions regarding this technical guidance document should be directed to Noreen Wagner, (717) 787-0886, nwagner@pa.gov.

Effective Date: October 3, 2015

JOHN QUIGLEY,
Secretary

[Pa.B. Doc. No. 15-2054. Filed for public inspection November 20, 2015, 9:00 a.m.]

Bid Opportunity

OSM 37(6255)102.1, Abandoned Mine Reclamation Project, Mount Air South II, Little Beaver Township, Lawrence County. The principal items of work and approximate quantities include grading 440,000 cubic yards, selective grading area, channel and dissipater excavation 952 cubic yards, erosion matting 2,524 square yards and seeding 24.5 acres. This bid issues on November 20, 2015, and bids will be opened on December 17, 2015, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1308) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

JOHN QUIGLEY,
Secretary

[Pa.B. Doc. No. 15-2055. Filed for public inspection November 20, 2015, 9:00 a.m.]

Climate Change Advisory Committee Meeting Cancellation

The Climate Change Advisory Committee (Committee) has cancelled its regular meeting scheduled for December 4, 2015. The Committee meetings will resume in 2016, the first of which will be held on Tuesday, January 12, 2016.

Questions concerning the cancellation of the December 4, 2015, meeting should be directed to Mark Brojakowski, Bureau of Air Quality, Climate Change Section, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 772-3429, mbrojakows@pa.gov.

JOHN QUIGLEY,
Secretary

[Pa.B. Doc. No. 15-2056. Filed for public inspection November 20, 2015, 9:00 a.m.]

DEPARTMENT OF HEALTH

Hospitals; Requests for Exceptions

The following hospital is requesting an exception under 28 Pa. Code § 153.1 (relating to minimum standards). Requests for exceptions under this section relate to minimum standards that hospitals must comply with under the *Guidelines for Design and Construction of Hospitals and Outpatient Facilities (Guidelines)*. The following list includes the citation to the section under the *Guidelines* that the hospital is seeking an exception, as well as the publication year of the applicable *Guidelines*.

Facility Name	Guidelines Section	Relating to	Publication Year
Uniontown Hospital	2.1-2.2.5.3	Renovations	2014

The request previously listed is on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 15-2057. Filed for public inspection November 20, 2015, 9:00 a.m.]

Infant Hearing Screening Program Technical Advisory Committee Meeting

The Infant Hearing Screening Program Technical Advisory Committee, established under the Infant Hearing Education, Assessment, Reporting and Referral (IHEARR) Act (11 P. S. §§ 876-1—876-9), will hold a public meeting on Wednesday, December 9, 2015. This meeting will be held by teleconference from 9 a.m. to 1 p.m. The teleconference call in number is (855) 734-4390 (toll-free) or (717) 612-4788 and the PIN number is 013336. Agenda items will include presentations on cytomegalovirus and hearing impairment and on outreach activities and educational programs for pediatric audiologists and otolaryngologists.

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 Joe Wagner, Public Health Program Manager, or Arthur Florio, Public Health Program Administrators, Division of Newborn Screening and Genetics, (717) 783-8143. Speech and/or hearing impaired persons use V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

This meeting is subject to cancellation without notice.

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 15-2058. Filed for public inspection November 20, 2015, 9:00 a.m.]

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking exceptions to 28 Pa. Code § 201.22(h) and (j) (relating to prevention, control and surveillance of tuberculosis (TB)):

Berks Heim Nursing and Rehabilitation
1011 Berks Road
Leesport, PA 19533
FAC ID # 021202

This request is on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the address or phone number listed previously, or for speech and/or

hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 15-2059. Filed for public inspection November 20, 2015, 9:00 a.m.]

Recognized Lifeguard Certifying Authorities for 2016

The Department of Health (Department) has determined that the following lifeguard certifying authorities meet the requirements in 28 Pa. Code § 18.42 (relating to certified lifeguards) and are recognized by the Department as lifeguard certifying authorities for 2016: The American Red Cross; Jeff Ellis and Associates; Lifeguard-Pro; YMCA; The Boy Scouts of America; Starfish Aquatics Institute; and National Aquatic Safety Company.

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 Health Systems, Room 628, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-4366 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. 15-2060. Filed for public inspection November 20, 2015, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania \$1,000 a Month for Life Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania \$1,000 a Month for Life.

2. *Price:* The price of a Pennsylvania \$1,000 a Month for Life instant lottery game ticket is \$1.

3. *Play Symbols:* Each Pennsylvania \$1,000 a Month for Life instant lottery game ticket will contain one play area. The play area will contain a “WINNING NUMBERS” area and a “YOUR NUMBERS” area. The play symbols and their captions located in the “WINNING NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE) and 10 (TEN). The play symbols and their captions located in the “YOUR NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN) and a LIFE (LIFE) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the “YOUR NUMBERS” area are: FREE

(TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$3⁰⁰ (THR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$100 (ONE HUN), \$750 (SVNHUNFTY) and \$1000MO (\$1000/MO/LF).

5. *Prizes:* The prizes that can be won in this game are: Free \$1 ticket, \$1, \$2, \$3, \$5, \$10, \$20, \$40, \$100, \$750 and \$1,000 a month for life (described in more detail in section 7(a)). A player can win up to 4 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 24,000,000 tickets will be printed for the Pennsylvania \$1,000 a Month for Life instant lottery game.

7. Determination of Prize Winners:

(a) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a LIFE (LIFE) symbol and a prize symbol of \$1000MO (\$1000/MO/LF) appears in the “prize” area under that LIFE (LIFE) symbol, on a single ticket, shall be entitled to the applicable prize as defined below:

(1) *Annuity Option*—if the annuity option is selected, the winner shall be entitled to \$1,000 a month paid over the applicable Measuring Life. A Measuring Life is (i) the natural life of the individual who claims the prize if the individual is 18 years of age or older at the time the prize claim is submitted; or (ii) a fixed term of twenty (20) years if the prize is claimed by: an individual who is less than 18 years old at the time the prize claim is submitted; a person other than an individual; or more than one person for the same winning ticket. If the applicable Measuring Life is the natural life of the individual who claims the prize, the winner will be entitled to \$1,000 a month for their natural life, paid in annual installments of \$12,000, less required federal income tax withholding, with the first twenty (20) payments guaranteed. If the applicable Measuring Life is a fixed term of twenty (20) years, the winner will be entitled to \$1,000 a month for twenty (20) years payable in annual installments of \$12,000, less required federal income tax withholding, with all twenty (20) payments guaranteed. If a winner who selected the annuity option dies before receiving any guaranteed payment(s), the remaining guaranteed payment(s) will be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of prize winner).

(2) *Lump-sum option*—if the lump-sum option is selected, the winner will receive a one-time, lump-sum payment of \$240,000, less required federal income tax withholding.

(b) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$750 (SVNHUNFTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$750.

(c) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$40⁰⁰ (FORTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(e) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20⁰⁰ (TWENTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$3⁰⁰ (THR DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$3.

(i) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$2.

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1⁰⁰ (ONE DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of FREE (TICKET) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of one Pennsylvania \$1,000 a Month for Life instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>When Any Of Your Numbers Match Either Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 24,000,000 Tickets</i>
FREE	FREE \$1 TICKET	9.52	2,520,000
\$1 × 2	\$2	37.50	640,000
\$2	\$2	42.86	560,000
\$1 × 3	\$3	100	240,000
\$2 + \$1	\$3	100	240,000
\$3	\$3	100	240,000
(\$2 × 2) + \$1	\$5	200	120,000
\$3 + \$2	\$5	300	80,000
\$5	\$5	150	160,000
\$5 × 2	\$10	600	40,000
(\$3 × 2) + (\$2 × 2)	\$10	600	40,000
\$10	\$10	300	80,000
\$5 × 4	\$20	750	32,000
\$10 × 2	\$20	1,000	24,000
\$20	\$20	1,000	24,000
\$10 × 4	\$40	1,500	16,000
\$20 × 2	\$40	3,000	8,000
\$40	\$40	1,500	16,000
(\$20 × 3) + \$40	\$100	9,600	2,500
(\$40 × 2) + (\$10 × 2)	\$100	12,000	2,000
\$100	\$100	8,000	3,000
\$750	\$750	369,231	65
LIFE	\$1K/MONTH/LIFE	4,800,000	5

Reveal a “LIFE” (LIFE) symbol, win \$1,000 a month for life!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania \$1,000 a Month for Life instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described

in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single

installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money*: For a period of 1 year from the announced close of Pennsylvania \$1,000 a Month for Life, prize money from winning Pennsylvania \$1,000 a Month for Life instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania \$1,000 a Month for Life instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law*: In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game*: The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania \$1,000 a Month for Life or through normal communications methods.

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 15-2061. Filed for public inspection November 20, 2015, 9:00 a.m.]

Pennsylvania \$1,000 a Week for Life '15 Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name*: The name of the game is Pennsylvania \$1,000 a Week for Life '15.

2. *Price*: The price of a Pennsylvania \$1,000 a Week for Life '15 instant lottery game ticket is \$2.

3. *Play Symbols*: Each Pennsylvania \$1,000 a Week for Life '15 instant lottery game ticket will contain one play area. The play area will contain a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. Additionally, each Pennsylvania \$1,000 a Week for Life '15 instant lottery game ticket will contain two "BONUS" areas. The "BONUS" areas are played separately. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV),

26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRTY). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY) and a LIFE (LIFE) symbol. The play symbols and their captions located in the "BONUS" areas are: Bank (TRY AGAIN) symbol, Stack of Coins (NO BONUS) symbol, Piggy Bank (TRY AGAIN) symbol, Wallet (NO BONUS) symbol, Gold Bar (TRY AGAIN) symbol, Safe (NO BONUS) symbol, and a Cash (WIN20) symbol.

4. *Prize Symbols*: The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$2.⁰⁰ (TWO DOL), \$4.⁰⁰ (FOR DOL), \$5.⁰⁰ (FIV DOL), \$10.⁰⁰ (TEN DOL), \$20.⁰⁰ (TWENTY), \$25.⁰⁰ (TWY FIV), \$40.⁰⁰ (FORTY), \$50.⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$400 (FOR HUN), \$750 (SVNHUNFTY) and \$1000WK (\$1000/WK/LF).

5. *Prizes*: The prizes that can be won in this game are: \$2, \$4, \$5, \$10, \$20, \$25, \$40, \$50, \$100, \$200, \$400, \$750 and \$1,000 a week for life (described in more detail in section 7(a)). A player can win up to 11 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game*: Approximately 21,000,000 tickets will be printed for the Pennsylvania \$1,000 a Week for Life '15 instant lottery game.

7. Determination of Prize Winners:

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a LIFE (LIFE) symbol and a prize symbol of \$1000WK (\$1000/WK/LF) appears in the "prize" area under that LIFE (LIFE) symbol, on a single ticket, shall be entitled to the applicable prize as defined below:

(1) *Annuity Option*—if the annuity option is selected, the winner shall be entitled to \$1,000 a week paid over the applicable Measuring Life. A Measuring Life is (i) the natural life of the individual who claims the prize if the individual is 18 years of age or older at the time the prize claim is submitted; or (ii) a fixed term of twenty (20) years if the prize is claimed by: an individual who is less than 18 years old at the time the prize claim is submitted; a person other than an individual; or more than one person for the same winning ticket. If the applicable Measuring Life is the natural life of the individual who claims the prize, the winner will be entitled to \$1,000 a week for their natural life, paid in annual installments of \$52,000, less required federal income tax withholding, with the first twenty (20) payments guaranteed. If the applicable Measuring Life is a fixed term of twenty (20) years, the winner will be entitled to \$1,000 a week for twenty (20) years payable in annual installments of \$52,000, less required federal income tax withholding, with all twenty (20) payments guaranteed. If a winner who selected the annuity option dies before receiving any guaranteed payment(s), the remaining guaranteed payment(s) will be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of prize winner).

(2) *Lump-sum option*—if the lump-sum option is selected, the winner will receive a one-time, lump-sum payment of \$1,040,000, less required federal income tax withholding.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$750 (SVNHUNFTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$750.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$400 (FOR HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$400.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$40⁰⁰ (FORTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$25⁰⁰ (TWY FIV) appears in the "prize" area under the

matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(j) Holders of tickets with a Cash (WIN20) symbol in either of the "BONUS" areas, on a single ticket, shall be entitled to a prize of \$20.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$4⁰⁰ (FOR DOL) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>When Any Of Your Numbers Match Either Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 21,000,000 Tickets</i>
\$2	\$2	8.57	2,450,000
\$2 × 2	\$4	50	420,000
\$4	\$4	42.86	490,000
\$5	\$5	30	700,000
\$5 × 2	\$10	300	70,000
\$10	\$10	300	70,000
\$2 × 10	\$20	1,500	14,000
\$4 × 5	\$20	1,500	14,000
\$5 × 4	\$20	1,500	14,000
\$10 × 2	\$20	1,500	14,000
\$20 w/ BONUS	\$20	214.29	98,000
\$20	\$20	1,500	14,000
\$4 × 10	\$40	6,000	3,500
\$5 × 8	\$40	6,000	3,500
\$10 × 4	\$40	6,000	3,500
\$20 × 2	\$40	6,000	3,500
(\$20 w/ BONUS) + \$20	\$40	1,600	13,125
(\$20 w/ BONUS) × 2	\$40	1,600	13,125
\$40	\$40	6,000	3,500
\$5 × 10	\$50	3,000	7,000

When Any Of Your Numbers Match Either Winning Number, Win Prize Shown Under The Matching Number. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 21,000,000 Tickets
\$10 × 5	\$50	3,000	7,000
(((\$20 w/ BONUS) × 2) + \$10	\$50	1,500	14,000
\$50	\$50	3,000	7,000
\$10 × 10	\$100	12,000	1,750
\$20 × 5	\$100	12,000	1,750
\$25 × 4	\$100	12,000	1,750
\$50 × 2	\$100	12,000	1,750
(((\$20 w/ BONUS) × 2) + (\$20 × 3)	\$100	4,000	5,250
\$100	\$100	12,000	1,750
\$20 × 10	\$200	120,000	175
\$40 × 5	\$200	120,000	175
\$50 × 4	\$200	120,000	175
\$100 × 2	\$200	120,000	175
(((\$20 w/ BONUS) × 2) + (\$20 × 8)	\$200	120,000	175
(\$20 w/ BONUS) + (\$20 × 9)	\$200	120,000	175
\$200	\$200	120,000	175
\$40 × 10	\$400	120,000	175
\$50 × 8	\$400	120,000	175
\$100 × 4	\$400	120,000	175
(((\$20 w/ BONUS) × 2) + (\$40 × 9)	\$400	120,000	175
\$400	\$400	120,000	175
(\$100 × 7) + \$50	\$750	120,000	175
(\$200 × 3) + \$100 + \$50	\$750	120,000	175
\$750	\$750	120,000	175
LIFE	\$1K/WEEK/LIFE	4,200,000	5

Reveal a "LIFE" (LIFE) symbol, win \$1,000 a week for life!
 BONUS: Reveal a "CASH" (WIN20) symbol in either BONUS, win \$20 instantly!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania \$1,000 a Week for Life '15 instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania \$1,000 a Week for Life '15, prize money from winning Pennsylvania \$1,000 a Week for Life '15 instant lottery game tickets

will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania \$1,000 a Week for Life '15 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania \$1,000 a Week for Life '15 or through normal communications methods.

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 15-2062. Filed for public inspection November 20, 2015, 9:00 a.m.]

Pennsylvania \$100,000 a Year for Life Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania \$100,000 a Year for Life.

2. *Price:* The price of a Pennsylvania \$100,000 a Year for Life instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania \$100,000 a Year for Life instant lottery game ticket will contain one play area. The play area will contain a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. Additionally, each Pennsylvania \$100,000 a Year for Life instant lottery game ticket will contain a "BONUS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN) and 30 (THIRTY). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRTY), Star (STAR) symbol and a LIFE (LIFE) symbol. The play symbols and their captions located in the "BONUS" area are: Bank (TRY AGAIN) symbol, Stack of Coins (NO BONUS) symbol, Piggy Bank (TRY AGAIN) symbol, Wallet (NO BONUS) symbol, Gold Bar (TRY AGAIN) symbol, Safe (NO BONUS) symbol and a Comet (WINALL) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTN), \$20⁰⁰ (TWENTY), \$25⁰⁰ (TWY FIV), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$5,000 (FIV THO) and \$100KYR (\$100K/YR/LF).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$15, \$20, \$25, \$40, \$50, \$100, \$200, \$400, \$500, \$1,000, \$5,000 and \$100,000 a year for life (described in more detail in section 7(a)). A player can win up to 12 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 13,800,000 tickets will be printed for the Pennsylvania \$100,000 a Year for Life instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a LIFE (LIFE) symbol and a prize symbol of \$1000KYR (\$100K/YR/LF) appears in the "prize" area under that LIFE (LIFE) symbol, on a single ticket, shall be entitled to the applicable prize as defined below:

(1) *Annuity Option*—if the annuity option is selected, the winner shall be entitled to \$100,000 a year paid over the applicable Measuring Life. A Measuring Life is (i) the natural life of the individual who claims the prize if the individual is 18 years of age or older at the time the prize claim is submitted; or (ii) a fixed term of twenty (20) years if the prize is claimed by: an individual who is less than 18 years old at the time the prize claim is submitted; a person other than an individual; or more than one person for the same winning ticket. If the applicable

Measuring Life is the natural life of the individual who claims the prize, the winner will be entitled to \$100,000 a year for their natural life, paid in annual installments of \$100,000, less required federal income tax withholding, with the first twenty (20) payments guaranteed. If the applicable Measuring Life is a fixed term of twenty (20) years, the winner will be entitled to \$100,000 a year for twenty (20) years payable in annual installments of \$100,000, less required federal income tax withholding, with all twenty (20) payments guaranteed. If a winner who selected the annuity option dies before receiving any guaranteed payment(s), the remaining guaranteed payment(s) will be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of prize winner).

(2) *Lump-sum option*—if the lump-sum option is selected, the winner will receive a one-time, lump-sum payment of \$2,000,000, less required federal income tax withholding.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$5,000 (FIV THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which a Comet (WINALL) symbol appears in the "BONUS" area, and a prize symbol of \$400 (FOR HUN) appears in two of the "prize" areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Star (STAR) symbol, and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under that Star (STAR) symbol, on a single ticket, shall be entitled to a prize of \$500.

(g) Holders of tickets upon which a Comet (WINALL) symbol appears in the "BONUS" area, and a prize symbol of \$50⁰⁰ (FIFTY) appears in two of the "prize" areas and a prize symbol of \$40⁰⁰ (FORTY) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Star (STAR) symbol, and a prize symbol of \$200 (TWO HUN) appears in the "prize" area under that Star (STAR) symbol, on a single ticket, shall be entitled to a prize of \$200.

(j) Holders of tickets upon which a Comet (WINALL) symbol appears in the "BONUS" area, and a prize symbol

of \$50.⁰⁰ (FIFTY) appears in two of the “prize” areas and a prize symbol of \$10.⁰⁰ (TEN DOL) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$200.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(l) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Star (STAR) symbol, and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that Star (STAR) symbol, on a single ticket, shall be entitled to a prize of \$100.

(m) Holders of tickets upon which a Comet (WINALL) symbol appears in the “BONUS” area, and a prize symbol of \$15.⁰⁰ (FIFTN) appears in four of the “prize” areas and a prize symbol of \$5.⁰⁰ (FIV DOL) appears in eight of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(n) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50.⁰⁰ (FIFTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Star (STAR) symbol, and a prize symbol of \$50.⁰⁰ (FIFTY) appears in the “prize” area under that Star (STAR) symbol, on a single ticket, shall be entitled to a prize of \$50.

(p) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$40.⁰⁰ (FORTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(q) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Star (STAR) symbol, and a prize symbol of \$40.⁰⁰ (FORTY) appears in the “prize” area under that Star (STAR) symbol, on a single ticket, shall be entitled to a prize of \$40.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$25.⁰⁰ (TWY FIV) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$25.

(s) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Star (STAR)

symbol, and a prize symbol of \$25.⁰⁰ (TWY FIV) appears in the “prize” area under that Star (STAR) symbol, on a single ticket, shall be entitled to a prize of \$25.

(t) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20.⁰⁰ (TWENTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(u) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Star (STAR) symbol, and a prize symbol of \$20.⁰⁰ (TWENTY) appears in the “prize” area under that Star (STAR) symbol, on a single ticket, shall be entitled to a prize of \$20.

(v) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$15.⁰⁰ (FIFTN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$15.

(w) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Star (STAR) symbol, and a prize symbol of \$15.⁰⁰ (FIFTN) appears in the “prize” area under that Star (STAR) symbol, on a single ticket, shall be entitled to a prize of \$15.

(x) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10.⁰⁰ (TEN DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(y) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Star (STAR) symbol, and a prize symbol of \$10.⁰⁰ (TEN DOL) appears in the “prize” area under that Star (STAR) symbol, on a single ticket, shall be entitled to a prize of \$10.

(z) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5.⁰⁰ (FIV DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(aa) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Star (STAR) symbol, and a prize symbol of \$5.⁰⁰ (FIV DOL) appears in the “prize” area under that Star (STAR) symbol, on a single ticket, shall be entitled to a prize of \$5.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 13,800,000 Tickets</i>
\$5 w/ STAR	\$5	17.14	805,000
\$5	\$5	20	690,000
\$5 × 2	\$10	60	230,000
\$10 w/ STAR	\$10	60	230,000
\$10	\$10	60	230,000
\$5 × 3	\$15	300	46,000
\$10 + \$5	\$15	300	46,000

When Any Of Your Numbers
Match Any Winning Number,
Win Prize Shown Under The
Matching Number. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 13,800,000 Tickets
\$15 w/ STAR	\$15	200	69,000
\$15	\$15	200	69,000
\$5 × 4	\$20	300	46,000
\$10 × 2	\$20	300	46,000
\$15 + \$5	\$20	300	46,000
\$20 w/ STAR	\$20	300	46,000
\$20	\$20	300	46,000
\$5 × 5	\$25	600	23,000
\$20 + \$5	\$25	600	23,000
\$15 + \$10	\$25	600	23,000
\$25 w/ STAR	\$25	600	23,000
\$25	\$25	600	23,000
\$5 × 8	\$40	600	23,000
\$10 × 4	\$40	600	23,000
\$20 × 2	\$40	600	23,000
\$40 w/ STAR	\$40	600	23,000
\$40	\$40	600	23,000
\$5 × 10	\$50	600	23,000
\$50 w/ STAR	\$50	600	23,000
\$50	\$50	600	23,000
COMET w/ ((\$15 × 4) + (\$5 × 8))	\$100	1,200	11,500
\$10 × 10	\$100	2,400	5,750
\$20 × 5	\$100	2,400	5,750
\$25 × 4	\$100	2,400	5,750
\$50 × 2	\$100	2,400	5,750
\$100 w/ STAR	\$100	2,400	5,750
\$100	\$100	2,400	5,750
COMET w/ ((\$50 × 2) + (\$10 × 10))	\$200	12,000	1,150
\$20 × 10	\$200	24,000	575
\$40 × 5	\$200	24,000	575
\$50 × 4	\$200	24,000	575
\$100 × 2	\$200	24,000	575
\$200 w/ STAR	\$200	24,000	575
\$200	\$200	24,000	575
COMET w/ ((\$50 × 2) + (\$40 × 10))	\$500	120,000	115
\$50 × 10	\$500	120,000	115
\$100 × 5	\$500	120,000	115
\$500 w/ STAR	\$500	120,000	115
\$500	\$500	120,000	115
COMET w/ ((\$400 × 2) + (\$20 × 10))	\$1,000	690,000	20
\$500 × 2	\$1,000	1,380,000	10
\$1,000	\$1,000	1,380,000	10
\$5,000	\$5,000	1,380,000	10
LIFE	\$100K/YEAR/LIFE	2,760,000	5

Reveal a "STAR" (STAR) symbol, win prize shown under that symbol automatically.

Reveal a "LIFE" (LIFE) symbol, win \$100,000 a year for life!

BONUS: Reveal a "COMET" (WINALL) symbol, win all prizes shown in the play area below.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania \$100,000 a Year for Life instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a

winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania \$100,000 a Year for Life, prize money from winning Pennsylvania \$100,000 a Year for Life instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania \$100,000 a Year for Life instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania \$100,000 a Year for Life or through normal communications methods.

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 15-2063. Filed for public inspection November 20, 2015, 9:00 a.m.]

Pennsylvania Lucky You Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Lucky You.

2. *Price:* The price of a Pennsylvania Lucky You instant lottery game ticket is \$10.

3. *Play Symbols:* Each Pennsylvania Lucky You instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area, a “YOUR NUMBERS” area, and a “FAST CASH BONUS” area. The “FAST CASH BONUS” area is played separately. The play symbols and their captions located in the “WINNING NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY). The play symbols and their captions located in the “YOUR NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR),

35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), Horseshoe (SHOE) symbol, and a Stack of Coins (COINS) symbol. The play symbols and their captions located in the “FAST CASH BONUS” area are: Chest (CHEST) symbol, Clover (CLOVER) symbol, Gold Bar (BAR) symbol, Key (KEY) symbol, Safe (SAFE) symbol, Wallet (WALLET) symbol, Wishbone (WSHBN) symbol and LUCKY (LUCKY) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the “YOUR NUMBERS” area are: \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTN), \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$150 (ONEHUNFTY), \$200 (TWO HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$50,000 (FTY THO) and \$300,000 (THRHUNTHO). The prize symbols and their captions in the “FAST CASH BONUS” area are: \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTN), \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$150 (ONEHUNFTY), \$200 (TWO HUN), \$400 (FOR HUN), \$500 (FIV HUN) and \$1,000 (ONE THO).

5. *Prizes:* The prizes that can be won in this game are: \$10, \$15, \$20, \$40, \$50, \$100, \$150, \$200, \$400, \$500, \$1,000, \$50,000 and \$300,000. The prizes that can be won in the “FAST CASH BONUS” area are: \$10, \$15, \$20, \$40, \$50, \$100, \$150, \$200, \$400, \$500 and \$1,000. A player can win up to 15 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 7,200,000 tickets will be printed for the Pennsylvania Lucky You instant lottery game.

7. Determination of Prize Winners:

(a) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$300,000 (THRHUNTHO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$300,000.

(b) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50,000 (FTY THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(c) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Horseshoe (SHOE) symbol, and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under the Horseshoe (SHOE) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets with a LUCKY (LUCKY) symbol in the “FAST CASH BONUS” area, and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area to the right of that LUCKY (LUCKY) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Stack of Coins (COINS) symbol, and a prize symbol of \$100 (ONE HUN) appears in five of the “prize” areas and a prize symbol of \$50⁰⁰ (FIFTY) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$500.

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Horseshoe (SHOE) symbol, and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under the Horseshoe (SHOE) symbol, on a single ticket, shall be entitled to a prize of \$500.

(i) Holders of tickets with a LUCKY (LUCKY) symbol in the “FAST CASH BONUS” area, and a prize symbol of \$500 (FIV HUN) appears in the “prize” area to the right of that LUCKY (LUCKY) symbol, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Stack of Coins (COINS) symbol, and a prize symbol of \$40⁰⁰ (FORTY) appears in ten of the “prize” areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in five of the “prize” areas, on a single ticket, shall be entitled to a prize of \$500.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$400 (FOR HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$400.

(l) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Horseshoe (SHOE) symbol, and a prize symbol of \$400 (FOR HUN) appears in the “prize” area under the Horseshoe (SHOE) symbol, on a single ticket, shall be entitled to a prize of \$400.

(m) Holders of tickets with a LUCKY (LUCKY) symbol in the “FAST CASH BONUS” area, and a prize symbol of \$400 (FOR HUN) appears in the “prize” area to the right of that LUCKY (LUCKY) symbol, on a single ticket, shall be entitled to a prize of \$400.

(n) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Stack of Coins (COINS) symbol, and a prize symbol of \$40⁰⁰ (FORTY) appears in five of the “prize” areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$400.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$200.

(p) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Horseshoe (SHOE) symbol, and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under the Horseshoe (SHOE) symbol, on a single ticket, shall be entitled to a prize of \$200.

(q) Holders of tickets with a LUCKY (LUCKY) symbol in the “FAST CASH BONUS” area, and a prize symbol of \$200 (TWO HUN) appears in the “prize” area to the right of that LUCKY (LUCKY) symbol, on a single ticket, shall be entitled to a prize of \$200.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Stack of Coins (COINS) symbol, and a prize symbol of \$20⁰⁰ (TWENTY) appears in five of the “prize” areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$200.

(s) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$150 (ONEHUNFTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$150.

(t) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Horseshoe (SHOE) symbol, and a prize symbol of \$150 (ONEHUNFTY) appears in the “prize” area under the Horseshoe (SHOE) symbol, on a single ticket, shall be entitled to a prize of \$150.

(u) Holders of tickets with a LUCKY (LUCKY) symbol in the “FAST CASH BONUS” area, and a prize symbol of \$150 (ONEHUNFTY) appears in the “prize” area to the right of that LUCKY (LUCKY) symbol, on a single ticket, shall be entitled to a prize of \$150.

(v) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Stack of Coins (COINS) symbol, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in all fifteen of the “prize” areas, on a single ticket, shall be entitled to a prize of \$150.

(w) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(x) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Horseshoe (SHOE) symbol, and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under the Horseshoe (SHOE) symbol, on a single ticket, shall be entitled to a prize of \$100.

(y) Holders of tickets with a LUCKY (LUCKY) symbol in the “FAST CASH BONUS” area, and a prize symbol of \$100 (ONE HUN) appears in the “prize” area to the right of that LUCKY (LUCKY) symbol, on a single ticket, shall be entitled to a prize of \$100.

(z) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(aa) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Horseshoe (SHOE) symbol, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “prize” area under the Horseshoe (SHOE) symbol, on a single ticket, shall be entitled to a prize of \$50.

(bb) Holders of tickets with a LUCKY (LUCKY) symbol in the “FAST CASH BONUS” area, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “prize” area to the right of that LUCKY (LUCKY) symbol, on a single ticket, shall be entitled to a prize of \$50.

(cc) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$40.00 (FORTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(dd) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Horseshoe (SHOE) symbol, and a prize symbol of \$40.00 (FORTY) appears in the “prize” area under the Horseshoe (SHOE) symbol, on a single ticket, shall be entitled to a prize of \$40.

(ee) Holders of tickets with a LUCKY (LUCKY) symbol in the “FAST CASH BONUS” area, and a prize symbol of \$40.00 (FORTY) appears in the “prize” area to the right of that LUCKY (LUCKY) symbol, on a single ticket, shall be entitled to a prize of \$40.

(ff) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20.00 (TWENTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(gg) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Horseshoe (SHOE) symbol, and a prize symbol of \$20.00 (TWENTY) appears in the “prize” area under the Horseshoe (SHOE) symbol, on a single ticket, shall be entitled to a prize of \$20.

(hh) Holders of tickets with a LUCKY (LUCKY) symbol in the “FAST CASH BONUS” area, and a prize symbol of \$20.00 (TWENTY) appears in the “prize” area to the right of that LUCKY (LUCKY) symbol, on a single ticket, shall be entitled to a prize of \$20.

(ii) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the

“WINNING NUMBERS” play symbols and a prize symbol of \$15.00 (FIFTN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$15.

(jj) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Horseshoe (SHOE) symbol, and a prize symbol of \$15.00 (FIFTN) appears in the “prize” area under the Horseshoe (SHOE) symbol, on a single ticket, shall be entitled to a prize of \$15.

(kk) Holders of tickets with a LUCKY (LUCKY) symbol in the “FAST CASH BONUS” area, and a prize symbol of \$15.00 (FIFTN) appears in the “prize” area to the right of that LUCKY (LUCKY) symbol, on a single ticket, shall be entitled to a prize of \$15.

(ll) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10.00 (TEN DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(mm) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Horseshoe (SHOE) symbol, and a prize symbol of \$10.00 (TEN DOL) appears in the “prize” area under the Horseshoe (SHOE) symbol, on a single ticket, shall be entitled to a prize of \$10.

(nn) Holders of tickets with a LUCKY (LUCKY) symbol in the “FAST CASH BONUS” area, and a prize symbol of \$10.00 (TEN DOL) appears in the “prize” area to the right of that LUCKY (LUCKY) symbol, on a single ticket, shall be entitled to a prize of \$10.

9. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 7,200,000 Tickets:</i>
\$10 w/ HORSESHOE	\$10	12	600,000
\$10	\$10	15	480,000
\$15 w/ FAST CASH BONUS	\$15	30	240,000
\$15 w/ HORSESHOE	\$15	60	120,000
\$15	\$15	60	120,000
\$10 × 2	\$20	120	60,000
(\$10 w/ HORSESHOE) + (\$10 w/ FAST CASH BONUS)	\$20	40	180,000
\$20 w/ FAST CASH BONUS	\$20	120	60,000
\$20 w/ HORSESHOE	\$20	300	24,000
\$20	\$20	200	36,000
\$10 × 4	\$40	300	24,000
\$20 × 2	\$40	300	24,000
(\$20 w/ HORSESHOE) + (\$20 w/ FAST CASH BONUS)	\$40	200	36,000
\$40 w/ FAST CASH BONUS	\$40	600	12,000
\$40 w/ HORSESHOE	\$40	600	12,000
\$40	\$40	600	12,000
\$10 × 5	\$50	600	12,000
(\$10 w/ FAST CASH BONUS) + (\$10 × 4)	\$50	300	24,000
(((\$10 w/ HORSESHOE) × 2) + (\$15 × 2))	\$50	300	24,000
\$50 w/ FAST CASH BONUS	\$50	300	24,000
\$50 w/ HORSESHOE	\$50	300	24,000
\$50	\$50	600	12,000
\$10 × 10	\$100	600	12,000

When Any Of Your Numbers
Match Any Winning Number,
Win Prize Shown Under The
Matching Number. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 7,200,000 Tickets:
\$50 × 2	\$100	600	12,000
\$100 w/ FAST CASH BONUS	\$100	600	12,000
\$100 w/ HORSESHOE	\$100	600	12,000
\$100	\$100	600	12,000
STACK OF COINS w/ (\$10 × 15)	\$150	800	9,000
\$15 × 10	\$150	12,000	600
\$50 × 3	\$150	12,000	600
\$150 w/ FAST CASH BONUS	\$150	12,000	600
\$150 w/ HORSESHOE	\$150	12,000	600
\$150	\$150	12,000	600
STACK OF COINS w/ ((\$20 × 5) + (\$10 × 10))	\$200	1,714	4,200
\$20 × 10	\$200	24,000	300
\$50 × 4	\$200	24,000	300
(\$100 w/ HORSESHOE) + (\$100 w/ FAST CASH BONUS)	\$200	24,000	300
\$200 w/ FAST CASH BONUS	\$200	24,000	300
\$200 w/ HORSESHOE	\$200	24,000	300
\$200	\$200	24,000	300
STACK OF COINS w/ ((\$40 × 5) + (\$20 × 10))	\$400	24,000	300
\$40 × 10	\$400	24,000	300
(\$200 w/ HORSESHOE) + (\$200 w/ FAST CASH BONUS)	\$400	24,000	300
\$400 w/ FAST CASH BONUS	\$400	24,000	300
\$400 w/ HORSESHOE	\$400	24,000	300
\$400	\$400	24,000	300
STACK OF COINS w/ ((\$40 × 10) + (\$20 × 5))	\$500	24,000	300
\$50 × 10	\$500	24,000	300
(\$100 w/ HORSESHOE) + (\$100 × 4)	\$500	24,000	300
(((\$150 w/ HORSESHOE) × 2) + (\$200 w/ FAST CASH BONUS))	\$500	24,000	300
\$500 w/ FAST CASH BONUS	\$500	24,000	300
\$500 w/ HORSESHOE	\$500	24,000	300
\$500	\$500	24,000	300
STACK OF COINS w/ ((\$100 × 5) + (\$50 × 10))	\$1,000	24,000	300
\$100 × 10	\$1,000	24,000	300
\$500 × 2	\$1,000	24,000	300
(\$500 w/ HORSESHOE) + (\$500 w/ FAST CASH BONUS)	\$1,000	24,000	300
\$1,000 w/ FAST CASH BONUS	\$1,000	24,000	300
\$1,000 w/ HORSESHOE	\$1,000	24,000	300
\$1,000	\$1,000	24,000	300
\$50,000	\$50,000	480,000	15
\$300,000	\$300,000	720,000	10

Reveal a "HORSESHOE" (SHOE) symbol, win prize shown under that symbol automatically.

Reveal a "STACK OF COINS" (COINS) symbol, win all 15 prizes shown!

FAST CASH BONUS: Reveal a "LUCKY" (LUCKY) symbol, win prize shown to right of that symbol. FAST CASH BONUS is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

11. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Lucky You instant lottery game tickets.

12. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described

in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single

installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Lucky You, prize money from winning Pennsylvania Lucky You instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Lucky You instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

14. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

15. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Lucky You or through normal communications methods.

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 15-2064. Filed for public inspection November 20, 2015, 9:00 a.m.]

DEPARTMENT OF STATE

Corporation Bureau Advisory Committee Meeting

The Corporation Bureau Advisory Committee, under 15 Pa.C.S. § 155(c) (relating to disposition of funds), has scheduled a meeting for Thursday, December 3, 2015, at 11 a.m. for discussion of the Bureau of Corporations and Charitable Organizations' budget. The meeting will be held in Room 303/304, Executive Office Conference Room, Department of State, North Office Building, 3rd Floor, Harrisburg, PA 17120. The public is invited to attend. Persons who need accommodation due to a disability and wish to attend the meeting should contact Barbara Kennedy at (717) 783-9210 so that arrangements can be made.

PEDRO A. CORTÉS,
Secretary

[Pa.B. Doc. No. 15-2065. Filed for public inspection November 20, 2015, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Public-Private Partnerships Board Meeting

The Public-Private Partnerships Board will hold a meeting on November 24, 2015, from 1 p.m. to 3 p.m. in PUC Hearing Room 1, Keystone Building, Harrisburg, PA. For more information contact Kathryn Tartaglia, (717) 214-7222, katartagli@pa.gov.

LESLIE S. RICHARDS,
Secretary

[Pa.B. Doc. No. 15-2066. Filed for public inspection November 20, 2015, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the 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>
7-493	Environmental Quality Board Security Rule for Radioactive Material	11/6/15	12/10/15
<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Resubmitted</i>	<i>Public Meeting</i>
57-297	Pennsylvania Public Utility Commission Recovery of Fuel Costs by Gas Utilities	11/9/15	12/10/15

JOHN F. MIZNER, Esq.,
Chairperson

[Pa.B. Doc. No. 15-2067. Filed for public inspection November 20, 2015, 9:00 a.m.]

INSURANCE DEPARTMENT

Ability Insurance Company; Rate Increase Filing for Several LTC Forms (SERFF No. MDTP-130311817)

Ability Insurance Company is requesting approval to increase the premium on 15 policyholders with the following individual LTC policy form numbers: 3358, LT691, LT692, LT694, LT695 and LT201. The company is requesting a 10% increase on policies with a lifetime benefit period but no increase on policies with nonlifetime benefit periods. The business was originally written by Medico Insurance Company and Mutual Protective Insurance Company.

Unless formal administrative action is taken prior to February 4, 2016, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov. To view these filing notices, hover the cursor over "Consumers" in the blue bar at the top of the webpage then select "Product Notices" from the drop down menu.

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 15-2068. Filed for public inspection November 20, 2015, 9:00 a.m.]

Alleged Violation of Insurance Laws; Aisah Johnson; Doc. No. SC15-11-001

Notice is hereby given of the Order to Show Cause issued on June 10, 2015, by the Deputy Insurance Commissioner in the previously-referenced matter. Violation of the following is alleged: sections 611-A(2), (4), (5), (7), (8), (17), (18) and (20), 612-A(a) and 678-A(a) of The Insurance Department Act of 1921 (40 P. S. §§ 310.11(2), (4), (5), (7), (8), (17), (18) and (20), 310.12(a) and 310.78(a) and 31 Pa. Code § 67a.2(c), (g) and (h) (relating to consumer protections).

Respondent shall file a written answer to the Order to Show Cause within 20 days of the date of issue. If the respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed in writing with the Hearings

Administrator, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102.

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 Fleischauer, Agency ADA Coordinator at (717) 705-4194.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 15-2069. Filed for public inspection November 20, 2015, 9:00 a.m.]

Alleged Violation of Insurance Laws; Cassandra L. Ott; Doc. No. SC15-11-002

Notice is hereby given of the Order to Show Cause issued on June 10, 2015, by the Deputy Insurance Commissioner in the previously-referenced matter. Violation of the following is alleged: sections 611-A(2), (5), (6), (8) and (20), 612-A(a) and 678-A(a) of The Insurance Department Act of 1921 (40 P. S. §§ 310.11(2), (5), (6), (8) and (20), 310.12(a) and 310.78(a)).

Respondent shall file a written answer to the Order to Show Cause within 20 days of the date of issue. If the respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed in writing with the Hearings Administrator, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102.

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 Fleischauer, Agency ADA Coordinator at (717) 705-4194.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 15-2070. Filed for public inspection November 20, 2015, 9:00 a.m.]

Application for Approval to Acquire Control of School Boards Insurance Company of Pennsylvania, Inc.

Church Mutual Insurance Company, a mutual casualty insurance company organized under the laws of the State of Wisconsin, has filed an application to acquire control of School Boards Insurance Company of Pennsylvania, Inc. The filing was received on October 30, 2015, and was made under the requirements of Article XIV of The Insurance Company Law of 1921 (40 P. S. §§ 991.1401—991.1413).

Persons wishing to comment on this acquisition are invited to submit a written statement to the Insurance Department (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. 15-2071. Filed for public inspection November 20, 2015, 9:00 a.m.]

Application and Request for Approval of Medical Professional Liability Reciprocals Exchange-to-Stock Conversions

Professional Casualty Association (PCA) and Physicians' Insurance Program Exchange (PIPE), Pennsylvania domiciled reciprocal and inter-insurance exchanges, have filed an application for the conversion of each PCA and PIPE to stock form under 40 Pa.C.S. §§ 3501—3517 (relating medical professional liability reciprocal exchange-to-stock conversion). The PCA Plan of Conversion and PIPE Plan of Conversion are noted by the applicants to be "interdependent" and involve a series of transactions to include the merger of the converted PIPE into the converted PCA and the formation of a stock holding company. The application was received on September 30, 2015.

The filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov. After first scheduling an appointment at (717) 787-0877, consumers may also view the application and supplemental documents at the Department's Harrisburg office.

Persons wishing to comment on the grounds of public or private interest are invited to submit a written statement to the Department. 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 applicants for appropriate response. The public comment period will remain open for an indefinite period of time to afford persons ample opportunity to provide written comments on the filing to the Department. A subsequent

announcement will appear in the *Pennsylvania Bulletin* to provide notice of closing of the public comment period.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 15-2072. Filed for public inspection November 20, 2015, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insured has requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) (Act 68) in connection with the termination of the insured's automobile insurance policy. The hearing will be held in accordance with the requirements of Act 68; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's regional office in Harrisburg, PA. Failure by an 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 Jessie Stanley; file no. 15-119-189047; Allstate Indemnity Company; Doc. No. P15-11-003; December 16, 2015, 9:30 a.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence. 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. 15-2073. Filed for public inspection November 20, 2015, 9:00 a.m.]

LEGISLATIVE REFERENCE BUREAU

Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

Executive Board

Resolution No. CB-15-012, Dated October 15, 2015. Authorizes the Memorandum of Understanding between the Commonwealth and the Independent State Store Union, Liquor Store Manager Unit. The MOU provides for the establishment of rates of pay, hours of work, and other conditions of employment for the period July 1, 2015, through June 30, 2016.

Resolution No. CB-15-013, Dated October 29, 2015. Authorizes the Collective Bargaining Agreement between the Commonwealth of Pennsylvania and the United Food and Commercial Workers (UFCW) Union, Pennsylvania State Store Organizing Committee. The Collective Bargaining Agreement provides for the establishment of rates of pay, hours of work, and other conditions of employment for the period July 1, 2015 through June 30, 2016.

Resolution No. CB-15-014, Dated October 29, 2015. Authorizes the Collective Bargaining Agreement between the Commonwealth of Pennsylvania and the Service Employees International Union, Healthcare Pennsylvania, CTW, CLC. The Collective Bargaining Agreement provides for the establishment of rates of pay, hours of work, and other conditions of employment for the period July 1, 2015 through June 30, 2016.

Resolution No. CB-15-015, Dated October 29, 2015. Authorizes the Collective Bargaining Agreement between the Commonwealth and the Correctional Institution Vocational Education Association (CIVEA), Pennsylvania State Education Association, National Education Association. The Collective Bargaining Agreement provides for the establishment of rates of pay, hours of work, and other conditions of employment for the period July 1, 2015 through June 30, 2016.

Resolution No. CB-15-016, Dated October 29, 2015. Authorizes the Memorandum of Understanding between the Commonwealth of Pennsylvania and the OPEIU Healthcare Pennsylvania, Local 112. The Memorandum of Understanding provides for the establishment of rates of pay, hours of work, and other conditions of employment for the period July 1, 2015 through June 30, 2016.

Governor's Office

Administrative Circular No. 15-12—Holidays—2016, Dated October 5, 2015.

LAURA CAMPBELL,
Director
Pennsylvania Code and Bulletin

[Pa.B. Doc. No. 15-2074. Filed for public inspection November 20, 2015, 9:00 a.m.]

MILK MARKETING BOARD

Hearing and Presubmission Schedule; Milk Marketing Area No. 2

Under the provisions of the Milk Marketing Law (31 P. S. §§ 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Area No. 2 on January 6, 2016, at 10 a.m. in Room 202, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning cost replacement in Milk Marketing Area No. 2. Evidence will be limited to the following: annualized processing, packaging and delivery costs; updated costs for containers, ingredients and Class II products; updated labor, utility and insurance costs based on comparisons between costs per point for the first halves of calendar years 2014 and 2015; skim and butterfat contents of products regulated by the Board; adjustment for shrinkage, sales of bulk products and cream processing costs; monthly adjustments to in-store handling costs; and a reasonable rate of return to milk dealers and stores. In accordance with OGO A-937, evidence and testimony will be considered regarding the heating fuel adjuster in Milk Marketing Area No. 2. In accordance with OGO A-939, evidence and testimony will be considered regarding the diesel fuel cost adjuster in Milk Marketing Area No. 2.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Other persons who wish to present evidence may be included on the Board's list of parties by: (1) having their attorney file with the Board on or before 3 p.m. on December 3, 2015, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance); or (2) if unrepresented by counsel, filing with the Board on or before 4 p.m. on December 3, 2015, notification of their desire to be included as a party. Parties should indicate in their notices of appearance if alternate means of service, that is, e-mail or fax, are acceptable. Notices of appearance filed electronically should be directed to deberly@pa.gov.

The parties shall observe the following requirements for advance filing of witness information and exhibits:

1. By 2 p.m. on December 9, 2015, Board staff shall file with the Board, in person or by mail, one original and five single-sided copies and ensure receipt by all other parties of one copy of:

a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise. For expert witnesses there shall also be filed a statement of the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 2 p.m. on December 23, 2015, each responding party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

3. By 2 p.m. on December 30, 2015, each party shall file and serve as set forth in paragraph 1 information concerning surrebuttal witnesses and copies of surrebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents or records in other proceedings before the Board, or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Regardless whether these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 1 p.m. on December 28, 2015.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

TIM MOYER,
Secretary

[Pa.B. Doc. No. 15-2075. Filed for public inspection November 20, 2015, 9:00 a.m.]

Hearing and Presubmission Schedule; Milk Marketing Area No. 3

Under the provisions of the Milk Marketing Law (31 P. S. §§ 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Area No. 3 on January 6, 2016, at 10:30 a.m. in Room 202, Department of Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning cost replacement in Milk Marketing Area No. 3. Evidence will be limited to the following: annualized processing, packaging and delivery costs; updated costs for containers, ingredients and Class II products; updated labor, utility and insurance costs based on comparisons between costs per point for the first halves of calendar years 2014 and 2015; skim and butterfat contents of products regulated by the Board; adjustment for shrinkage, sales of bulk products and cream processing costs; monthly adjustments to in-store handling costs; and a reasonable rate of return to milk dealers and stores. In accordance with OGO A-937, evidence and testimony will be considered regarding the heating fuel adjuster in Milk Marketing Area No. 3. In accordance with OGO A-939, evidence and testimony will be considered regarding the diesel fuel cost adjuster in Milk Marketing Area No. 3.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Other persons who wish to present evidence may be included on the Board's list of parties by: (1) having their attorney file with the Board on or before 3 p.m. on December 3, 2015, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance); or (2) if unrepresented by counsel, filing with the Board on or before 4 p.m. on December 3, 2015, notification of their desire to be included as a party. Parties should indicate in their notices of appearance if alternate

means of service, that is, e-mail or fax, are acceptable. Notices of appearance filed electronically should be directed to deberly@pa.gov.

The parties shall observe the following requirements for advance filing of witness information and exhibits:

1. By 2 p.m. on December 9, 2015, Board staff shall file with the Board, in person or by mail, one original and five single-sided copies and ensure receipt by all other parties of one copy of:

a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise. For expert witnesses there shall also be filed a statement of the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 2 p.m. on December 23, 2015, each responding party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

3. By 2 p.m. on December 30, 2015, each party shall file and serve as set forth in paragraph 1 information concerning surrebuttal witnesses and copies of surrebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents or records in other proceedings before the Board, or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Regardless whether these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 1 p.m. on December 28, 2015.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

TIM MOYER,
Secretary

[Pa.B. Doc. No. 15-2076. Filed for public inspection November 20, 2015, 9:00 a.m.]

Hearing and Presubmission Schedule; Milk Marketing Area No. 4

Under the provisions of the Milk Marketing Law (31 P. S. §§ 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Area No. 4 on January 6, 2016, at 11 a.m. in Room 202, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning cost replacement in Milk Marketing Area No. 4. Evidence will be limited to the following: annualized processing, packaging and delivery costs; updated costs for containers, ingredients and Class II products; updated labor, utility and insurance costs based on comparisons between costs per point for the first

halves of calendar years 2014 and 2015; skim and butterfat contents of products regulated by the Board; adjustment for shrinkage, sales of bulk products and cream processing costs; monthly adjustments to in-store handling costs; and a reasonable rate of return to milk dealers and stores. In accordance with OGO A-937, evidence and testimony will be considered regarding the heating fuel adjuster in Milk Marketing Area No. 4. In accordance with OGO A-939, evidence and testimony will be considered regarding the diesel fuel cost adjuster in Milk Marketing Area No. 4.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Other persons who wish to present evidence may be included on the Board's list of parties by: (1) having their attorney file with the Board on or before 3 p.m. on December 3, 2015, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance); or (2) if unrepresented by counsel, filing with the Board on or before 3 p.m. on December 3, 2015, notification of their desire to be included as a party. Parties should indicate in their notices of appearance if alternate means of service, that is, e-mail or fax, are acceptable. Notices of appearance filed electronically should be directed to deberly@pa.gov.

The parties shall observe the following requirements for advance filing of witness information and exhibits:

1. By 2 p.m. on December 9, 2015, Board staff shall file with the Board, in person or by mail, one original and four single-sided copies and ensure receipt by all other parties of one copy of:

a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise. For expert witnesses there shall also be filed a statement of the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 2 p.m. on December 23, 2015, each responding party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

3. By 2 p.m. on December 30, 2015, each party shall file and serve as set forth in paragraph 1 information concerning surrebuttal witnesses and copies of surrebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents or records in other proceedings before the Board, or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least twenty copies shall be available for distribution to nonparties attending the hearing.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 1 p.m. on December 28, 2015.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

TIM MOYER,
Secretary

[Pa.B. Doc. No. 15-2077. Filed for public inspection November 20, 2015, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Acquisition by Purchase

A-2015-2512533. The Peoples Natural Gas Company, LLC. Application of The Peoples Natural Gas Company, LLC for approval of the acquisition by purchase from Guardian Industries Corporation of certain pipeline facilities located in Allegheny County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before December 7, 2015. 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: The Peoples Natural Gas Company, LLC

Through and By Counsel: William H. Roberts, II, Senior Counsel, The Peoples Natural Gas Company, LLC, 225 North Shore Drive, Pittsburgh, PA 15212

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 15-2078. Filed for public inspection November 20, 2015, 9:00 a.m.]

Implementation of Act 11 of 2012

Public Meeting held
November 5, 2015

Commissioners Present: Gladys M. Brown, Chairperson; John F. Coleman, Jr., Vice Chairperson; Pamela A. Witmer; Robert F. Powelson; Andrew G. Place

Implementation of Act 11 of 2012; M-2012-2293611

Tentative Supplemental Implementation Order

By the Commission:

On February 14, 2012, Governor Corbett signed into law Act 11 of 2012 (Act 11), which, inter alia, amended Chapter 13 of the Pennsylvania Public Utility (Code) by incorporating a new Subchapter B, Sections 1350 through 1360 of the Code, which deals with distribution (and collection) systems and allows specified utility types designated therein to petition the Commission to implement an additional rate mechanism, known as a distribution system improvement charge (DSIC) to recover the

costs related to the repair, replacement or improvement of eligible distribution property. See 66 Pa.C.S. §§ 1350—1360.

By Order entered August 2, 2012, the Commission issued a Final Implementation Order in the proceeding in Implementation of Act 11 of 2012, Docket Number M-2012-2293611 (August 2nd Final Implementation Order), which established the procedures and guidelines necessary for those utilities seeking to implement a DSIC mechanism. Since the passage of Act 11 and the issuance of the August 2nd Final Implementation Order, the Commission has granted the petitions to implement a DSIC mechanism for ten jurisdictional utilities. However, various discrete issues regarding the implementation of the DSIC surcharge mechanism that were not fully addressed in our August 2nd Final Implementation Order have arisen. Accordingly, via this tentative order, the Commission solicits comments so as to take further steps to adopt procedures regarding additional implementation issues that have developed over time.

Background

On February 14, 2012, Governor Corbett signed into law Act 11 of 2012 (Act 11), which, inter alia, amended Chapter 13 of the Pennsylvania Public Utility (Code) so as to allow water and wastewater utilities, electric distribution companies (EDCs), and natural gas distribution companies (NGDCs) or a city natural gas distribution operation to implement a DSIC surcharge mechanism which would allow them to offset the additional depreciation and to recover the prudent capital costs associated with certain non-revenue producing, non-expense reducing capital expenditures related to the repair, replacement or improvement of eligible distribution property.

On May 11, 2012, the Commission in Implementation of Act 11 of 2012 entered a Tentative Implementation Order (May 11th Tentative Implementation Order) at Docket Number M-2012-2293611, soliciting comments on proposed procedures and guidelines necessary to implement Act 11, including a DSIC process for investor-owned energy utilities, city natural gas distribution operations, and wastewater utilities and to facilitate a transition from the Section 1307(g) water DSIC procedures to Act 11 DSIC procedures. After reviewing the comments filed in response to the May 11th Tentative Implementation Order, the Commission issued the August 2nd Final Implementation Order at the above-referenced docket, which established the procedures and guidelines necessary to implement Act 11 and included a Model Tariff for DSIC filings.

Subsequently, to date, the Commission has approved petitions to implement a DSIC surcharge mechanism for ten jurisdictional utilities, consisting of one EDC, six NGDCs, one city natural gas distribution operation, and two wastewater companies.¹ However, since those utilities have initiated their DSIC mechanisms, various implementation issues that were not specifically addressed in our August 2nd Final Implementation Order have arisen. Per this Order, the Commission is soliciting comments on the manner it should resolve these additional implementation issues.

¹ At present, Petitions to implement a DSIC mechanism have been approved by the Commission for the following companies: PPL Electric Utilities (PPL), Columbia Gas of Pennsylvania (Columbia), Peoples Natural Gas Company—Equitable Division (PNGC—Equitable), Peoples Natural Gas Company, LLC (Peoples Gas), People's TWP, UGI—Penn Natural Gas, UGI—Central Penn Gas, Philadelphia Gas Works (PGW), Little Washington Wastewater Company (LWWC) and Pennsylvania American Wastewater Company (PAWC).

Discussion

Act 11 amended Chapter 13 of the Code in order to reduce regulatory lag by providing ratemaking flexibility for utilities seeking timely recovery of prudently incurred costs related to the repair or replacement of distribution infrastructure between rate cases and before new base rates have become effective. Specifically, Act 11 incorporated new statutory provisions in Chapter 13, based on the existing DSIC that has been used for over 15 years in the water utility industry², to accelerate the pace of water pipeline replacement and improvements. Under Act 11, the DSIC mechanism is also now available to EDCs, NGDCs, wastewater utilities, and city natural gas operations and will allow those utilities to recover the reasonable and prudently incurred costs related to the acceleration of the repair, improvement and replacement of utility infrastructure on a timelier basis, subject to reconciliation, audit and other consumer protections.³

The DSIC mechanism allows a utility to add to customer rates the recovery of the fixed costs (i.e., depreciation cost and pretax return for all utilities except city natural gas distribution operations) for (1) any eligible plant associated with a repair, replacement or improvement that was not previously reflected in the utility's rates and rate base and (2) has been placed into service as a repair, replacement or improvement during the three-month period ending one month (i.e., quarterly with a one month lag) prior to the effective date of the DSIC mechanism. See 66 Pa.C.S. § 1357(a)(1)(ii). Thereafter, in order to continue to recover the fixed costs of eligible property that is placed into service and associated with an acceleration of its repair, replacement or improvement program through its DSIC mechanism, the utility must provide quarterly DSIC updates that reflect the eligible property that has been placed in service during the three-month period ending one month prior to the effective date of the DSIC update. See 66 Pa.C.S. § 1357(a)(2). Accordingly, the utility is permitted to recover on an ongoing basis (i.e., every three months) the fixed costs of eligible property placed into service that is associated with a repair, replacement or improvement.

Section 1358(d) of the Code provides that the Commission may establish procedures to adjust the DSIC rate, when applicable, by order or regulation. See generally 66 Pa.C.S. § 1358(d)(2). Hence, the Commission is seeking comments from interested parties in order to address issues concerning implementation of the DSIC rate that were not fully addressed in the August 2nd Final Implementation Order.

As more fully explained herein, the Commission seeks comments in the following issue areas regarding the implementation, operation and computation of the DSIC:

- requiring quarterly financial reports for all utilities that use the DSIC mechanism;
- filing and computation issues for when the DSIC is reset to zero;
- treatment of over/under collections, or E-factor, after the DSIC is reset to zero;
- computation issues for determining the DSIC rate cap; and
- requirement to file an LTIP by water utilities that use the DSIC.

² The separate DSIC provisions in Section 1307(g) providing for a sliding scale of rates for water utilities have been deleted in lieu of the general DSIC provisions established in Act 11.

³ See generally 66 Pa.C.S. § 1350 et seq.

A. Uniform Financial Earnings Reports Requirement

The Commission established financial reporting requirements designed to improve its ability to monitor the financial performance and earnings of certain jurisdictional public utilities.⁴ See generally 52 Pa. Code § 71.1 et seq. Act 11 directs that the Commission also use these financial earning reports to monitor the rates of return for companies that have implemented a DSIC mechanism to determine if the utility has experienced earnings above its allowed rate of return or “overearnings.” See 66 Pa.C.S. § 1358(b)(3). The Commission compares the filed return on equity (ROE)⁵ figure from schedule D-2 of the financial earnings report to the allowable equity return rate for the computation of the DSIC rate to determine if the utility can continue to recover under its DSIC mechanism the fixed costs of the eligible property that is reflected in its next quarterly DSIC update or if its DSIC rate must be adjusted. See generally 66 Pa.C.S. § 1358(b)(3). Pursuant to the statutory directive in Act 11, the DSIC rate is to be reset to zero, if, in any quarter, the data reflected in the utility’s most recent quarterly financial earnings report show that the utility will earn a ROR that would exceed the allowable ROR used to calculate its fixed costs under the DSIC mechanism. See 66 Pa.C.S. § 1358(b)(3).

The Commission notes that there is a lag period between the filing dates of the quarterly earnings report and the filing dates of the quarterly DSIC updates. The Commission regulations at 52 Pa. Code § 71.3 set forth different filing report requirements for certain fixed utilities based upon overall revenues. See 52 Pa. Code § 71.3. Currently, some utilities file their financial earnings report on a quarterly basis and some file it on an annual basis. Id. Certain jurisdictional fixed utilities are required to file quarterly reports for the 12-month period ending on March 31st, June 30th, September 30th and December 31st of each year. The first three 12-month period quarterly financial earnings reports for the year, the March 31st, June 30th, September 30th reports, are due to be filed within sixty (60) days of the end of the 12-month reporting period while the fourth quarter 12-month period quarterly financial earnings report, the December 30th report, is due within ninety (90) days of the quarter ending December 31st of each year. However, the Act 11 quarterly DSIC updates are to be filed no later than April 1st, July 1st, October 1st and January 1st of each year. Thus, if the data reflected in the utility’s most recent quarterly financial earnings report show that it has experienced an overearnings for that quarter, presumably its DSIC rate will be reset to zero until the following quarter or three months reflected in that next quarterly DSIC update.

On the contrary, certain jurisdictional utilities are required only to file an annual financial report for the previous 12-month calendar year in accordance with 52 Pa. Code § 71.3(b). These utilities do not have to submit this annual financial report to the Commission until

⁴ On November 30, 2004, however, the Pennsylvania General Assembly signed into law Act 183 concerning alternative telecommunications regulation and broadband deployment. As a result of Act 183, the reporting requirements for the PUC jurisdictional telecommunications companies of Pennsylvania have been streamlined at section 3015(e) of the Public Utility Code. A quarterly earnings report is not listed among those reports now required of PUC jurisdictional telecommunications utilities in Pennsylvania and, therefore, this report does not address telephone company earnings.

⁵ In particular, the allowable cost of equity for the computation of the DSIC rate shall either be the equity return rate in the utility’s most recent fully litigated base rate proceeding or, if that proceeding was over two years ago, the Commission uses the equity return rate used in the quarterly earnings report it prepares which sets forth the achieved return on equity for each company, the last allowed return for that utility, a market return as determined through the analysis of the barometer group data and the most recent returns allowed, per industry, by the Pennsylvania Public Utility Commission and by other regulatory bodies. This report is referred to as the Quarterly Report on the Earnings of Jurisdictional Utilities.

March 31st of the following year, within ninety days after the end of the 12-month period ending December 31st. As a result, if that utility has experienced any overearnings for some portion of the preceding year, under the current financial earnings reporting regimen, these utilities will continue to recover the fixed costs of eligible property under their DSIC mechanisms throughout the year. Nevertheless, in actuality, their DSIC rate should have been reset to zero, pursuant to Section 1358(b)(3) of the Code, at the time they begin to experience an overearning. Consequently, these utilities continue to reap the benefit of their DSIC mechanism even though they may have experienced overearnings for a significant portion of the year, which is unfair to consumers and those utilities that are required to file quarterly financial earnings reports.

Accordingly, the Commission proposes that all jurisdictional utilities that have implemented a DSIC mechanism, including those utilities that are not required to file earnings reports under 52 Pa. Code § 71.3 because their annual revenues do not exceed \$1 million, should be directed to file quarterly earnings reports with the Commission. The Commission also seeks comment on whether or not the quarterly earnings report exemption under 71.4(c) during the pendency of a base rate case for companies with a positive DSIC charge should be eliminated. This puts all utilities with a DSIC mechanism on the same footing in determining whether the utility can appropriately recover through their DSIC the fixed costs of all the eligible plant placed in service that has not previously been reflected in the rate base.

B. Customer Protections—DSIC Rate Reset to Zero

Act 11 includes directives regarding various consumer protection provisions. These consumer protections are set forth in Section 1358 of the Code, 66 Pa.C.S. § 1358. One of the more vital consumer protections involving the implementation of the DSIC mechanism is resetting the DSIC rate to zero. Under certain circumstances, Act 11 requires that a DSIC rate reset to zero. See generally 66 Pa.C.S. § 1358(b)(1)—(3). Specifically, the DSIC rate is reset to zero on the effective date of new base rates that provide for the prospective recovery of the fixed annual costs previously recovered under the utility’s DSIC mechanism. 66 Pa.C.S. § 1358(b)(1). Additionally, for investor-owned utilities, a “reset” of the DSIC rate is also required if, in any quarter, data filed with the Commission in the utility’s most recent quarterly or annual earnings financial report shows that the utility will earn a ROR that would exceed the allowable ROR used to calculate its fixed costs under the DSIC.⁶ 66 Pa.C.S. § 1358(b)(3). Accordingly, the Commission is seeking comment on the rules and procedures it should establish when a utility is required to reset its DSIC rate to zero.

1. Proposed Tariff Supplement to Reset DSIC Rate to Zero

As mentioned above, the DSIC rate is required to be reset to zero on the effective date of new base rates that provide for the prospective recovery of the annual fixed costs of eligible property that were previously recovered under the utility’s DSIC mechanism. 66 Pa.C.S. § 1358(b)(1). Additionally, if a utility’s quarterly financial earnings report reflects an overearning for that particular quarter, the utility is required to reset its DSIC rate to zero. 66 Pa.C.S. § 1358(b)(3). Hence, the Commission tentatively proposes that a utility should be required to file a tariff supplement pursuant to Section 1308(a) of the

⁶ For city natural gas distribution operations, the Commission determined that it would monitor its interest levels and cash flows on a quarterly basis to determine whether a reset is required. See August 2nd Final Implementation Order at pp. 42-43.

Code resetting its DSIC rate to zero if the following occur: (1) upon the effective date of the new base rates and (2) if an overearning is indicated in the utility's most recent quarterly financial earnings report.

The Commission proposes that the utility should incorporate a reference to resetting its DSIC rate to zero within the tariff supplement requesting a general rate increase under Section 1308(d) of the Code, 66 Pa.C.S. § 1308(d). This obviates the need for the utility having to file subsequently a separate second tariff supplement under Section 1308(a) of the Code resetting the DSIC rate to zero upon the effective date of the new base rates. The Commission seeks comment on this tentative proposal.

However, the timing of the tariff supplement to reset the DSIC rate to zero when a utility experiences overearnings is somewhat problematic. As mentioned above, the Commission has tentatively concluded that all utilities with a DSIC mechanism should begin to file their financial earnings report on a quarterly basis—March 31st, June 30th, September 30th and December 31st. However, the Commission notes it has directed the utilities with a DSIC mechanism to schedule the effective dates of their proposed DSIC updates, and the corresponding period for eligible plant additions that will be reflected in each update, to align quarterly with the months of April, July, October, and January. Consequently, as mentioned above, there is a lag time, between the utility addressing the overearnings indicated in the quarterly financial earnings report and resetting the DSIC rate to zero in the next Act 11 quarterly DSIC updates filed thereafter. It may be likely that the utility does not already have an indication or knowledge that it has experienced overearnings at the time it files its quarterly financial earnings report. With this in mind, the Commission proposes that utilities should file their tariff supplement reflecting a zero DSIC rate simultaneously with the filing of their next quarterly DSIC update, effective upon ten-day's notice.

2. DSIC Rate Reset to Zero Upon Effective Date of New Base Rates

In order to continue to recover the fixed costs of eligible property that is placed into service and associated with a repair, replacement or improvement through its DSIC mechanism, the utility must provide quarterly DSIC updates that reflect the eligible property that has been placed in service during the three-month period ending one month prior to the effective date of the DSIC update. See 66 Pa.C.S. §§ 1357(a)(2) and 1357(c)(3). Hence, quarterly DSIC updates are integral to the utility identifying the relevant eligible property and the proper calculation of the fixed costs associated with that eligible property. See 66 Pa.C.S. § 1357(d)(2).

When a utility with a DSIC mechanism files for a general rate increase under Section 1308(d) of the Code, 66 Pa.C.S. § 1308(d), and new base rates become effective, the utility is required to reset its DSIC rate to zero as of the effective date of the new base rates. 66 Pa.C.S. § 1358(b)(1). After resetting the DSIC rate to zero following the effective date of new base rates, only the fixed costs of new eligible property that was not previously reflected in base rates or recovered in the utility's rates (i.e., previously recovered under the DSIC mechanism) may be reflected in a subsequent quarterly DSIC update. 66 Pa.C.S. § 1358(b)(2).

Thus, in order for a utility to begin to recover again the fixed costs of eligible property placed in service that is associated with a repair, replacement or improvement

after the DSIC rate has been reset to zero because of new base rates, it must submit a quarterly DSIC update that reflects only eligible property that meets the above criteria (has not been previously reflected in the utility's rates or rate base). See generally 66 Pa.C.S. §§ 1357(a)(2); 1357(d)(3) and 1358(b)(2). The Commission refers to this as a "stay-out" period because the utility cannot utilize its DSIC mechanism until new eligible property that has not been accounted for in the utility's rates or rate base is present. The Commission believes that the length of this "stay-out" period should be able to be determined from the order issued in the proceeding to establish the utility's new base rates.

The base rates established in a Section 1308(d) general rate case are designed to recover all prudent costs for capital, labor, materials, and input services used in the production function. The calculation of rates is developed on the device of a "test year," which is a 12-month period that is to be representative of operating conditions when the rates being established will be in effect. Generally, most utilities filing for rate increases in excess of \$1,000,000 use a future test year for ratemaking purposes. A future test year employs the utility's normal budget process to project operating results for a future 12-month period.

However, the Commission also now allows utilities to utilize a fully projected future test year (FPFTY) as its baseline for setting new base rates. See 66 Pa.C.S. § 315. As such, a utility requesting to establish new base rates pursuant to a filing under Section 1308(d) of the Code, is seeking to recover the costs of all eligible plant in service, plus the plant that is projected to be in service either within 12 to 24 months depending on if the utility has used a future test year or a FPFTY to calculate its rates. Presumably, if a utility has used a future test year or a FPFTY as the basis for the projection of the costs of all the eligible plant that it will place in service, the new base rates should provide for the prospective recovery of the annual costs of all the eligible property placed into service and that was previously being recovered under the utility's DISC mechanism.

At this juncture, the Commission proposes that if a utility has surpassed the prospective recovery amount associated with the eligible plant placed in service and which was previously reflected in the utility's base rates as a result of using a future test year or FPFTY, it is then eligible to begin to recover again the fixed costs associated with any new repair, replacement or improvement of eligible property reflected in a quarterly DSIC update.⁷

Nevertheless, the Commission seeks comment on what is the criterion to determine whether the prospective recovery amount has been surpassed, which would indicate when the stay-out period has elapsed and the utility may again continue to recover the fixed costs of eligible property reflected in the quarterly DSIC update. The Commission proposes that this criterion should be based upon the total aggregate dollar amount associated with the prospective eligible property placed in service as determined and set forth in the final order establishing the new base rates. The utility should specify the total aggregate amount that is associated with the prospective nature of the eligible property that is to be placed in service, as this is a portion of the baseline for setting the new base rates.

Additionally, the Commission proposes that utilities should continue to file quarterly DSIC updates reflecting

⁷ This scenario would not be true only if the utility is experiencing an overearning over the applicable ROE (whichever ROE governs) at that time.

the eligible property placed into service that was associated with a repair, replacement or improvement during the stay-out period even though they are unable to recover such costs. The primary purpose of a DSIC update is to reflect the additional eligible property that has been placed in service during the prior quarter and for which the utility is seeking cost recovery for under its DSIC mechanism. The Commission believes that the continuous filing of DSIC updates will help it to monitor and verify when the criterion has been met that indicates when the stay-out period has elapsed and the utility may again continue to recover the fixed costs of eligible property so as not to allow for the double-recovery of the fixed costs of eligible property under its DSIC mechanism.

3. *Resetting DSIC Rate to Zero Due to Overearnings*

As indicated above, for investor-owned utilities, a reset of the DSIC rate to zero is required if, in any quarter, data filed with the Commission in the utility's most recent annual or quarterly earnings report show that the utility will earn a ROR that would exceed the allowable ROR used to calculate its fixed costs under the DSIC. See 66 Pa.C.S. § 1358(b)(3).

The Commission acknowledges that an ongoing, uninterrupted DSIC mechanism appears to be cumulative in its effect. The Commission notes that the primary purpose of the quarterly DSIC update is to reflect the additional eligible property that the utility has placed in service during the prior three-month period ending one month prior to the effective date of each DSIC update. See 66 Pa.C.S. § 1357(a)(2). Thus, the utility is continually able to recover the fixed costs of all eligible property less depreciation that it has placed into service that is associated with a repair, replacement or improvement that is reflected in its quarterly DSIC update and that has not previously been reflected in the utility's rate base pursuant to a base rate proceeding.⁸

When a utility's financial earnings report indicates an overearning for a particular 12-month period, Act 11 requires that the utility's approved DSIC rate be reset to zero. See 66 Pa.C.S. § 1358(b)(3). However, the entirety of the fixed costs of the eligible property that was placed into service does not disappear. Rather, the DSIC rate is reset to zero or more specifically, presumed or deemed to be zero; thus, effectively prohibiting the utility from recovering its fixed costs for any eligible property under its DSIC mechanism during the overearnings period.

If the overearning period lasts only one quarter and then ceases, there appears to be no issue regarding the cumulative nature of the DSIC mechanism. The utility can again begin to recover the fixed costs for its cumulative eligible property less depreciation in the next quarterly DSIC update, which would include the new eligible property that has been placed in service during the three month period ending one month prior to the effective date of the DSIC update.

However, an issue seems to arise as to how the cumulative nature of the DSIC mechanism is impacted if overearnings persist for two or more successive quarters going forward. The Commission proposes that during the successive overearnings period, a utility with a DSIC mechanism is prohibited from recovering the current fixed costs of the eligible property that it had placed into service prior to the time that the successive overearnings period began to occur.

Nonetheless, how far back may the utility be able to go to recover the current fixed costs for eligible plant placed

in service once the successive overearnings period ceases? If there has been two or more successive quarters of overearnings and then the overearnings cease to occur, may the utility recover the current fixed costs associated with its cumulative investment in eligible property less depreciation in the future quarter in which the utility is no longer in an overearning status?

The Commission proposes that the utility should be permitted to recover the current fixed costs of all eligible property after a successive overearnings period ceases. DSIC recovery for quarters subsequent to the period of overearnings may include the cumulative cost impact of DSIC eligible costs since the last base rate case. However, there would be no recovery through the 1307(e) reconciliation process of the otherwise DSIC eligible costs that were incurred during the period the utility experienced overearnings.

Finally, there appears to be an underlying issue with regard to the fact that a utility is experiencing successive quarters of overearnings and continuing to utilize its DSIC mechanism. If a utility is experiencing an overearning over a successive and consecutive period of time, this suggests that the utility's existing rates are allowing the utility to recover its costs and expenses and are more than sufficient to provide a fair return to investors and the utility. Therefore, the Commission seeks comment on whether it should require the utility to file a tariff supplement under Section 1308 of the Code to address its overearnings so that the utility can continue to use its DSIC to recover the fixed costs of the eligible property it has placed in service.

4. *Residual E-Factor Portion of the DSIC Rate Upon a Reset of the DSIC Rate*

A DSIC rate is reset to zero when one of the following occurs: (1) upon the effective date of new base rates that provide for the prospective recovery of the fixed cost of eligible property that has been placed in service or (2) when the utility experiences overearnings in a particular quarter. When the DSIC rate is reset to zero the utility cannot continue to recover under its DSIC mechanism the fixed costs of any eligible property that has been placed in service. However, should the utility have the ability to recover or refund the ongoing E-Factor and/or the residual E-factor amounts when the DSIC rate is reset to zero? This residual E-factor amount reflects an overcollection or undercollection upon a reconciliation of projected sales and projected revenue from the prior three-month DSIC period. Therefore, the Commission must determine what happens to any residual overcollections/undercollections that would have been recovered by the utility under its DSIC mechanism if the DSIC rate had not been reset to zero. Accordingly, the Commission is focusing on the E-factor component of the DSIC rate calculation.

The formula for calculation of the DSIC rate is as follows:

$$\text{DSIC} = \frac{(\text{DSI} * \text{PTRR}) + \text{Dep} + e}{\text{PQR}}$$

Thus, there are two primary components to the DSIC rate calculation. The C-Factor is this portion of the DSIC rate calculation:

$$\text{DSIC} = \frac{(\text{DSI} * \text{PTRR}) + \text{Dep}}{\text{PQR}}$$

which represents the current fixed costs of the eligible property. The E-Factor component of the DSIC rate calculation is for error correction of prior period over or under collections. The C-Factor calculation, which is the

⁸ See generally 66 Pa.C.S. § 1357(d)(2).

basic DSIC rate, is determined four times per year while the E-Factor, which reconciles over and under collections, is only determined once per year. Since the fixed costs associated with the repair, replacement or improvement of eligible property will be reflected in the base rates established after the Section 1308(d) base rate proceeding has concluded, the C-Factor truly “zeros” out upon the effective date of the new base rates.

However, there is a residual over or under collection amount reflected in the E-factor that results from the period the DSIC was billed to customers. Once the utility determines the specific amount of the residual over or under collection amount, since it most likely would not have the actual amount until sometime after the DSIC rate has been reset to zero, it should then file a tariff supplement to address that residual amount. Since the over or under collection relates to the prior recovery of approved costs, it appears reasonable that the utility should be required to refund any overcollection to customers and be entitled to recover any undercollections.

Accordingly, the Commission proposes that utilities with ongoing DSIC mechanisms should file a tariff supplement that revises their DSIC tariffs so that language is incorporated therein that allows the utility to file interim revisions to resolve the residual over/under collection or E-factor amount after the DSIC rate is reset to zero. In addition, if a utility seeks to recover an undercollection from customers or refund an overcollection amount to customers in a single quarter for the quarterly period commencing April 1st, this option should be clearly delineated in its tariff.

C. Computation of the DSIC Rate Cap

Section 1358(a)(1) provides that a DSIC may not exceed 5% of amounts billed (wastewater utility) or 5% of distribution rates billed (electric and natural gas utilities); however, upon petition, the Commission may grant a waiver of the 5% limit if necessary to ensure and maintain safe and reliable service. 66 Pa.C.S. § 1358(a)(1). Act 11 makes clear that the DSIC cap for energy utilities is to be applied to distribution revenues only. The Commission stated in the August 2nd Final Implementation Order that the rate cap is a bill limitation that is applied to the distribution rates of each customer, not to aggregated billing revenue. Furthermore, the Commission may grant such a waiver to increase the cap above 5% upon its review and consideration of the requisite petition from a utility. Conversely, Section 1358(a)(2) provides that a DSIC previously granted under Section 1307(g) or subsequently granted under Act 11 to a water utility may not exceed 7.5%.⁹ See 66 Pa.C.S. § 1358(a)(2).

Nevertheless, the statute does not specify the calculation of the DSIC rate cap. In order to accommodate the acceleration of much-needed infrastructure improvements certain utilities may request that the Commission either waive the 5% cap or exclude the E-factor annual reconciliation component from the computation of the rate cap. Clearly, the Commission has the statutory authority to increase the cap above 5% upon petition. However, it is unclear whether it has the statutory authority to exclude the E-factor component from the DSIC rate cap because it related to the time period in which the utility was authorized to charge and collect the designated DSIC rate. Therefore, the Commission seeks comment on

whether it is feasible and in the public interest to allow this to occur and whether it has the statutory authority to do such.

D. Water Utility Long-Term Infrastructure Plans

Section 1360(a) provides that the Commission may accept a prior long-term infrastructure plan filed by a water utility or may require submission of a new LTIIIP pursuant to Section 1360(b). Presently, the Commission has not established a due date for water utilities with previously approved DSICs to file long-term infrastructure improvement plans as it considered the substantial progress made in the water industry over the past 15 years in accelerating the rate of main replacements and other infrastructure improvements.

Nonetheless, the Commission proposes that now is the time for water utilities to file LTIIIPs with the Commission in order to ensure that all utilities that are eligible to implement a DSIC are following uniform rules and procedures regarding Commission-approved DSIC mechanisms. The Commission tentatively proposes that all jurisdictional water utilities be required to file Act 11 LTIIIPs by no later than September 30, 2016. The Commission will establish a staggered schedule for the water utilities to file their LTIIIPs so that it will not have to consider each water utilities at the same time. The Commission solicits comments from water utilities regarding this tentative proposal.

Conclusion

The enactment of Act 11 provides utilities with an additional rate mechanism to recover the capitalized costs related to repair, improvement and replacement utility infrastructure. A DSIC can reduce regulatory lag, improve access to capital at lower rates, and accelerate infrastructure improvement and replacement. The purpose of this Supplemental Tentative Implementation Order is to propose additional procedures and guidelines necessary to implement Act 11 and to solicit public comment. Upon review of any comments from stakeholders, the Commission will issue a Supplemental final implementation order to establish final procedures and guidelines; *Therefore,*

It Is Ordered That:

1. A copy of this Tentative Supplemental Implementation Order shall be published in the *Pennsylvania Bulletin* and posted on the Commission’s website at www.puc.state.pa.us.

2. Any interested party may submit comments regarding this Tentative Implementation Order within thirty (30) days of entry of publication in the *Pennsylvania Bulletin*.

3. All comments or other filings shall also be submitted to the Commission’s Act 11 Resource Account at ra-Act11@pa.gov and provided electronically in Word-compatible format to David Screven, dscreven@pa.gov, in the Commission’s Law Bureau, to Erin Laudenslager, elaudensla@pa.gov, in the Commission’s Bureau of Technical Services and Lori Burger, lburger@pa.gov in the Commission’s Bureau of Audits.

4. A copy of this Tentative Supplemental Implementation Order be served on all jurisdictional water and wastewater companies, electric distribution companies, natural gas distribution companies and Philadelphia Gas Works, and the statutory advocates.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 15-2079. Filed for public inspection November 20, 2015, 9:00 a.m.]

⁹ If had been demonstrated that an increase over the then-current DSIC cap was necessary and in the public interest for water utilities, who had operated for many years under a 5% DSIC cap.

Revised 2016 Schedule of Filing Dates for Recovery of Purchased Gas Costs; Doc. No. L-840102

Regulations promulgated by the Pennsylvania Public Utility Commission (Commission) at 52 Pa. Code § 53.64(a) (relating to filing requirements for natural gas distributors with gross intrastate annual operating revenues in excess of \$40 million) direct the Commission to annually publish a schedule of filing dates for jurisdictional gas utilities subject to the procedure of 66 Pa.C.S. § 1307(f) (relating to sliding scale of rates; adjustments) for recovery of purchased gas costs.

The 2016 schedule of filing dates is as follows:

February 1, 2016: National Fuel Gas Distribution Corporation—PA Division

March 1, 2016: Philadelphia Gas Works

April 1, 2016: Columbia Gas of Pennsylvania, Inc.; Peoples Natural Gas Company; Equitable Gas Company; Peoples TWP

June 1, 2016: UGI Penn Natural Gas, Inc.; PECO—Gas Division; UGI Central Penn; UGI Utilities, Inc.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 15-2080. Filed for public inspection November 20, 2015, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by December 7, 2015. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.*

A-2015-2507307. Canonsburg General Hospital Ambulance Service (209 West Pike Street, Canonsburg, Washington County, PA 15317) for the right to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Allegheny, Butler, Greene, Fayette, Washington and Westmoreland, to points in Pennsylvania, and return.

A-2015-2508379. The Van, LLC (2042 Cedar Avenue, Scranton, PA 18505) 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 County of Lackawanna.

A-2015-2511288. Kendal/Reagan, LLC t/a Executive Sedan Service (722 Shagbark Drive, West Chester, Chester County, PA 19382) for the right to transport, as a

common carrier, by motor vehicle, persons in airport transfer service, from points in the Counties of Berks, Chester, Delaware, Lancaster and Montgomery, to the Philadelphia International Airport; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

A-2015-2511414. Tyran Wheaton t/a En Route Medical Transport (5453 Garfield Avenue, Pennsauken, Camden County, NJ 08109) for the right to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Berks, Bucks, Chester, Delaware, Lancaster, Lehigh, Montgomery, Northampton and Philadelphia, to points in Pennsylvania, and return.

A-2015-2511743. Martz Luxury Services, LLC (239 Old River Road, Wilkes-Barre, Luzerne County, PA 18702) for the right to transport as a common carrier, by motor vehicle, persons limousine service, from points in the Counties of Carbon, Lackawanna, Lehigh, Luzerne, Monroe, Northampton and Wyoming, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

Application of the following for approval of the *additional right and privilege of operating motor vehicles as common carriers for transportation of persons as described under the application.*

A-2015-2511281. Bucks County Services, Inc. (8125 Frankford Avenue, Philadelphia, PA 19136) for the additional right, to transport by motor vehicle, persons, upon call or demand, between points in Pennsylvania; excluding all services that are under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* Jordan Rand, Esquire, Dilworth Paxson, LLP, 1500 Market Street, Suite 3500E, Philadelphia, PA 19102.

Applications of the following for the approval of the *right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.*

A-2015-2511409. ABJL Limo Corporation (4737 East Street Road, Trevese, Bucks County, PA 19053) discontinuance of service and cancellation of its certificate, as a common carrier, persons in limousine service, between points in the Counties of Bucks, Chester, Delaware, Montgomery and Philadelphia, as more thoroughly described in the initial ordering paragraphs at A-00106919.

A-2015-2511553. Heron Quality Transportation, Inc. (691 Burmont Road, Drexel Hill, Delaware County, PA 19026) discontinuance of service and cancellation of its certificate, as a common carrier, persons in paratransit service, between points in the Counties of Berks, Columbia, Lancaster, Lehigh, Luzerne, Monroe, Northumberland, Schuylkill and Wyoming, and from points in said counties to points in Pennsylvania, and return:

Subject to the following conditions:

1. That no right, power or privilege is granted to put a base of operations in Luzerne, Columbia or Northumberland Counties;

2. That no right, power or privilege is granted to transport persons unless transportation is arranged through said person's insurance company;

3. That no right, power or privilege is granted to provide service under written or oral agreements with Federal, State or local agencies such as, but not limited

to, the Department of Transportation, the Department of Public Welfare, the Area Agency on Aging and the Shared Ride Program; and

4. That no right, power or privilege is granted to provide service under written or oral agreements with Orangeville Nursing and Rehabilitation Center, Millville Health Center, Columbia/Montour Area Agency on Aging, Columbia/Montour Home Hospice, HealthSouth Rehabilitation Centers, Geisinger HealthPlan, Geisinger Home Care and Hospice, Pennsylvania Blue Shield, UPMC Health System, Valley Preferred, Specialized Transportation for Outpatient Services (STOPS), CHS/Berwick Hospital Corporation, Bonhams Nursing Center and Berwick Retirement Village or their successors.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 15-2081. Filed for public inspection November 20, 2015, 9:00 a.m.]

Service of Notice of Motor Carrier Formal Complaints

Formal Complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due December 7, 2015, and must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Harry J. Rhone, Jr., t/a Rhones Trucking; Docket No. C-2015-2503282

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Harry J. Rhone, Jr., t/a Rhone's Trucking, (respondent) is under suspension effective August 24, 2015 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 136 Poorhouse Road, Catawissa, PA 17820.
3. That respondent was issued a Certificate of Public Convenience by this Commission on March 14, 2001, at A-00117591.
4. That respondent has failed to maintain evidence of Liability insurance and Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66

Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-00117591 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 9/22/2015

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Or, you may efile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Rock Bottom Trucking, Inc.; Docket No. C-2015-2503548

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Sec-

tion 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Rock Bottom Trucking, Inc., (respondent) is under suspension effective August 21, 2015 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 116 Blueberryhill Rd, Shavertown, PA 18708.

3. That respondent was issued a Certificate of Public Convenience by this Commission on January 29, 2014, at A-2013-2392740.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-2013-2392740 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 9/22/2015

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in

your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
 Pennsylvania Public Utility Commission
 Bureau of Investigation and Enforcement
 P. O. Box 3265
 Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

VEHICLE INSPECTION BUREAU COMPLAINT FORM

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Golden Taxi, LLC, PUC # A-6310376; Docket No. C-2015-2503641

COMPLAINT

The Pennsylvania Public Utility Commission is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

Golden Taxi, LLC
 2603 College
 State College, PA 16801

Inspection Information:
 Location: Fox Hill Road, Benner Township, Centre County
 Date and Time: 06/23/2015 12:00 a.m.

Vehicle Information:
 Year, Make, Model: 2008 Dodge Taxi
 State, Tag: JVP4018 PA
 VIN: 2D8HN44H98R770759
 DVCR #: 4346

Authorized Officer Performing Inspection: Ernest Snyder

On the date and at the time described on page one of this Complaint, the following violation(s) was disclosed:

- 52 § 29.316(a) Charges shall be the amount as calculated on a meter; Driver charged passenger \$60.00. Meter was not used for trip.

\$100

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission fine respondent the sum of \$100.00 for the illegal activity described in this Complaint and order any other remedy as the Commission may deem appropriate.

Respectfully submitted,
 David W. Loucks, Chief
 Motor Carrier Enforcement
 P. O. Box 3265
 Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief of Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 09/28/2015

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome of the complaint proceeding. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original shall be mailed to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Or by overnight delivery to:

400 North Street, 2nd Floor
Harrisburg, PA 17120

Additionally, please serve a copy on:

Michael L. Swindler, Deputy Chief Prosecutor
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

If you fail to answer this Complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing the penalty proposed in the Complaint.

You may elect not to contest this Complaint by paying the fine proposed in the Complaint by certified check or money order. Payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the Complaint proceeding shall be closed.

If you file an Answer which admits or fails to deny the allegations of the complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing the penalty proposed in the Complaint.

If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the optional fine set forth in the Complaint.

Alternative formats of this material are available for persons with disabilities by contacting the Compliance Office at (717) 783-3846. Questions on how to respond to this Complaint may also be directed to the Compliance Office.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Pine Valley Energy Services, LLC; Docket No. C-2015-2506711

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Pine Valley Energy Services, LLC (respondent) is under suspension effective September 25, 2015 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at P. O. Box K, Sykesville, PA 15865.

3. That respondent was issued a Certificate of Public Convenience by this Commission on June 20, 2014, at A-8913188.

4. That respondent has failed to maintain evidence of Liability insurance and Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8913188 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the

statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 10/6/2015

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist

from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 15-2082. Filed for public inspection November 20, 2015, 9:00 a.m.]

Water Service

A-2015-2511795. Aqua Pennsylvania, Inc. Application of Aqua Pennsylvania, Inc. for approval of: 1) the acquisition by Aqua Pennsylvania, Inc. of the water system assets of the East Cameron Township Municipal Authority situated in East Cameron Township, Northumberland County; and 2) the right of Aqua Pennsylvania to begin to offer render, furnish or supply water service to the public in a portion of East Cameron Township, Northumberland County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before December 7, 2015. 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: Aqua Pennsylvania, Inc.

Through and By Counsel: Thomas T. Niesen, Esquire, Thomas, Niesen and Thomas, LLC, 212 Locust Street, Suite 600, Harrisburg, PA 17101

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 15-2083. Filed for public inspection November 20, 2015, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Bids

The Philadelphia Regional Port Authority will accept sealed bids for Project No. 15-081.1, Pier 82 Refrigerant Replacement Piping, until 2 p.m. on Tuesday, December 22, 2015. Information (including mandatory prebid information) can be obtained from the web site www.philaport.com under Procurement or call (215) 426-2600.

JAMES T. McDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 15-2084. Filed for public inspection November 20, 2015, 9:00 a.m.]

STATE ATHLETIC COMMISSION

Public Meetings for 2016

The State Athletic Commission (Commission) of the Department of State announces its schedule for regular meetings to be held at least once every 2 months in 2016 under 5 Pa.C.S. § 103 (relating to duties of commission). All meetings will be held at 11 a.m. in Room 303, North Office Building, Harrisburg, PA 17120. These meetings are open to the public and are scheduled as follows:

February 24, 2016
April 27, 2016
June 29, 2016
August 24, 2016
October 26, 2016
December 21, 2016

Individuals with questions regarding these meetings should contact the Commission at (717) 787-5720.

GREGORY P. SIRB,
Executive Director

[Pa.B. Doc. No. 15-2085. Filed for public inspection November 20, 2015, 9:00 a.m.]

STATE BOARD OF BARBER EXAMINERS

Bureau of Professional and Occupational Affairs v. Erik P. Fulk; Doc. Nos. 1878-42-2015 and 1879- 42-2015

On October 26, 2015, Erik P. Fulk, license nos. BL053952 and BM093985, of Palmyra, Lebanon County, was suspended under the Order of the Court of Common Pleas of York County dated October 26, 2015, which the court issued under 23 Pa.C.S. § 4355 (relating to denial or suspension of licenses). The suspension is effective immediately.

Individuals may obtain a copy of the order by writing to Cynthia K. Montgomery, Senior Counsel in Charge, State Board of Barber Examiners, P. O. Box 2649, Harrisburg, PA 17105-2649.

JOHN E. PAYNE, Jr.,
Chairperson

[Pa.B. Doc. No. 15-2086. Filed for public inspection November 20, 2015, 9:00 a.m.]

Bureau of Professional and Occupational Affairs v. Qwan McIntyre; Doc. No. 178-42-2015

On September 30, 2015, Qwan McIntyre, license no. BL052352 of Steelton, Dauphin County, was suspended under the Order of the Court of Common Pleas of York County dated September 14, 2015, which the court issued under 23 Pa.C.S. § 4355 (relating to denial or suspension of licenses). The suspension is effective immediately.

Individuals may obtain a copy of the order by writing to Cynthia K. Montgomery, Senior Counsel in Charge, State Board of Barber Examiners, P. O. Box 2649, Harrisburg, PA 17105-2649.

JOHN E. PAYNE, Jr.,
Chairperson

[Pa.B. Doc. No. 15-2087. Filed for public inspection November 20, 2015, 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>
Evergreen Farms, Inc.— Home Farm 3102 Evergreen Lane Spruce Creek, PA 16683	Huntingdon County/ Franklin Township	520	Cattle	Amended	Approved
Five Springs Farm Ltd. and Coops, LLC 465 Long Lane Lancaster, PA 17603	Lancaster County/ Pequea Township	74.91	Broilers	Existing	Rescind
Five Springs Farm Ltd. and Coops, LLC—Plan 2 465 Long Lane Lancaster, PA 17603	Lancaster County/ Pequea Township	0	Broilers	Existing	Rescind
Noah W. Kreider and Sons, LLP—Risser Farm 1104 Woodlot Road Manheim, PA 17545	Lancaster County/ Penn Township	284	Pullets	Amended	Approved
Joel H. Rutt 1178 White Oak Road Manheim, PA 17545	Lancaster County/ Rapho Township	170.14	Broilers	Amended	Approved
Daniel Heller—Hilltop Farms 248 Keener Road Lititz, PA 17545	Lancaster County/ Elizabeth Township	154.06	Broilers	Amended	Approved
Landis Reiff 635 Church Road Mifflinburg, PA 17844	Union County/ West Buffalo Township	201.85	Layers/ Cattle/ Equine	New	Approved

RUSSELL C. REDDING,
Chairperson

[Pa.B. Doc. No. 15-2088. Filed for public inspection November 20, 2015, 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 September 1, 2015, through September 30, 2015.

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(e) and (f) (relating to standards for consumptive uses of water) for the time period previously specified:

Approvals By Rule Issued Under 18 CFR 806.22(e):

1. Downs Racing, LP dba Mohegan Sun Pocono, Mohegan Sun Pocono, ABR-201509001, Plains Township, Luzerne County, PA; Consumptive Use of Up to 0.3500 mgd; Approval Date: September 11, 2015.

Approvals By Rule Issued Under 18 CFR 806.22(f):

1. Anadarko E&P Onshore, LLC, Pad ID: Don J. Davis Pad A, ABR-201008028.R1, Gamble Township, Lycoming County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: September 3, 2015.

2. Chesapeake Appalachia, LLC, Pad ID: Decker Farms, ABR-201009037.R1, Rush Township, Susquehanna County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: September 3, 2015.

3. Chesapeake Appalachia, LLC, Pad ID: Rocks, ABR-201101003.R1, Overton Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: September 3, 2015.

4. Chesapeake Appalachia, LLC, Pad ID: Aukema, ABR-201101013.R1, Meshoppen Township, Wyoming County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: September 3, 2015.

5. Chesapeake Appalachia, LLC, Pad ID: Fausto, ABR-201101015.R1, Litchfield Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: September 3, 2015.

6. Chesapeake Appalachia, LLC, Pad ID: Bo, ABR-201101016.R1, Tuscarora Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: September 3, 2015.

7. Chesapeake Appalachia, LLC, Pad ID: Struble, ABR-201101017.R1, Litchfield Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: September 3, 2015.

8. Chesapeake Appalachia, LLC, Pad ID: DJ, ABR-201101021.R1, Wysox Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: September 3, 2015.

9. Chief Oil & Gas, LLC, Pad ID: Dacheux Drilling Pad #1, ABR-201101014.R1, Cherry Township, Sullivan County, PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: September 3, 2015.

10. Chief Oil & Gas, LLC, Pad ID: Andrus Drilling Pad #1, ABR-201101023.R1, Granville Township, Bradford County, PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: September 3, 2015.

11. EOG Resources, Inc., Pad ID: KINGSLEY 2H, ABR-20100692.R1, Springfield Township, Bradford County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: September 3, 2015.

12. EOG Resources, Inc., Pad ID: KINGSLEY 3H, ABR-20100698.R1, Springfield Township, Bradford County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: September 3, 2015.

13. EXCO Resources (PA), LLC, Pad ID: Kensinger Unit Drilling Pad #1, ABR-20090922.R1, Penn Township, Lycoming County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: September 3, 2015.

14. Seneca Resources Corporation, Pad ID: DCNR Tract 001 1H, ABR-201008142.R1, Sweden Township, Potter County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: September 3, 2015.

15. SWN Production Company, LLC, Pad ID: Loomis Well No. 2H, ABR-20100504.R1, Rush Township, Susquehanna County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: September 3, 2015.

16. SWEPI, LP, Pad ID: Synnestvedt 878, ABR-201007009.R1, Osceola Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: September 3, 2015.

17. SWEPI, LP, Pad ID: Matz 824, ABR-201007010.R1, Chatham Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: September 3, 2015.

18. SWEPI, LP, Pad ID: Cochran 705, ABR-201007012.R1, Union Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: September 3, 2015.

19. SWEPI, LP, Pad ID: Frost 573, ABR-201007013.R1, Covington Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: September 3, 2015.

20. SWEPI, LP, Pad ID: Murdock 862, ABR-201007015.R1, Deerfield Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: September 3, 2015.

21. SWEPI, LP, Pad ID: Taylor 718, ABR-201007016.R1, Liberty Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: September 3, 2015.

22. SWEPI, LP, Pad ID: Wesneski 724, ABR-201007017.R1, Union Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: September 3, 2015.

23. SWEPI, LP, Pad ID: Thomas 503, ABR-201007050.R1, Sullivan and Rutland Townships, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: September 3, 2015.

24. SWEPI, LP, Pad ID: Swingle 725, ABR-201007129.R1, Canton Township, Bradford County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: September 3, 2015.

25. Anadarko E&P Onshore, LLC, Pad ID: Jack L. Hipple Pad A, ABR-201008021.R1, Gamble Township, Lycoming County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: September 8, 2015.

26. Anadarko E&P Onshore, LLC, Pad ID: Thomas E. Smith Pad A, ABR-201008057.R1, Gamble Township, Lycoming County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: September 8, 2015.

27. Anadarko E&P Onshore, LLC, Pad ID: George E. Hagemeyer Pad A, ABR-201008077.R1, Gamble Township, Lycoming County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: September 8, 2015.

28. Anadarko E&P Onshore, LLC, Pad ID: Nevin L. Smith Pad A, ABR-201008115.R1, Gamble Township, Lycoming County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: September 8, 2015.

29. Anadarko E&P Onshore, LLC, Pad ID: Kenneth T. Schriener Pad A, ABR-201009107.R1, Gamble Township, Lycoming County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: September 8, 2015.

30. Carrizo (Marcellus), LLC, Pad ID: Shaskas South, ABR-201011022.R1, Jessup Township, Susquehanna County, PA; Consumptive Use of Up to 2.1000 mgd; Approval Date: September 8, 2015.

31. Carrizo (Marcellus), LLC, Pad ID: Bonnice 2, ABR-201011023.R1, Jessup Township, Susquehanna County, PA; Consumptive Use of Up to 2.1000 mgd; Approval Date: September 8, 2015.

32. Chesapeake Appalachia, LLC, Pad ID: Gerbino #1, ABR-20090710.R1, Ridgebury Township, Bradford County, PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: September 8, 2015.

33. Chesapeake Appalachia, LLC, Pad ID: Warren #1, ABR-20090711.R1, Ridgebury Township, Bradford County, PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: September 8, 2015.

34. Chesapeake Appalachia, LLC, Pad ID: Wasyl, ABR-201101002.R1, Ulster Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: September 8, 2015.

35. Chesapeake Appalachia, LLC, Pad ID: Beech Flats, ABR-201101012.R1, West Branch and Pike Townships, Potter County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: September 8, 2015.

36. Chesapeake Appalachia, LLC, Pad ID: Bustin Homestead, ABR-201101025.R1, Sheshequin Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: September 8, 2015.

37. Chesapeake Appalachia, LLC, Pad ID: Beeman, ABR-201101028.R1, Litchfield Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: September 8, 2015.

38. SWEPI, LP, Pad ID: Sorensen 876, ABR-201007021.R1, Osceola Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: September 8, 2015.

39. SWEPI, LP, Pad ID: Westerbaan 723, ABR-201007038.R1, Union Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: September 8, 2015.

40. SWEPI, LP, Pad ID: State 822, ABR-201007040.R1, Gaines Township, Tioga County, PA; Consumptive Use of Up to 4.9900 mgd; Approval Date: September 8, 2015.

41. SWEPI, LP, Pad ID: Taft 851, ABR-201007047.R1, Middlebury Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: September 8, 2015.

42. SWEPI, LP, Pad ID: Baldwin 881, ABR-201007068.R1, Farmington Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: September 8, 2015.

43. Tenaska Resources, LLC, Pad ID: Sylvester 1H, ABR-20100155.R1, Brookfield Township, Tioga County, PA; Consumptive Use of Up to 1.0000 mgd; Approval Date: September 8, 2015.

44. Tenaska Resources, LLC, Pad ID: NorthFork 1H, ABR-20100158.R1, Brookfield Township, Tioga County, PA; Consumptive Use of Up to 1.0000 mgd; Approval Date: September 8, 2015.

45. Tenaska Resources, LLC, Pad ID: Austinburg 1H, ABR-20100313.R1, Brookfield Township, Tioga County, PA; Consumptive Use of Up to 1.0000 mgd; Approval Date: September 8, 2015.

46. EOG Resources, Inc., Pad ID: Olsyn 1H, ABR-201509004, Springfield Township, Bradford County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: September 17, 2015.

47. EOG Resources, Inc., Pad ID: Pichler 1H, ABR-201509003, Jay Township, Elk County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: September 17, 2015.

48. EOG Resources, Inc., Pad ID: PHC 2H, ABR-201509002, Lawrence Township, Clearfield County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: September 17, 2015.

49. SWEPI, LP, Pad ID: Maneval 296, ABR-201007056.R1, Delmar Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: September 17, 2015.

50. SWEPI, LP, Pad ID: Reese 289, ABR-201007057.R1, Charleston Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: September 17, 2015.

51. SWEPI, LP, Pad ID: Harsell 883, ABR-201007066.R1, Nelson Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: September 17, 2015.

52. SWEPI, LP, Pad ID: Wood 874, ABR-201007069.R1, Deerfield Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: September 17, 2015.

53. SWEPI, LP, Pad ID: Sawyer 376, ABR-201007061.R1, Union Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: September 17, 2015.

54. SWEPI, LP, Pad ID: Cleveland 616, ABR-201007089.R1, Delmar Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: September 17, 2015.

55. Cabot Oil & Gas Corporation, Pad ID: Teel P4, ABR-20080701.R1, Springville Township, Susquehanna County, PA; Consumptive Use of Up to 0.7000 mgd; Approval Date: September 17, 2015.

56. Cabot Oil & Gas Corporation, Pad ID: Teel P3, ABR-20080702.R1, Springville Township, Susquehanna County, PA; Consumptive Use of Up to 0.7000 mgd; Approval Date: September 17, 2015.

57. Cabot Oil & Gas Corporation, Pad ID: Costello P1, ABR-20080707.R1, Dimock Township, Susquehanna County, PA; Consumptive Use of Up to 0.9000 mgd; Approval Date: September 17, 2015.

58. Cabot Oil & Gas Corporation, Pad ID: Black P1, ABR-20080708.R1, Springville Township, Susquehanna County, PA; Consumptive Use of Up to 3.5000 mgd; Approval Date: September 17, 2015.

59. Cabot Oil & Gas Corporation, Pad ID: Ely P3, ABR-20080709.R1, Dimock Township, Susquehanna County, PA; Consumptive Use of Up to 3.5000 mgd; Approval Date: September 17, 2015.

60. Cabot Oil & Gas Corporation, Pad ID: Ely P2, ABR-20080722.R1, Dimock Township, Susquehanna County, PA; Consumptive Use of Up to 0.9000 mgd; Approval Date: September 17, 2015.

61. Cabot Oil & Gas Corporation, Pad ID: Lewis P2, ABR-20080802.R1, Dimock Township, Susquehanna County, PA; Consumptive Use of Up to 0.9000 mgd; Approval Date: September 17, 2015.

62. Cabot Oil & Gas Corporation, Pad ID: Lewis P1, ABR-20080803.R1, Dimock Township, Susquehanna County, PA; Consumptive Use of Up to 0.9000 mgd; Approval Date: September 17, 2015.

63. Cabot Oil & Gas Corporation, Pad ID: Costello P2, ABR-20080804.R1, Dimock Township, Susquehanna County, PA; Consumptive Use of Up to 0.9000 mgd; Approval Date: September 17, 2015.

64. Anadarko E&P Onshore, LLC, Pad ID: Wallis Run HC Pad A, ABR-201008078.R1, Cascade Township, Lycoming County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: September 28, 2015.

65. Anadarko E&P Onshore, LLC, Pad ID: Michael R. Fulkerson Pad A, ABR-201008116.R1, Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: September 28, 2015.

66. Anadarko E&P Onshore, LLC, Pad ID: Frank L. Hartley Pad A, ABR-201008144.R1, Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: September 28, 2015.

67. Anadarko E&P Onshore, LLC, Pad ID: Plants Evergreen Farm Pad A, ABR-201009003.R1, Cascade Township, Lycoming County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: September 28, 2015.

68. Anadarko E&P Onshore, LLC, Pad ID: COP Tr 685 Pad C, ABR-201009013.R1, Cummings Township, Lycoming County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: September 28, 2015.

69. Anadarko E&P Onshore, LLC, Pad ID: COP Tr 290 Pad A, ABR-201009043.R1, McHenry Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: September 28, 2015.

70. Anadarko E&P Onshore, LLC, Pad ID: COP Tr 289 Pad E, ABR-201009048.R1, McHenry Township, Lycoming County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: September 28, 2015.

71. Anadarko E&P Onshore, LLC, Pad ID: COP Tr 731 Pad A, ABR-201009057.R1, Cummings Township, Lycoming County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: September 28, 2015.

72. Anadarko E&P Onshore, LLC, Pad ID: Gayla D. Loch Pad A, ABR-201009083.R1, Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: September 28, 2015.

73. Chesapeake Appalachia, LLC, Pad ID: Meng, ABR-201101005.R1, Albany Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: September 28, 2015.

74. Chesapeake Appalachia, LLC, Pad ID: VRGC, ABR-201101022.R1, Wilmot Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: September 28, 2015.

75. Chesapeake Appalachia, LLC, Pad ID: Walker, ABR-201101030.R1, Wilmot Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: September 28, 2015.

76. SWEPI, LP, Pad ID: Gee 848V, ABR-201007093.R1, Middlebury Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: September 28, 2015.

77. Talisman Energy USA, Inc., Pad ID: 02 100 Detweiler R, ABR-201008023.R1, Covington Township, Tioga County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: September 29, 2015.

78. Talisman Energy USA, Inc., Pad ID: 02 203 DCNR 594, ABR-201008042.R1, Liberty Township, Tioga County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: September 29, 2015.

79. Talisman Energy USA, Inc., Pad ID: Carpenter 03 023, ABR-201008141.R1, Columbia Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: September 29, 2015.

80. Talisman Energy USA, Inc., Pad ID: DCNR 587 02 003, ABR-201008069.R1, Ward Township, Tioga County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: September 29, 2015.

81. Talisman Energy USA, Inc., Pad ID: DCNR 587 02 019, ABR-201008072.R1, Ward Township, Tioga County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: September 29, 2015.

82. Talisman Energy USA, Inc., Pad ID: Roy 03 062, ABR-201008089.R1, Wells Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: September 29, 2015.

Authority: Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

Dated: November 6, 2015.

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 15-2089. Filed for public inspection November 20, 2015, 9:00 a.m.]

Projects Rescinded for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) has rescinded the following list of projects from August 1, 2015, through August 31, 2015.

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, being rescinded for the consumptive use of water under the Commission's approval by rule process in 18 CFR 806.22(e) and (f) (relating to standards for consumptive uses of water) for the time period specified previously:

Rescinded ABR Issued August 1-31, 2015

1. Inflection Energy (PA), LLC, Pad ID: Eichenlaub A Pad, ABR-201206014, Upper Fairfield Township, Lycoming County, PA; Rescind Date: August 3, 2015.

2. Inflection Energy (PA), LLC, Pad ID: Iffland, ABR-201206015, Upper Fairfield Township, Lycoming County, PA; Rescind Date: August 3, 2015.

3. Inflection Energy (PA), LLC, Pad ID: G. Adams, ABR-201206012, Mill Creek Township, Lycoming County, PA; Rescind Date: August 3, 2015.

4. Inflection Energy (PA), LLC, Pad ID: Harris RE Trust, ABR-201207008, Fairfield Township, Lycoming County, PA; Rescind Date: August 3, 2015.

5. Inflection Energy (PA), LLC, Pad ID: Mussina, ABR-201207001, Fairfield Township, Lycoming County, PA; Rescind Date: August 3, 2015.

6. Tenaska Resources, LLC, Pad ID: Merlin, ABR-201012045, Sullivan Township, Tioga County, PA; Rescind Date: August 4, 2015.

7. EOG Resources, Inc., Pad ID: Haven 2H, ABR-201008094, Springfield Township, Bradford County, PA; Rescind Date: August 12, 2015.

8. EOG Resources, Inc., Pad ID: Kennedy A Pad, ABR-201302001, Smithfield Township, Bradford County, PA; Rescind Date: August 12, 2015.

9. EOG Resources, Inc., Pad ID: Kingsley 5HA/6HA Pad, ABR-201110028, Springfield Township, Bradford County, PA; Rescind Date: August 12, 2015.

10. EOG Resources, Inc., Pad ID: Plouse A Pad, ABR-201210014, Ridgebury Township, Bradford County, PA; Rescind Date: August 12, 2015.

11. EOG Resources, Inc., Pad ID: SGL 90E Pad, ABR-201011025, Lawrence Township, Clearfield County, PA; Rescind Date: August 12, 2015.

Authority: Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

Dated: November 10, 2015.

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 15-2090. Filed for public inspection November 20, 2015, 9:00 a.m.]