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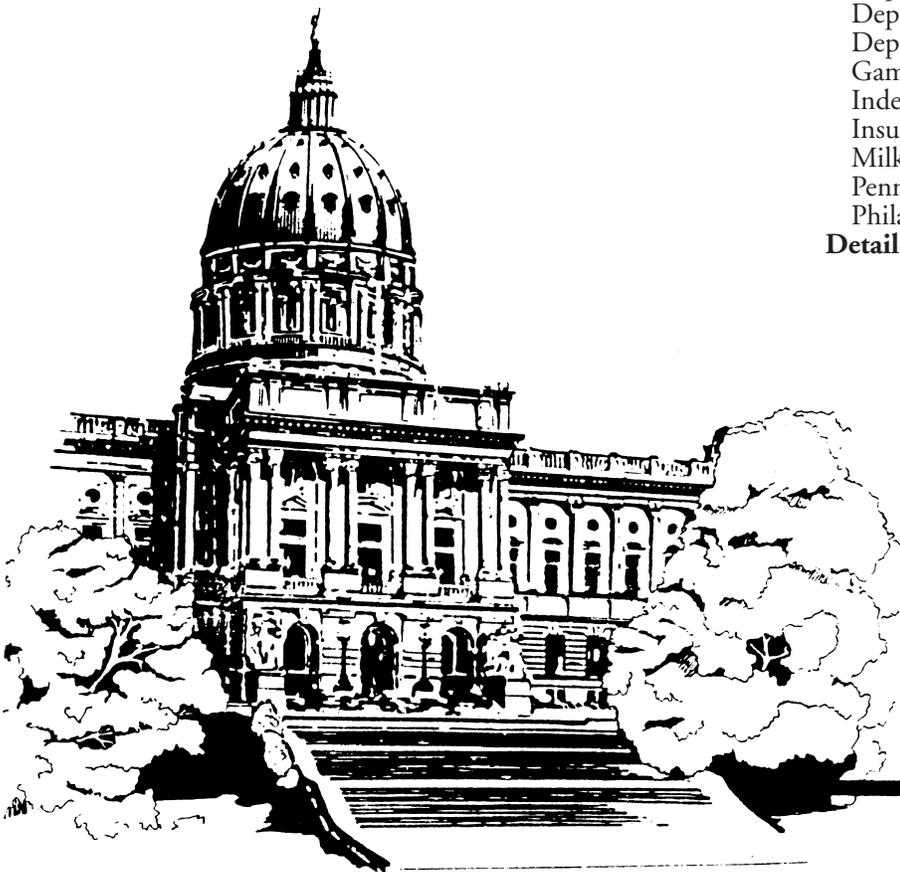
PENNSYLVANIA BULLETIN

Volume 45
Saturday, November 28, 2015 • Harrisburg, PA
Number 48
Pages 6789—6870

Agencies in this issue

The Governor
The General Assembly
The Courts
Department of Banking and Securities
Department of Environmental Protection
Department of Health
Department of Human Services
Department of Labor and Industry
Department of Transportation
Game Commission
Independent Regulatory Review Commission
Insurance Department
Milk Marketing Board
Pennsylvania Public Utility Commission
Philadelphia Regional Port Authority

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

No. 492, November 2015

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

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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

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

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

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Printing Format

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

Fiscal Notes

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

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

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List of Pa. Code Chapters Affected

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THE GOVERNOR

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 6]

[EXECUTIVE ORDER NO. 2015-07]

Governor's Advisory Commission on African American Affairs

August 4, 2015

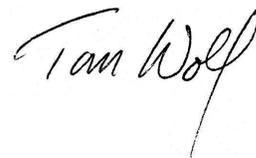
Whereas, African Americans in Pennsylvania make unique, diverse and valuable contributions to the culture, society and economy of Pennsylvania, which have a beneficial impact on life in the commonwealth; and

Whereas, the commonwealth is committed to providing equality and opportunity for all Pennsylvanians and increasing access for African Americans to civic, economic, and educational opportunities in Pennsylvania.

Whereas, we acknowledge the contributions of the African American community, while still recognizing the challenges still faced by many African Americans; and

Whereas, it will benefit the commonwealth to define and address the unique contributions, needs and concerns of the African American community, in order to improve the lives of all Pennsylvanians.

Now, Therefore, I, Thomas Wolf, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby reestablish, in the Office of the Governor, the Governor's Advisory Commission on African American Affairs as the commonwealth's advocate agency for its African American citizens as hereinafter set forth.



Governor

Fiscal Note: 2015-07. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES

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§§ 6.511—6.519. (Reserved).

Subchapter ZZ. GOVERNOR'S ADVISORY COMMISSION ON AFRICAN AMERICAN AFFAIRS

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6.615.	Relationship with other agencies.
6.616.	Reports.
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§ 6.611. Functions.

The Governor's Advisory Commission on African American Affairs shall:

(1) Advise the Governor on policies, procedures, legislation and regulations that affect the African American community.

(2) Develop, review and recommend to the Governor policies in the areas of health and human services, housing, education, employment, business formation and other relevant areas which affect the African American community.

(3) Provide appropriate assistance and advice to State agencies, including the Pennsylvania Minority Business Development Authority, and work with the Bureau of Workforce Planning, Development, and Equal Employment Opportunity within the Office of Human Resources and Management in the Governor's Office of Administration to strengthen the enforcement of the Commonwealth's antidiscriminatory hiring, retention and promotion policies.

(4) Serve as a liaison to Federal, State and local agencies to ensure that programs impacting African Americans are effectively utilized.

(5) Serve as a resource for community groups and provide forums for developing strategies and programs that will expand and enhance the civic, social, educational, cultural and economic status of the African American community.

(6) Identify programs, scholarships, mentoring programs, sources of funding or other resources and compliance requirements for the benefit and advancement of African Americans.

(7) Promote the cultural arts of the African American community throughout this Commonwealth.

§ 6.612. Composition.

(a) The Governor's Advisory Commission on African American Affairs (Commission) shall consist of no more than 20 members, to be appointed by the Governor, who are representatives of the African American community in this Commonwealth or others who have an interest in the success of the African American community and provide value to the Commission.

(b) The Governor will designate one Commission member to serve as chairperson. The Governor may designate one Commission member to serve as the vice-chairperson. The chairperson and vice-chairperson shall serve at the pleasure of the Governor.

(c) The Governor will appoint an Executive Director of the Commission who shall serve at the pleasure of the Governor and who may be a member of the Commission.

§ 6.613. Terms of membership.

(a) Members will be appointed for terms of 2 years and continue to serve until successors are appointed. A member may be reappointed for one or more additional terms. Members shall serve at the pleasure of the Governor.

(b) If a vacancy occurs on the Governor's Advisory Commission on African American Affairs (Commission), the Governor will appoint a successor. The successor will be appointed to fulfill the remainder of the term. A successor so appointed may thereafter be reappointed for one or more additional terms.

(c) A member who is absent from two consecutive meetings, without excuse, shall forfeit membership on the Commission.

§ 6.614. Compensation.

Members of the Governor's Advisory Commission on African American Affairs will not receive compensation for their service, except that members may be reimbursed for travel in accordance with Commonwealth policy. See Chapter 40 (relating to travel and subsistence).

§ 6.615. Relationship with other agencies.

Agencies under the Governor's jurisdiction shall cooperate with and provide assistance and support as needed by the Governor's Advisory

Commission on African American Affairs (Commission) to carry out its functions effectively. Independent agencies, State-affiliated entities and State-related institutions are strongly encouraged to work with the Commission to support its mission.

§ 6.616. Reports.

The Governor's Advisory Commission on African American Affairs shall submit reports to the Governor or the Governor's designee, as it deems necessary, on issues affecting African Americans in this Commonwealth.

§ 6.617. Procedures.

(a) The Governor's Advisory Commission on African American Affairs (Commission) is authorized to establish subcommittees and rules and procedures for the effective implementation of its functions, consistent with this subchapter. Subcommittees may include advisory nonmembers if approved by the Commission chairperson.

(b) A majority of the Commissioners serving at any time constitutes a quorum.

§ 6.618. Effective date.

This subchapter takes effect immediately and remains in effect unless revised or rescinded by the Governor.

§ 6.619. Rescission.

Executive Order 2012-08 is rescinded.

[Pa.B. Doc. No. 15-2091. Filed for public inspection November 25, 2015, 9:00 a.m.]

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 6]

[EXECUTIVE ORDER NO. 2015-10]

Governor's Advisory Commission on Asian Pacific American Affairs

August 4, 2015

Whereas, Asian Americans and Pacific Islanders (AAPIs) across the Commonwealth of Pennsylvania are helping to build a strong and vibrant Pennsylvania; and

Whereas, the Asian American and Pacific Islander (AAPI) communities represent many ethnicities and languages that span generations, and their shared achievements are an important part of the Pennsylvania experience; and

Whereas, AAPIs represent a vital and valued part of the culture, society and economy of the commonwealth; and

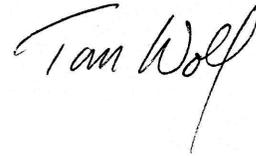
Whereas, AAPI businesses and communities have expressed great interest in doing business and pursuing educational opportunities in the Commonwealth of Pennsylvania and participating in the revitalization of Pennsylvania's economy; and

Whereas, the commonwealth is committed to providing equality and opportunity for all its citizens and increasing access for AAPIs to civic, economic, and educational opportunities in Pennsylvania; and

Whereas, it will benefit the commonwealth to define and address the unique contributions, needs and concerns of the AAPI communities, in order to improve the lives of all Pennsylvanians.

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

in the Office of the Governor, the Governor's Advisory Commission on Asian Pacific American Affairs as the commonwealth's advocate agency for AAPI Pennsylvanians as hereinafter set forth.



Governor

Fiscal Note: 2015-10. Increases in travel reimbursement as a result of the Commission expanding to 30 members will be absorbed within the Office of the Governor's current operating budget. (8) Recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES

Subchapter OO. (Reserved)

§§ 6.501—6.509. (Reserved).

Subchapter XX. GOVERNOR'S ADVISORY COMMISSION ON ASIAN PACIFIC AMERICAN AFFAIRS

Sec.	
6.591.	Functions.
6.592.	Composition.
6.593.	Terms of membership.
6.594.	Compensation.
6.595.	Relationship with other agencies.
6.596.	Reports.
6.597.	Procedures.
6.598.	Effective date.
6.599.	Rescission.

§ 6.591. Functions.

The Governor's Advisory Commission on Asian Pacific American Affairs shall:

(1) Advise the Governor on policies, procedures, legislation and regulations that affect the Asian American and Pacific Islander (AAPI) communities.

(2) Develop, review and recommend to the Governor policies in the areas of health and human services, housing, education, employment, business formation and other relevant areas which affect the AAPI communities.

(3) Provide appropriate assistance and advice to State agencies, including the Pennsylvania Minority Business Development Authority, and work with the Bureau of Workforce Planning, Development, and Equal Employment Opportunity within the Office of Human Resources and Management in the Governor's Office of Administration to strengthen the enforcement of the Commonwealth's antidiscriminatory hiring, retention and promotion policies.

(4) Serve as a liaison to Federal, State and local agencies to ensure that programs affecting AAPIs are effectively utilized and promoted.

(5) Serve as a resource for community groups and provide forums for developing strategies and programs that will expand and enhance the civic, social, educational, cultural and economic status of the AAPI communities.

(6) Identify programs, scholarships, mentoring programs, sources of funding or other resources for the benefit and advancement of AAPIs.

(7) Promote the cultural arts of the AAPI communities throughout this Commonwealth.

§ 6.592. Composition.

(a) The Governor's Advisory Commission on Asian Pacific American Affairs (Commission) will consist of no more than 30 members, to be appointed by the Governor, who are representatives of Asian American and Pacific Islander (AAPI) communities in this Commonwealth or others who have an interest in the success of the AAPI communities and provide value to the work of the Commission.

(b) The Governor will designate one Commission member to serve as chairperson. The Governor will designate one Commission member to serve as first vice-chairperson and two other Commission members to serve as second and third vice-chairpersons. The chairperson and the vice-chairpersons shall serve at the pleasure of the Governor.

(c) The Governor will appoint an Executive Director of the Commission who shall serve at the pleasure of the Governor.

§ 6.593. Terms of membership.

(a) Members will be appointed for terms of 2 years and serve until successors are appointed. A member may be reappointed for one additional term. Members shall serve at the pleasure of the Governor.

(b) If a vacancy occurs on the Governor's Advisory Commission on Asian Pacific American Affairs (Commission), the Governor will appoint a successor. The successor will be appointed to fulfill the remainder of the term. A successor so appointed may thereafter be reappointed for one additional term.

(c) A member who is absent from two consecutive meetings of the Commission, without excuse, shall forfeit membership on the Commission.

§ 6.594. Compensation.

Members of the Governor's Advisory Commission on Asian American Affairs will not receive compensation for their service except that members may be reimbursed for travel expenses in accordance with Commonwealth policy. See Chapter 40 (relating to travel and subsistence).

§ 6.595. Relationship with other agencies.

Agencies under the Governor's jurisdiction shall cooperate with and provide assistance and support as needed by the Governor's Advisory Commission on Asian Pacific American Affairs (Commission) to carry out its functions effectively. Independent agencies, State-affiliated entities and State-related institutions are also strongly encouraged to work with the Commission to support its mission.

§ 6.596. Reports.

The Governor's Advisory Commission on Asian Pacific American Affairs shall submit reports to the Governor or the Governor's designee, as it deems necessary, on issues affecting the Asian American and Pacific Islander communities in this Commonwealth.

§ 6.597. Procedures.

(a) The Governor's Advisory Commission on Asian Pacific American Affairs (Commission) is authorized to establish subcommittees and rules and procedures for the effective implementation of its functions, consistent with this subchapter. Subcommittees may include advisory nonmembers if approved by the Commission chairperson.

(b) A majority of the Commissioners serving at any time constitutes a quorum.

§ 6.598. Effective date.

This subchapter takes effect immediately and remains in effect unless revised or rescinded by the Governor.

§ 6.599. Rescission.

Executive Order 2012-07 is rescinded.

[Pa.B. Doc. No. 15-2092. Filed for public inspection November 25, 2015, 9:00 a.m.]

PART I. GOVERNOR'S OFFICE
[4 PA. CODE CH. 6]
[EXECUTIVE ORDER NO. 2015-08]
Governor's Advisory Commission on Latino Affairs

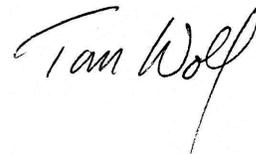
August 4, 2015

Whereas, Latinos in Pennsylvania make unique, diverse and valuable contributions to the culture, society and economy of Pennsylvania, which have a beneficial impact on life in the Commonwealth; and

Whereas, the Commonwealth is committed to providing equality and opportunity for all Pennsylvanians, including increased access for Latinos to civic, economic and educational opportunities in Pennsylvania; and

Whereas, it will benefit the Commonwealth to define and address the unique contributions, needs and concerns of the Latino community, in order to improve the lives of all Pennsylvanians.

Now, Therefore, I, Thomas Wolf, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby reestablish the Governor's Advisory Commission on Latino Affairs as the Commonwealth's advocate agency for Latinos as herein set forth.



Governor

Fiscal Note: 2015-08. Increases in travel reimbursement as a result of the Commission expanding to 30 members will be absorbed within the Office of the Governor's current operating budget. (8) Recommends adoption.

Annex A

TITLE 4. ADMINISTRATION
PART I. GOVERNOR'S OFFICE
CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES
Subchapter QQ. (Reserved)

§§ 6.521—6.529. (Reserved).

Subchapter WW. GOVERNOR'S ADVISORY COMMISSION ON
LATINO AFFAIRS

Sec.	
6.581.	Functions.
6.582.	Composition.
6.583.	Terms of membership.
6.584.	Compensation.
6.585.	Relationship with other agencies.
6.586.	Reports.
6.587.	Procedures.
6.588.	Effective date.
6.589.	Rescission.

§ 6.581. Functions.

The Governor's Advisory Commission on Latino Affairs shall:

(1) Advise the Governor on policies, procedures, legislation and regulations that affect the Latino community.

(2) Develop, review and recommend to the Governor policies in the areas of health and human services, housing, education, employment, business formation and other relevant areas which affect the Latino community.

(3) Provide appropriate assistance and advice to State agencies, including the Pennsylvania Minority Business Development Authority, and work with the Bureau of Workforce Planning, Development, and Equal Employment Opportunity within the Office of Human Resources and Management in the Governor's Office of Administration to strengthen the enforcement of the Commonwealth's antidiscriminatory hiring, retention and promotion policies.

(4) Serve as a liaison to Federal, State and local agencies to ensure that programs impacting the Latino community are effectively utilized and promoted.

(5) Serve as a resource for community groups and provide forums for developing strategies and programs that will expand and enhance the civic, social, educational, cultural and economic status of the Latino community.

(6) Identify programs, scholarships, mentoring programs, sources of funding or other resources for the benefit and advancement of Latinos.

(7) Promote the cultural arts of the Latino community throughout this Commonwealth.

§ 6.582. Composition.

(a) The Governor's Advisory Commission on Latino Affairs (Commission) shall consist of no more than 30 members, appointed by the Governor, who are representatives of the Latino community in this Commonwealth or others who have an interest in the success of the Latino community and provide value to the work of the Commission.

(b) The Governor will designate one Commission member or the Executive Director of the Commission to serve as chairperson. The Governor may designate up to three Commission members or the Executive Director of the Commission to serve as vice-chairpersons of the Commission. The chairperson and vice-chairpersons shall serve at the pleasure of the Governor.

(c) The Governor will appoint an Executive Director of the Commission who shall serve at the pleasure of the Governor and who may be a member of the Commission.

§ 6.583. Terms of membership.

(a) Members will be appointed for terms of 2 years and continue to serve until successors are appointed. A member may be reappointed for one or more additional terms. Members shall serve at the pleasure of the Governor.

(b) If a vacancy occurs on the Governor's Advisory Commission on Latino Affairs (Commission), the Governor will appoint a successor. The successor shall fulfill the remainder of the term. A successor so appointed may thereafter be reappointed for one or more additional terms.

(c) A member who is absent from two consecutive meetings of the Commission, without excuse, shall forfeit membership on the Commission.

§ 6.584. Compensation.

Members of the Governor's Advisory Commission on Latino Affairs will not receive compensation for their service except that members may be reimbursed for travel in accordance with Commonwealth policy. See Chapter 40 (relating to travel and subsistence).

§ 6.585. Relationship with other agencies.

Agencies under the Governor's jurisdiction shall cooperate with and provide assistance and support as needed by the Governor's Advisory Commission on Latino Affairs (Commission) to carry out its functions

effectively. Independent agencies, State-affiliated entities and State-related institutions are strongly encouraged to work with the Commission to support its mission.

§ 6.586. Reports.

The Governor's Advisory Commission on Latino Affairs may submit reports to the Governor or the Governor's designee, as it deems necessary, on issues affecting Latinos in this Commonwealth.

§ 6.587. Procedures.

(a) The Governor's Advisory Commission on Latino Affairs (Commission) is authorized to establish subcommittees and rules and procedures for the effective implementation of its functions consistent with this subchapter. Subcommittees may include advisory nonmembers, if approved by the Commission chairperson.

(b) A majority of the Commissioners serving at any time constitutes a quorum.

§ 6.588. Effective date.

This subchapter takes effect immediately and remains in effect unless revised or rescinded by the Governor.

§ 6.589. Rescission.

Executive Order 2012-10 is rescinded.

[Pa.B. Doc. No. 15-2093. Filed for public inspection November 25, 2015, 9:00 a.m.]

PART I. GOVERNOR'S OFFICE
[4 PA. CODE CH. 6]
[EXECUTIVE ORDER NO. 2015-09]
Pennsylvania Commission for Women

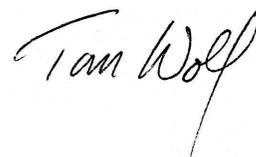
August 4, 2015

Whereas, women in Pennsylvania make unique, diverse and valuable contributions to the culture, society and economy of Pennsylvania, which have a beneficial impact on the commonwealth; and

Whereas, the commonwealth is committed to providing equality and opportunity for all Pennsylvanians and increasing access for women to civic, economic and educational opportunities; and

Whereas, it will benefit the commonwealth to define and address the unique contributions, needs and concerns of women, in order to improve the lives of all Pennsylvanians.

Now, Therefore, I, Thomas Wolf, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby reestablish the Pennsylvania Commission for Women as the commonwealth's advocate agency for women as herein set forth.



Governor

Fiscal Note: 2015-9. No fiscal impact; (8) recommends adoption.

Annex A
TITLE 4. ADMINISTRATION
PART I. GOVERNOR'S OFFICE
CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES
Subchapter NN. (Reserved)

§§ 6.491—6.499. (Reserved).

Subchapter YY. PENNSYLVANIA COMMISSION FOR WOMEN

Sec.	
6.601.	Functions.
6.602.	Composition.
6.603.	Terms of membership.
6.604.	Compensation.
6.605.	Relationship with other agencies.
6.606.	Reports.
6.607.	Procedures.
6.608.	Effective date.
6.609.	Rescission.

§ 6.601. Functions.

The Pennsylvania Commission for Women shall:

- (1) Advise the Governor on policies, procedures, legislation and regulations that affect women.
- (2) Support economic and civic opportunities for women.
- (3) Support mentoring programs for girls and young women.
- (4) Serve as a resource for community groups developing strategies and programs that will expand and enhance the civic, social, educational, cultural and economic status of women.
- (5) Identify programs and opportunities for the benefit and advancement of women.

§ 6.602. Composition.

(a) The Pennsylvania Commission for Women (Commission) shall consist of no more than 30 members appointed by the Governor who represent a diverse population, have an interest in the success of women in this Commonwealth and provide value to the work of the Commission. The Governor shall request that the Majority and Minority leaders of both chambers of the General Assembly, on behalf of their respective caucuses, each provide a list to the Governor of three candidates. The Governor will appoint one of the three candidates to the Commission from each list. The recommendations from the leaders of the General Assembly shall be sent to the Governor within 30 days of the Governor's request.

(b) The Governor will designate one Commission member or the Executive Director of the Commission to serve as chairperson. The Governor may designate one or more Commission members to serve in leadership positions as needed. Commission leadership shall serve at the pleasure of the Governor.

(c) The Governor will appoint an Executive Director of the Commission who shall serve at the pleasure of the Governor and who may be a member of the Commission.

§ 6.603. Terms of membership.

(a) Members will be appointed for terms of 2 years and serve until successors are appointed. A member may be reappointed for one or more additional terms. Members shall serve at the pleasure of the Governor.

(b) If a vacancy occurs on the Pennsylvania Commission for Women (Commission), the Governor will appoint a successor. The successor shall fulfill the remainder of the term. A successor so appointed may thereafter be reappointed for one or more additional terms.

(c) A member who is absent from two consecutive meetings of the Commission, without excuse, shall forfeit membership on the Commission.

§ 6.604. Compensation.

Members of the Pennsylvania Commission for Women will not receive compensation for their service except that members may be reimbursed for travel in accordance with Commonwealth policy. See Chapter 40 (relating to travel and subsistence).

§ 6.605. Relationship with other agencies.

Agencies under the Governor's jurisdiction shall cooperate with and provide assistance and support as needed by the Pennsylvania Commission for Women (Commission) to carry out its functions effectively. Independent agencies, State-affiliated entities and State-related institutions are also strongly encouraged to work with the Commission to support its mission.

§ 6.606. Reports.

The Pennsylvania Commission for Women shall submit reports to the Governor or the Governor's designee, as it deems necessary, on issues affecting women in this Commonwealth.

§ 6.607. Procedures.

(a) The Pennsylvania Commission for Women (Commission) is authorized to establish subcommittees and rules and procedures for the effective implementation of its functions, consistent with this subchapter. Subcommittees may include advisory nonmembers if approved by the Commission's chairperson.

(b) A majority of the Commissioners serving at any time constitutes a quorum.

§ 6.608. Effective date.

This subchapter takes effect immediately and remains in effect unless revised or rescinded by the Governor.

§ 6.609. Rescission.

Executive Order 2012-06 is rescinded.

[Pa.B. Doc. No. 15-2094. Filed for public inspection November 25, 2015, 9:00 a.m.]

THE GENERAL ASSEMBLY

Cost-of-Living Factor under the Public Official Compensation Law

Under Section 4(d) of the Public Official Compensation Law (Act 72 of 2005), for the 12-month period beginning December 1, 2015 through November 30, 2016, the salary of the members of the General Assembly shall be increased by a cost-of-living factor which is determined by increasing the amount of the salary by the percentage change in the Consumer Price Index for all Urban Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and Maryland area, officially reported by the United States Department of Labor, Bureau of Labor Statistics for the period of November 1, 2014 through October 31, 2015.

The percentage increase and the new salary amount have been determined jointly by the Chief Clerk of the Senate and the Chief Clerk of the House of Representatives as follows:

The CPI-U for the period November 1, 2014 through October 31, 2015 decreased by 0.5107%. Therefore, there is no change in the salary for the period beginning December 1, 2015 through November 30, 2016 and will remain \$85,338.65.

Under section 4(d.1) of the Public Official Compensation Law (Act 72 of 2005), for the 12-month period beginning December 1, 2015 through November 30, 2016, the additional compensation of the officers and leaders of the General Assembly shall be increased by a cost-of-living factor which is determined by increasing the amount of the salary by the percentage change in the Consumer Price Index for all Urban Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and Maryland area, officially reported by the United States Department of Labor, Bureau of Labor Statistics for the period from November 1, 2014 through October 31, 2015.

The percentage change and the new compensation amounts have been determined jointly by the Chief Clerk of the Senate and the Chief Clerk of the House of Representatives as follows:

<i>Leadership Position</i>	<i>% Increase</i>	<i>New Compensation</i>
President pro tempore/Speaker	0%	\$133,219.09
Majority Floor Leader	0%	\$123,644.82
Minority Floor Leader	0%	\$123,644.82
Majority Whip	0%	\$114,410.08
Minority Whip	0%	\$114,410.08
Majority Caucus Chairman	0%	\$103,464.95
Minority Caucus Chairman	0%	\$103,464.95
Majority Appropriations Chairman	0%	\$114,410.08
Minority Appropriations Chairman	0%	\$114,410.08
Majority Caucus Secretary	0%	\$97,309.67
Minority Caucus Secretary	0%	\$97,309.67
Majority Caucus Policy Chairman	0%	\$97,309.67
Minority Caucus Policy Chairman	0%	\$97,309.67
Majority Caucus Administrator	0%	\$97,309.67
Minority Caucus Administrator	0%	\$97,309.67

DONETTA M. D'INNOCENZO,
Chief Clerk
Senate of Pennsylvania

ANTHONY FRANK BARBUSH,
Chief Clerk
House of Representatives

[Pa.B. Doc. No. 15-2095. Filed for public inspection November 25, 2015, 9:00 a.m.]

THE COURTS

Title 210—APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

[210 PA. CODE CH. 1]

Order Amending Rule 125 of the Rules of Appellate Procedure; No. 256 Appellate Procedural Rules Doc.

Order

Per Curiam

And Now, this 13th day of November, 2015, upon the recommendation of the Appellate Court Procedural Rules Committee; the proposal having been submitted without publication in the interest of efficient administration:

It Is Ordered, pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Pennsylvania Rule of Appellate Procedure 125 is amended in the following form.

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

Annex A

TITLE 210. APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

ARTICLE I. PRELIMINARY PROVISIONS

CHAPTER 1. GENERAL PROVISIONS

DOCUMENTS GENERALLY

Rule 125. Electronic Filing.

Electronic filing of documents in the appellate courts shall be through the PACFile appellate court electronic filing system. Electronic filing of documents shall be governed by [**an Administrative Order**] **Administrative Orders** of the Supreme Court of Pennsylvania, which may be found at <http://ujportal.pacourts.us/refdocuments/judicialorder.pdf>.

* * * * *

[Pa.B. Doc. No. 15-2096. Filed for public inspection November 25, 2015, 9:00 a.m.]

Title 255—LOCAL COURT RULES

DAUPHIN COUNTY

Promulgation of Local Rules; No. 1793 S 1989; 1556 MD 2015

Order

And Now, this 9th day of November 2015, Dauphin County Local Rule of Judicial Administration 1907 is promulgated as follows:

Rule 1907. Constables—Service of Summary Warrants.

a. A Constable shall only serve summary warrants that are issued by a Magisterial District Judge to that Constable.

b. The Constable shall be in possession of the hard copy of the warrant to initiate contact with the subject of the warrant. Public web portal docket sheets are not permitted to be used for warrant service.

c. Upon service of the warrant pursuant to Pa.R.Crim.P. 431(B), if the subject of the warrant only owes money and possesses the full amount owed, the Constable shall accept the money, issue a receipt and remit the money to the applicable Magisterial District Judge as soon as possible but no later than noon on the next business day. The Constable shall sign the warrant and submit the signed Constable Fee/Expense Reimbursement Request/Approval form to the Magisterial District Judge. The subject of the warrant shall not be taken into custody.

d. Upon service of the warrant pursuant to Pa.R.Crim.P. 431(B), if the subject of the warrant is taken into custody due to the inability to pay the full amount, the Constable shall transport the individual to the office of the Magisterial District Judge where the warrant was issued. The Constable may ask the Magisterial Judge's staff to check if the individual has any other outstanding warrants from other Magisterial District Judge's office(s) in Dauphin County. If there are outstanding warrants from other offices, the Constable may call the other office(s) and ask that office to fax a copy of the active warrant to the Constable at the office of the Magisterial District Judge. That office shall timely fax any outstanding warrants to the requesting Constable at the other Magisterial District Judge's Office. Additional warrants may, at the discretion of the Magisterial District Judge, be addressed at the same time as the warrant that brought the individual to the Magisterial District Judge's office. If these other warrants are addressed, the Constable shall go to the Magisterial District Judge's office(s) which holds the original of the faxed warrant(s) to sign the original warrant and the Constable Fee/Expense Reimbursement Request/Approval form(s). If the original of the faxed warrant(s) is not signed and the Constable Fee/Expense Reimbursement Request/Approval form(s) that are submitted are not properly signed, the Constable will not receive payment. If the Magisterial District Judge chooses not to address these additional warrants, the Constable shall transport the subject to the appropriate Magisterial District Judge's office for processing.

e. Upon receipt of the signed warrant and signed Constable Fee/Expense Reimbursement Request/Approval form, the Magisterial District Judge shall add the constable fees to the MDJS system and mark the warrant as served.

f. Constables shall make every attempt to serve warrants during non-Night Court hours. Absent extraordinary circumstances, Constables are discouraged from transporting an individual to the Dauphin County Booking Center since it is not the primary function of Night Court to process outstanding summary warrants. Extraordinary circumstances shall include, inter alia, circumstances where the Constable is unable to effectuate service of the summary warrant during normal business hours. The Constable must articulate reason(s) why the

arrest cannot wait until morning or could not be accomplished during non-Night Court hours.

g. If a Magisterial District Judge makes a judicial determination that the case is dismissed, that the individual is found to be indigent or the individual is jailed in lieu of payment, the Magisterial District Judge shall check the appropriate box on the Constable Fee/Expense Reimbursement Request/Approval form, verify to the extent possible that the information on the form is accurate and timely submit the form to the Controller of Dauphin County for payment.

These amendments shall be effective thirty days after publication in the *Pennsylvania Bulletin*.

By the Court

RICHARD A. LEWIS,
President Judge

[Pa.B. Doc. No. 15-2097. Filed for public inspection November 25, 2015, 9:00 a.m.]

LEHIGH COUNTY

Clerk of Judicial Records Civil Division—Fee Increase; Case No. 2015-J-68

Order

And Now, this 21st day of October, 2015, upon consideration of the within Petition for Increased Fee Schedule presented by Lehigh County Clerk of Judicial Records, Andrea E. Naugle, and in accordance with Act 164 of 1998, the Prothonotary Fee Law.

It Is Ordered that the Lehigh County Clerk of Judicial Records—Civil Division Fee Schedule, which follows and is attached to the Petition as Exhibit “D,” is hereby approved and adopted, to be effective January 1, 2016.

It Is Further Ordered that the Court Administrator of Lehigh County is directed to:

1. File one (1) certified copy of this order with the Administrative Office of Pennsylvania Courts.
2. File two (2) certified copies and one disk copy with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. File one (1) certified copy with the Pennsylvania Civil Procedural Rules Committee.
4. File one (1) certified copy with the Clerk of Judicial Records Civil Division of the Court of Common Pleas of Lehigh County.
5. Forward one (1) copy for publication in the *Lehigh County Law Journal*.

By the Court

EDWARD D. REIBMAN,
President Judge

**Andrea E. Naugle, Lehigh County Clerk of
Judicial Records
Revised Civil Division Fee Schedule
Effective January 1, 2016**

(42 Pa.C.S. § 21071)
Act 98-164 Effective 1/21/99

Note: CTF = Children’s Trust Fund Fee Mandated by State Legislation

JCP = Judicial Computer Project Fee Mandated by State Legislation
Revisions: Act 126 of 2014—eff. 7/10/14, Act 113 of 2014—eff. 8/8/2014
PAF = Prothonotary Automation Fee Authorized by Act 98-164
LCE = Lehigh County E-filing created by Leh R.C.P. 205.3 effective 1/1/04

<i>Document Type</i>	<i>Fee</i>
Acknowledgment of Deeds	\$ 10.40
APPEALS	
Appeal of Appellate Court Plus check made payable to “Prothonotary of Superior/ Commonwealth Court” for \$85.50	\$82.25
Appeal from District Justice	\$170.25
Appeal from Arbitration *plus any add’l compensation authorized, but not to exceed 50% of the amount in controversy. Shall not be taxable as costs or be recoverable in any proceeding.	\$600.00*
Assignments/Substitution of Party	\$ 10.40
Building Agreements/Stip	\$ 21.00
CERTIFICATION	
Certification	\$ 6.00
Divorce Decree, Name Change	
Certification of Entire Record	\$ 21.00
COMMENCEMENT OF ACTION	
Action at Law or Equity (plus .50 extra for indexing more than 5 pltfs. or defts.)	\$170.25
Miscellaneous Civil Filing	\$ 75.90
Custody Actions	\$198.25
Modification of Custody (per petition)	\$ 28.00
Contempt of Custody (per petition)	\$ 28.00
Miscellaneous Custody Petitions	\$ 28.00
Petition for Relocation	\$ 28.00
Petition to Intervene	\$ 28.00
Petition for Special/Emerg. Relief	\$ 28.00
Divorce—(No Fault)	
Plus add’l counts	\$255.75
Alimony	\$ 68.25
Alimony pendente lite, counsel fees & costs	\$ 68.25
Custody & Visitation	\$ 76.25
Equitable Distribution/Property Rights	\$ 68.25
Support	\$ 68.25
Other, each	\$ 68.25
Petition for Special/Emerg. Relief	\$ 28.00
Miscellaneous Divorce Petitions	\$ 28.00
Vital Statistics	\$.50
Praecepte To Transmit Record	\$ 32.75
Motion for Appointment of Master (Divorce, Alimony, Equitable Distribution & Annulment)	\$500.00
Motion for Appointment of Master (Interim Relief: Counsel Fees & Costs)	\$28.00
Motion for Appointment of Master (Modification of Post-Divorce Alimony)	\$ 28.00
Any action or proceeding to open/strike a judgment	\$149.25
Proceedings on any lien other than revival—(Mechanic’s Lien Complaint)	\$113.75
*Actions started by a political subdivision (Includes tax and surcharges)	\$ 66.40

<i>Document Type</i>	<i>Fee</i>	<i>Document Type</i>	<i>Fee</i>
COPIES		REVIVALS	
Photo copy per page	\$.25	Amicable/Agreement	\$ 19.25
Docket printout by mail	\$ 3.50	Adverse/Writ	\$ 32.75
Photo copying by clerk		Averments, suggestion of non-payment, (Continuing any lien not reduced to a judgment)	\$ 19.25
1st page by mail	\$ 1.00	Satisfactions—not prepaid	\$ 10.40
Each add'l page	\$.50	School Audits	\$ 10.40
Microfilm Copies	\$ 1.00	SUBPOENA	
JUDGMENTS		Subpoena—To Attend and Testify	\$ 4.00
Confession (notes, bonds, etc.)	\$ 75.75	Subpoena—To Produce Documents	\$ 4.00
District Justice Transcript	\$ 75.75	Surety Financial Statement	\$ 19.40
Certification of Judgment	\$ 75.75	WRITS	
Domestic Relations	\$ 75.75	Bench Warrant	\$ 21.00
Exemplification/Foreign Judgment (Incoming Exemplified Records)	\$ 75.75	Execution	\$ 32.75
Exemplification of Judgment (Outgoing Exemplified Records)	\$ 21.00	Attachment Execution	\$ 33.25
Liens	\$ 75.75	Writs (Seizure, Possession, and Habeas)	\$ 32.75
Default, Non-Pros, Demurrer, Lis Pendens	\$ 19.25	No personal checks will be accepted	
Verdict, Award, Court Order, Agreement & Final Decree	\$ 19.25	Business checks should be made payable to: CLERK OF JUDICIAL RECORDS—CIVIL DIVISION	
Release of Judgment	\$ 10.40	All checks returned for insufficient funds will be as- sessed a \$20.00 service charge.	
Reassess of Judgment	\$ 10.40	Pursuant to 42 P.S. § 21073(b), the Clerk of Judicial Records—Civil Division shall not be required to enter on the docket any suit, action or order of court or enter any judgment thereon or perform any service whatsoever for any person, political subdivision or the Commonwealth until the requisite fee is paid.	
Subordination of Judgment	\$ 10.40	*The maximum fee to be charged a political subdivision for any one of the services provided for herein shall be \$10.00. Total fee may include satisfaction/discontinuance, automation fees, JCS fee and Tax	
Withdraw of Judgment	\$ 10.40	*Actions started by a political subdivision includes tax and surcharges	
236 NOTICE Filed Electronically	\$ 5.25	<i>Note:</i> A Credit Card Fee will be charged by the credit card company for the use of a credit/debit cards.	
LETTER OF ATTORNEY		[Pa.B. Doc. No. 15-2098. Filed for public inspection November 25, 2015, 9:00 a.m.]	
Recording—each name	\$ 10.40		
Revoking—each name	\$ 10.40		
NOTARY PUBLIC			
Notarizing Fee	\$ 6.00		
Notary Certificate	\$ 4.00		
Notary Signature Registration	\$ 4.00		
*POLITICAL SUBDDIVISION			
Action at Law or Equity	\$ 66.40		
Appeal from District Justice	\$ 66.00		
District Justice Transcript	\$ 66.00		
Execution	\$ 10.00		
Judgment	\$ 10.00		
Liens with Satisfaction Fee	\$ 66.40		
1. Federal Liens (effective 2006)			
2. Mechanic Liens			
3. Municipal Liens			
4. State Liens (effective 2004)			
5. Unemployment Liens (effective 2006)			
Satisfaction not pre-paid	\$ 10.40		
Correction Notices	\$ 10.00		
1. Federal Liens			
Re-file Notice	\$ 10.00		
Suggestion of Non-payment	\$ 10.00		
Federal, State, Unemployment			
POUNDAGE			
(The handling fee of monies paid into court)			
4.5% on the first \$1,000 and 1.5% on each add'l \$1,000 or fraction thereof			
PROTECTION FROM ABUSE			
PFA filing	\$195.60		
PA State Police Registry	\$100.00		
PFA Contempt or Bench Warrant Removal or Transfer	\$ 21.00 \$ 25.50		
REPORTS			
Detailed Case Type Reports	\$ 25.50		

LEHIGH COUNTY

Establishing Uniform Rules Regarding Taking of Photographs, Video or Motion Pictures of Judicial Proceedings or in the Hearing Room, Court- room or Its Environs; No. 2015-J-0064

Administrative Order

And Now, this 30th day of September, 2015,

It Is Ordered:

1.) No sound recording, photograph, video recording or motion picture may be made or taken of any judicial proceeding or in any hearing room or courtroom, or in the area immediately surrounding the entrances or exits of such rooms, without the prior permission of the presiding judge, the presiding hearing officer or the designee of the presiding judge or the presiding hearing officer.

2.) All electronic devices, including cell phones, tablets, laptops, and cameras, shall be powered off (not simply muted) in all hearing rooms, courtrooms and in the area immediately surrounding the entrances and exits of such rooms unless permission to activate such device has been first obtained from the presiding judge, the presiding hearing officer or the designee of the presiding judge or the presiding hearing officer.

3.) No photograph, video recording or motion picture of any witness, juror or police officer connected to a pending judicial proceeding may be taken or made in the courtroom or in any building housing a courtroom or hearing room, whether or not the court is actually in session, without the prior permission of the presiding judge, the presiding hearing officer or the designee of the presiding judge or the presiding hearing officer.

4.) The transmission of any conversation or testimony taken by any electronic means during any judicial proceeding without the prior permission of the presiding judge, the presiding hearing officer or the designee of the presiding judge or the presiding hearing officer is strictly prohibited.

5.) Violation of this Order may constitute contempt of court and result in the confiscation of such device, the deletion of any offending data or material on such device, the imposition of a fine of up to \$1,000.00 and/or imprisonment of up to six (6) months.

6.) The presiding judge; the presiding hearing officer; the Court Administrator; the designee of the presiding judge, the presiding hearing officer or the Court Administrator; including the courtroom staff of the presiding judge or the presiding hearing officer; and the Sheriff of Lehigh County or his deputy, are authorized to enforce this Order, including taking immediate possession of any offending device.

7.) Any device confiscated pursuant to this Order that is not claimed by its lawful owner within seven (7) business days of such confiscation shall be deemed forfeited to the County of Lehigh.

It Is Further Ordered that one (1) certified copy of this Order shall be filed by the Court Administrator of Lehigh County with the Administrative Office of the Pennsylvania Courts; that two (2) certified copies and a CD-ROM copy that complies with the requirement of Pa. Code § 13.11(b) shall be filed with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; and that one (1) certified copy shall be filed with the Criminal, Civil, Domestic Relations, Juvenile Court and Orphans' Court Rules Committees, which Committees have certified to this court that this Administrative Order is not inconsistent with any general rule of the Supreme Court. Finally, it is ordered that the Court Administrator of Lehigh County publish a copy of this Order on the Unified Judicial System's web site at <http://ujportal.pacourts.us/localrules/ruleselection.aspx>.

By the Court

EDWARD D. REIBMAN,
President Judge

[Pa.B. Doc. No. 15-2099. Filed for public inspection November 25, 2015, 9:00 a.m.]

SUPREME COURT

Electronic Filing, Transmission and Remand of Records on Appeal; No. 450 Judicial Administration Doc.

Order

Per Curiam

And Now, this 13th day of November, 2015, the electronic filing, transmission and remand of records on appeal through the PACFile appellate court electronic filing system is hereby authorized, effective immediately. The applicable general rules of court and court policies that implement the rules shall continue to apply to the filing, transmission and remand of records on appeal regardless of whether a record is filed, transmitted or remanded electronically through the PACFile system. After experience is gained with electronic filing, transmission and remand of records on appeal, the Pennsylvania Rules of Appellate Procedure shall be amended to incorporate, where needed and as appropriate, procedures relating specifically to electronic filing, transmission and remand of records on appeal. In the interim, electronic filing, transmission and remand of records on appeal shall be governed by this Order and, to the extent there are differences between the procedures described in this Order and those prescribed by the Pennsylvania Rules of Appellate Procedure, the procedures described in this Order shall apply.

Electronic Filing, Transmission and Remand of Records

(A) The electronic filing, transmission or remand of a record through the PACFile system by a court or other government unit shall constitute the filing, transmission or remand of the record under the Pennsylvania Rules of Appellate Procedure.

(B) The filing, transmission or remand of a record through the PACFile system is effected when a court or other government unit utilizes the PACFile system to electronically file, transmit or give notice of the remand or remittal of the record to a court or other government unit.

(C) The date of the electronic filing, transmission or remand of a record through the PACFile system by a court or other government unit shall be noted on the docket of the filing, transmitting or remanding court or other government unit and on the docket of the receiving court or other government unit.

(D) Any documents or filings sealed in a court or other government unit may be electronically filed, transmitted or remanded through the PACFile system only in a manner that restricts access to the sealed documents or filings to the court or other government unit and registered users of the PACFile system who are authorized to view the sealed documents or filings. Documents filed in camera in a court or other government unit may not be electronically filed or transmitted through the PACFile system.

(E) The appellate courts shall retain control over electronic access to records electronically filed or transmitted through the PACFile system, and may exclude such electronic access in whole or in part.

(F) For the purposes of Pa.R.A.P. 1921, in any appeal in which the record is electronically filed or transmitted through the PACFile system, the documents and filings electronically filed or transmitted thereby shall constitute original papers and exhibits.

(G) Upon the electronic filing, transmission or remand of a record through the PACFile system, the record shall be considered to be in the possession of the receiving court or other government unit until the record is electronically filed in, or transmitted to another court or government unit, or notice of remand or remittal to another court or other government unit is given.

(H) If a Rule of Appellate Procedure or court policy requires that a court file, transmit, remand or remit a record to another court or other government unit, the filing, transmission or notice of remand or remittal to the receiving court or other government unit may also be effected through the PACFile system.

(I) If a Rule of Appellate Procedure or court policy requires that a court provide notice by mail of the filing, transmission, remand or remittal of a record (as, for example, in Pa.R.A.P. 1934), that court may instead provide electronic notice by means of the PACFile system to a registered user of the system.

(J) The procedures described in this Order apply in lieu of those prescribed by the Pennsylvania Rules of Appellate Procedure to the extent there are differences between the procedures; otherwise, the Rules of Appellate Procedure continue to apply with full force and effect.

[Pa.B. Doc. No. 15-2100. Filed for public inspection November 25, 2015, 9:00 a.m.]

RULES AND REGULATIONS

Title 34—LABOR AND INDUSTRY

DEPARTMENT OF LABOR AND INDUSTRY

[34 PA. CODE CHS. 401 AND 403]

Uniform Construction Code

Under section 304 of the Pennsylvania Construction Code Act (act) (35 P.S. § 7210.304), the Department of Labor and Industry (Department) amends §§ 401.1 and 403.21 (relating to definitions; and Uniform Construction Code) to read as set forth in Annex A.

Statutory Authority

This final-omitted rulemaking is issued under the authority of section 304(a)(1) of the act, which provides that, within 3 months of receiving the report from the Uniform Construction Code Review and Advisory Council (RAC) specifying the triennial code revisions of the International Code Council (ICC) codes that are to be adopted into the Commonwealth's Uniform Construction Code (UCC), the Department "shall promulgate final-omitted regulations" adopting the revisions listed in the report "without change."

Background

In 1999, the General Assembly established the UCC and directed the Department to promulgate regulations adopting certain building codes as the UCC. See sections 102(a)(3) and 301 of the act (35 P.S. §§ 7210.102(a)(3) and 7210.301). The Department did so and, currently, the UCC adopts, by reference, various codes issued by the ICC, including the International Building Code (IBC), the International Mechanical Code (IMC), the International Fire Code (IFC), the International Fuel Gas Code, the International Residential Code (IRC), the International Plumbing Code, the International Existing Building Code (IEBC) and the International Energy Conservation Code (IECC). See §§ 403.1 and 403.21. Every 3 years, the ICC publishes revisions to these codes.

The act of October 9, 2008 (P.L. 1386, No. 106) established the RAC and charged it with the duty to review the periodic changes to the codes prior to adoption into the UCC. See section 107 of the act (35 P.S. § 7210.107). At that time, the RAC reviewed "new and amended provisions contained in triennial revisions" to the ICC codes and directed the Department which sections should be excluded.

For the 2009 review cycle, the RAC reviewed the revisions to the 2006 codes and advised the Department that it was not directing exclusion of any revised provisions. The Department then promulgated the necessary regulations, as required under the act, and the 2009 edition of the ICC codes were adopted, in their entirety, into the UCC.

The act of April 25, 2011 (P.L. 1, No. 1) amended the procedure by which the triennial revisions to the ICC codes would be reviewed and adopted into the UCC. See sections 107 and 304 of the act. Beginning with the 2012 revisions, the RAC was directed under section 107(b.1) of the act to review only the "latest triennial code revisions" of the new codes and to vote on what provisions should be added to the UCC. For each review, the RAC must hold public hearings and perform a review utilizing the crite-

ria in section 107(b.1)(2) and (4) of the act. To approve a revision for adoption into the UCC, the RAC is required under section 107(b.1)(5) of the act to approve that revision by a "two-thirds vote of council membership." Under section 107(b.1)(3) of the act, the RAC then submits a report to the Secretary of the Department identifying every provision that the RAC approved for adoption into the UCC. The Department is required under section 304(a)(1) of the act to "promulgate final-omitted regulations . . . to adopt the triennial code revisions made in the report without change."

Following the 2012 review cycle, the RAC did not adopt new revisions to the ICC codes and changes were not made to the Commonwealth's existing UCC.

In May 2014, the ICC published the 2015 triennial revisions to the ICC codes, involving over 1,900 revisions. The RAC formed subcommittees for each ICC code category to review the revisions. Each subcommittee reviewed and gave recommendations on their respective revisions. The RAC held three public hearings on November 19, 2014, in Youngwood, on January 11, 2015, in Harrisburg, and on February 11, 2015, in Allentown. On May 20, 2015, the RAC held a meeting to discuss and vote on the 2015 triennial building code revisions. The RAC voted to adopt 16 revisions. On May 29, 2015, Thomas McCosby, Chairperson of the RAC, sent a final report to the Department Secretary Kathy M. Manderino listing the revisions that were "specified for adoption." On June 17, 2015, Thomas McCosby sent a clarification letter identifying the actual ICC code sections impacted by the adopted revisions.

Under section 304(a)(1) of the act, the Department is required to promulgate final-omitted regulations adopting, "without change," the provisions outlined in the RAC's report and as clarified in the RAC's June 17, 2015, letter.

Purpose

The purpose of this final-omitted rulemaking is to amend §§ 401.1 and 403.21 to adopt the revisions specified in the RAC's report as required by section 304(a)(1) of the act.

Summary of Revisions Adopted by the RAC

The 16 revisions in the RAC's May 29, 2015, report impacted multiple sections of the ICC codes. The June 17, 2015, clarification letter identified specific code sections impacted. The Department drafted these regulations incorporating these sections into the UCC. For ease of use and clarity, changes to each section are listed separately in the amended regulations.

The RAC approved the following:

IBC G28-12 revising sections 304.1, 306.2, 2902.3 of the 2015 IBC and section 202 of the 2015 IFC.

IBC G30-12 revising section 304.1 of the 2015 IBC and the definition of "Business Group B" in section 202 of the 2015 IFC.

IBC G227-12 revising section 406.3 of the 2015 IEBC.

IECC RE6-13 revising the definition of "Insulated Siding" in section R202 of the 2015 IECC and section N1101.6 of the 2015 IRC.

IECC RE58-13 revising section 402.2.4 of the 2015 IECC and section N1102.2.4 of the 2015 IRC.

IECC RE60-13 revising section R402.2.8 of the 2015 IECC and section N1102.2.8 of the 2015 IRC. This revision also amended the criteria for air barriers and insulation installation for “floors” in Table R402.4.1.1 of the 2015 IECC and Table N1102.4.1.1 of the 2015 IRC.

IECC RE195-13 Part1 revising section 402.1.3 of the 2015 IECC and section N1102.1.3 of the 2015 IRC-2015.

IFC F144-13 revising sections 904.2, 904.2.1, 904.11, 904.11.1, 904.11.1.1, 904.11.1.2, 904.11.1.3, 904.11.1.4, 904.11.2, 904.11.2.1, 904.11.2.2, 904.11.2.3 and 904.11.3 of the 2015 IBC and sections 904.2, 904.2.1, 904.11, 904.11.1, 904.11.1.1, 904.11.1.2, 904.11.1.3, 904.11.1.4, 904.11.2, 904.11.2.1, 904.11.2.2, 904.11.2.3 and 904.11.3 of the 2015 IFC. This revision also added “Automatic Water Mist System” to the definitions in section 902.1 of the 2015 IBC and sections 202 and 902.1 of the 2015 IFC.

IFC F359-13 revising sections 907.2.11.3 and 907.2.11.4 of the 2015 IFC and sections 907.2.11.3 and 907.2.11.4 of the 2015 IBC.

IMC M106-12 revising section 507.2 of the 2015 IMC.

IRC RB68-13 revising Table R302.1(1) of the 2015 IRC.

IRC RB172-13 revising section R316.5.11 of the 2015 IRC.

IRC RB262-13 revising section R507.2.4 and Figure R507.2.3(2) of the 2015 IRC.

IRC RB264-13 revising the following of the 2015 IRC-2015: sections R317.1.4, R507.1, R507.4, R507.5, R507.5.1, R507.6, R507.7, R507.7.1, R507.8 and R507.8.1; Tables R507.4, R507.5 and R507.8; and Figures R507.5, R507.6, R507.7.1 and R507.8.1.

IRC RM34-13 revising section M1503.4 of the 2015 IRC.

IRC RM53-13 revising section M1601.4.1, Exception 3, of the 2015 IRC.

Fiscal Impact

The Commonwealth will incur additional costs under this final-omitted rulemaking. The costs are related to the purchase of the 2015 editions of code books and training for Commonwealth personnel.

Compliance with updated building codes will have some fiscal impact on the regulated community.

Reporting, Recordkeeping and Paperwork Requirements

This final-omitted rulemaking will not require the creation of new forms or reporting requirements. Current forms may be updated.

Sunset Date

There is no a sunset date for these regulations. Under the current statutory scheme, the referenced standards in these regulations are reviewed every 3 years following publication of the triennial revisions to the ICC Codes.

Effective Date

This final-omitted rulemaking will take effect on December 31, 2015.

Contact Person

The contact person is Jennifer Berrier, Director, Bureau of Occupational and Industrial Safety, Department of Labor and Industry, 16th Floor, 651 Boas Street, Harrisburg, PA 17121, jerberrier@pa.gov.

Regulatory Review

Under section 5.1(c) of the Regulatory Review Act (71 P. S. § 745.5a(c)), on September 22, 2015, the Department submitted a copy of the final-omitted rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the Senate Committee on Labor and Industry and the House Labor Relations Committee. On the same date, the regulations were submitted to the Office of Attorney General for review and approval under the Commonwealth Attorneys Act (71 P. S. §§ 732-101—732-506).

Under section 5.1(j.2) of the Regulatory Review Act, on November 10, 2015, the final-omitted rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on November 12, 2015, and approved the final-omitted rulemaking.

Findings

The Department finds that this final-omitted rulemaking is authorized by section 304(a)(i) of the act.

Order

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

(a) The regulations of the Department, 34 Pa. Code Chapters 401 and 403, are amended by amending §§ 401.1 and 403.21 to read as set forth in Annex A, with ellipses referring to the existing text of the regulations.

(b) The Secretary of the Department shall submit this order and Annex A to the Office of General Counsel 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 become effective effect on December 31, 2015.

KATHY M. MANDERINO,
Secretary

(Editor’s Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 45 Pa.B. 6862 (November 28, 2015).)

Fiscal Note: 12-100. (1) General Fund; (2) Implementing Year 2015-16 is \$89,500; (3) 1st Succeeding Year 2016-17 through 5th Succeeding Year 2020-21 are \$0; (4) 2014-15 Program—\$5,059,710; 2013-14 Program—\$5,020,524; 2012-13 Program—\$4,868,273; (7) Occupational and Industrial Safety; (8) recommends adoption. The Occupational and Industrial Safety appropriation is able to absorb the increased cost.

Annex A

TITLE 34. LABOR AND INDUSTRY

PART XIV. UNIFORM CONSTRUCTION CODE

CHAPTER 401. UNIFORM CONSTRUCTION CODE TRAINING AND CERTIFICATION OF CODE ADMINISTRATORS

§ 401.1. Definitions.

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

* * * * *

Uniform Construction Code—This part, “The International Building Code 2009” (first printing) and the “International Residential Code for One- and Two-Family Dwellings 2009” (first printing), available from the International Code Council, Inc., 4051 W. Flossmoor Road, Country Club Hills, Illinois 60478-5795, (888) 422-7233; and any standards adopted by the Department in this part under sections 301 and 304 of the act (35 P. S. §§ 7210.301 and 7210.304).

* * * * *

**CHAPTER 403. ADMINISTRATION
STANDARDS**

§ 403.21. Uniform Construction Code.

(a) The Department adopts and incorporates by reference the following codes as the Uniform Construction Code:

(1) The provisions of Chapters 2—10, 12—29 and 31—35 of the “International Building Code,” except that in occupancies in Use Group R-3 and within dwelling units in occupancies in Use Group R-2 the maximum riser height shall be 8 1/4 inches (210 mm) and the minimum tread depth shall be 9 inches (229 mm). A 1-inch (25 mm) nosing shall be provided on stairways with solid risers. The following provisions of the “International Building Code of 2015” are adopted:

- (i) Section 304.1 concerning “Business Group B” uses and occupancies.
- (ii) Section 306.2 concerning “moderate-hazard factory industrial, Group F-1” uses and occupancies.
- (iii) Section 2902.3 concerning exceptions for “employee and public toilet facilities.”
- (iv) Section 902.1 (relating to definitions) to the extent that “Automatic Water Mist System” was added.
- (v) Section 904.2 (relating to installation of automatic fire-extinguishing systems).
- (vi) Section 904.2.1 (relating to restrictions on using automatic sprinkler system exceptions or reductions).
- (vii) Section 904.11 (relating to automatic water mist systems).
- (viii) Section 904.11.1 (relating to design and installation requirements).
- (ix) Section 904.11.1.1 (relating to general requirements for design and installation).
- (x) Section 904.11.1.2 (relating to actuation).
- (xi) Section 904.11.1.3 (relating to water supply protection).
- (xii) Section 904.11.1.4 (relating to secondary water supply).
- (xiii) Section 904.11.2 (relating to water mist system supervision and alarms).
- (xiv) Section 904.11.2.1 (relating to monitoring).
- (xv) Section 904.11.2.2 (relating to alarms).
- (xvi) Section 904.11.2.3 (relating to floor control valves).
- (xvii) Section 904.11.3 (relating to testing and maintenance).
- (xviii) Section 907.2.11.3 (relating to installation of smoke alarms near cooking appliances).

(xix) Section 907.2.11.4 (relating to installation of smoke alarms near bathrooms).

(2) Chapter 11 of the “International Building Code of 2012.”

(3) The “International Mechanical Code.” Section 507.2 of the International Mechanical Code of 2015 (relating to commercial kitchen hoods, “Type 1”) is also adopted.

(4) The “International Fuel Gas Code.”

(5) The “International Performance Code.”

(6) The “International Plumbing Code.”

(i) Except that a municipality within a county of the second class may not administer and enforce the “International Plumbing Code” adopted under this chapter.

(ii) A municipality within a county of the second class that has adopted a plumbing code and accompanying rules and regulations under the Local Health Administration Law (16 P. S. §§ 12001—12028), shall retain the authority to promulgate and enforce this plumbing code and to make any changes it deems necessary if the changes meet the Uniform Construction Code’s minimum requirements.

(7) The “International Residential Code,” except that:

(i) The provisions of R314.4 requiring interconnected smoke alarms do not apply to one-family and two-family dwellings undergoing alterations, repairs or additions. Noninterconnected battery operated smoke alarms shall be installed in these dwellings.

(ii) The following specifications apply to residential stairway treads and risers.

(A) The maximum riser height is 8 1/4 inches. There may be no more than a 3/8-inch variation in riser height within a flight of stairs. The riser height is to be measured vertically between leading edges of the adjacent treads.

(B) The minimum tread depth is 9 inches measured from tread nosing to tread nosing.

(C) The greatest tread depth within any flight of stairs may not exceed the smallest by more than 3/8 inch.

(D) Treads may have a uniform projection of not more than 1 1/2 inches when solid risers are used.

(E) Stairways may not be less than 3 feet in clear width and clear headroom of 6 feet 8 inches shall be maintained for the entire run of the stair.

(F) Handrails may project from each side of a stairway a distance of 3 1/2 inches into the required width of the stair.

(iii) The following provisions of the “International Residential Code of 2015” are adopted:

(A) Section N1101.6 only to the extent that this section contains the definition of “insulated siding.”

(B) Section N1102.2.4 (relating to access hatches and doors).

(C) Section N1102.2.8 (relating to floors).

(D) Table N1102.4.1.1 only to the extent that amendments were made to the “Floors” row of this table.

(E) Section N1102.1.3 (relating to r-value computation).

(F) Table R302.1(1) (relating to requirements for exterior walls).

(G) Section R316.5.11 (relating to sill plates and headers).

- (H) Section R317.1.4 (relating to wood columns).
- (I) Section R507.1 (relating to decks).
- (J) Section R507.2.4 (relating to deck lateral load connection).
- (K) Section R507.4 (relating to decking).
- (L) Section R507.5 (relating to deck joists).
- (M) Section R507.5.1 (relating to lateral restraint at supports).
- (N) Section R507.6 (relating to deck beams).
- (O) Section R507.7 (relating to deck joist and deck beam bearing).
- (P) Section R507.7.1 (relating to deck post to deck beam).
- (Q) Section R507.8 (relating to deck posts).
- (R) Section R507.8.1 (relating to deck post to deck footing).
- (S) Table R507.4 (relating to maximum joist spacing).
- (T) Table R507.5 (relating to deck joist spans for common lumber species).
- (U) Table R507.8 (relating to deck post height).
- (V) Figure R507.2.3(2) (relating to deck attachment for lateral loads).
- (W) Figure R507.5 (relating to typical deck joist spans).
- (X) Figure R507.6 (relating to deck beam span lengths).
- (Y) Figure R507.7.1 (relating to deck beam to deck post).
- (Z) Figure R507.8.1 (relating to typical deck posts to deck footings).
- (AA) Section M1503.4 (relating to “make-up air required” for range hoods).
- (BB) Section M1601.4.1 (relating to “joints, seams, and connections” for duct construction) is adopted only with regards to Exception No. 3.
- (8) The “International Fire Code.”
 - (i) Section 806.1.1 of the International Fire Code (relating to natural cut trees) is not adopted under this chapter. A municipality that elects to adopt an ordinance for the administration and enforcement of the Uniform Construction Code may, by ordinance, restrict the placement of natural cut trees in an occupancy group. The ordinance restricting the placement of natural cut trees is not subject to section 503(b)—(k) of the act (35 P. S. § 7210.503(b)—(k)) and § 403.102(i)—(k) (relating to municipalities electing to enforce the Uniform Construction Code).
 - (ii) The following portions of the “International Fire Code of 2015” are adopted:
 - (A) Section 202 limited to changes to definitions for “Business Group B” and “Automatic Water Mist System.”
 - (B) Section 902.1 (relating to definitions) to the extent that “Automatic Water Mist System” was added.
 - (C) Section 904.2 (relating to relating to installation of automatic fire-extinguishing systems).
 - (D) Section 904.2.1 (relating to restrictions on using automatic fire extinguisher systems exceptions or reductions).
 - (E) Section 904.11 (relating to automatic water mist systems).

- (F) Section 904.11.1 (relating to design and installation requirements).
- (G) Section 904.11.1.1 (relating to general requirements for design and installation).
- (H) Section 904.11.1.2 (relating to actuation).
- (I) Section 904.11.1.3 (relating to water supply protection).
- (J) Section 904.11.1.4 (relating to secondary water supply).
- (K) Section 904.11.2 (relating to water mist system supervision and alarms).
- (L) Section 904.11.2.1 (relating to monitoring).
- (M) Section 904.11.2.2 (relating to alarms).
- (N) Section 904.11.2.3 (relating to floor control valves).
- (O) Section 904.11.3 (relating to testing and maintenance).
- (P) Section 907.2.11.3 (relating to installation of smoke alarms near cooking appliances).
- (Q) Section 907.2.11.4 (relating to installation of smoke alarms near bathrooms).
- (9) The “International Energy Conservation Code.” The following portions of the International Energy Conservation Code of 2015 are adopted:
 - (i) Section R202 only to the extent that this section contains the definition of “insulated siding.”
 - (ii) Section R402.2.4 (relating to access hatches and doors).
 - (iii) Section R402.2.8 (relating to floors).
 - (iv) Table R402.4.1.1 only to the extent the row for “floors” was amended.
 - (v) Section 402.1.3 (relating to r-value computation).
- (10) The “International Existing Building Code.” Section 406.3 of the International Existing Building Code of 2015 (relating to replacement window emergency escape and rescue openings) is also adopted.
- (11) The “International Wildland-Urban Interface Code.”
- (12) Appendix E of the “International Building Code of 2012.”
- (13) Appendix H of the “International Building Code.”
- (14) Appendix G of the “International Residential Code.”

(b) The code adopted under subsection (a)(7) is part of the Uniform Construction Code to the extent that it is referenced in Chapter 35 of the “International Building Code” under section 302(a)(1) of the act (35 P. S. § 7210.302(a)(1)). The provisions of the Uniform Construction Code apply if there is a difference between the Uniform Construction Code and the codes or standards adopted in subsection (a). This chapter’s administrative provisions govern under § 403.27(e) (relating to applicability and use of standards) if there is a conflict with the provisions of the codes relating to administration incorporated under subsection (a).

(c) Appendices to a code or standard listed in subsection (a) are not adopted in the Uniform Construction Code except for the appendices and resource information found

in the “International Existing Building Code” and the appendices found in subsection (a)(11)—(13).

(d) A permit applicant may utilize one of the following prescriptive methods to demonstrate compliance with the energy conservation requirements of the Uniform Construction Code. The standards are those listed for the climatic zone of this Commonwealth where the building or structure is located:

(1) The prescriptive methods for detached residential buildings contained in the current version of the “International Energy Conservation Code” compliance guide containing State maps, prescriptive energy packages and related software published by the United States Department of Energy, Building Standards and Guidelines Program (REScheckTM) or “Pennsylvania’s Alternative Residential Energy Provisions.”

(2) The prescriptive methods for all other buildings or structures contained in the current version of the “International Energy Conservation Code” compliance guide containing State maps, prescriptive packages and related software published by the United States Department of Energy, Building Standards and Guidelines Program (COMcheckTM).

(e) Construction of individual sewage disposal systems is governed under 25 Pa. Code Chapter 73 (relating to standards for onlot sewage treatment facilities).

(f) The repair, alteration, change of occupancy, addition and relocation of existing buildings must comply with Chapter 34 of the “International Building Code” or with the “International Existing Building Code.”

[Pa.B. Doc. No. 15-2101. Filed for public inspection November 25, 2015, 9:00 a.m.]

PROPOSED RULEMAKING

INDEPENDENT REGULATORY REVIEW COMMISSION

[1 PA. CODE CHS. 301, 303, 305, 307,
309, 311, 311a AND 315]

General Revisions

The Independent Regulatory Review Commission (Commission) proposes to amend Chapters 301, 303, 305, 307, 309, 311, 311a and 315 to read as set forth in Annex A.

Statutory Authority

This rulemaking is proposed under the authority in section 11(a) of the Regulatory Review Act (act) (71 P. S. § 745.11(a)).

Purpose

This proposed rulemaking implements the act to clarify definitions, when documents are to be delivered to the Commission and what should be included in agency rulemaking packages, as well as to ensure consistency with the act and current practice and procedure.

Summary of Amendments

Proposed amendments to § 301.1 (relating to definitions) clarify the definitions of “comments” and “transmittal sheet” and add a definition of “preamble.”

Proposed amendments to §§ 301.2 and 303.1 (relating to regulation files; and notice of Commission public meetings; participation; minutes) clarify the retention schedule for regulation files and the location of the Commission’s fee schedule and Right to Know Law Policy.

Proposed amendments to § 301.3 (relating to determination of date and time of delivery of comments and documents) clarify that the time of delivery will be determined by when documents are received by the Commission.

Proposed amendments to § 301.7 (relating to withdrawal of a regulation) provide that a withdrawal notice should be delivered to the Commission and the committees before the Commission’s public meeting.

Proposed amendments to § 301.9 (relating to procedure for public hearings) provide that public hearings may be scheduled for any matter before the Commission, rather than just for regulations that are under review. This is consistent with section 11(c) of the act.

Proposed amendments to §§ 305.1, 307.2 and 307.3 (relating to delivery of a proposed regulation; delivery of a final-form regulation; and delivery of a final-omitted regulation) add cross-references to clarify the information that should be included in the preamble of a rulemaking. Proposed amendments to § 305.1 also add a requirement that instructions for submitting public comments should be included. Section 5(b) of the act (71 P. S. § 745.5(b)) requires a public comment period.

Proposed amendments to § 307.2 clarify what should be included in the final rulemaking package. Section 5.1(a) of the act (71 P. S. § 745.5a(a)) provides that the agency shall include in the package the names and addresses of commentators who have requested additional information. Accordingly, proposed amendments to

§ 307.2 state that if no commentator requested additional information, this should be specified by the agency.

Proposed amendments to § 307.3a (relating to formatting the text of a final regulation) take into consideration that prior to publication in the *Pennsylvania Bulletin*, the Legislative Reference Bureau may make revisions to the text of a proposed rulemaking to comply with its editorial policies and procedures. The published text is considered to be the official version of the proposed rulemaking. Therefore, § 307.3a is proposed to be amended to require an agency to use the official version when preparing and delivering a final rulemaking package.

Proposed § 307.3a(f) recognizes that there may be an instance when it is impractical for an agency to use the standard formatting method in a final rulemaking. In this case, the agency should contact the Commission to discuss an alternative method that will still allow readers to easily determine the changes that were made from the proposed rulemaking.

Proposed amendments to § 309.1 (relating to Commission and committee action on a final regulation) correct typographical errors.

Proposed amendments to § 311.1 (relating to Commission disapproval of a final regulation) replace “may” with “will” regarding the Commission’s notification to commentators to be consistent with section 6(a) of the act (71 P. S. § 745.6(a)).

Proposed amendments to § 311.4 (relating to report for a disapproved regulation submitted with revisions) require an agency to include a Regulatory Analysis Form (RAF) with a revised previously-disapproved regulation. The RAF will capture new cost data or other changes that may differ from the previously submitted final-form rulemaking.

Proposed amendments to §§ 311a.1—311a.5 and 311a.7 clarify that delivery before and after the end of the legislative session must be made between the 4th Monday in January and the 2nd Monday after publication of the General Assembly committee designations in the *Pennsylvania Bulletin*. Proposed amendments to § 311a.4 (relating to delivery of a final regulation within 20 days before the end of the legislative session) correct a typographical error.

Proposed amendments to § 315.1 (relating to review of an existing regulation) replace “investigation” with “further review” to be consistent with section 8.1 of the act (71 P. S. § 745.8a).

The headings for Chapter 315 (relating to existing regulations and published or unpublished documents) and § 315.2 (relating to review of a published or an unpublished document) are proposed to be amended to accurately reflect the content of the chapter and the section.

Persons and Entities Affected

This proposed rulemaking will affect Commonwealth agencies that promulgate regulations by way of the regulatory review process. It also provides clarity for members of the public and other entities that wish to comment on rulemakings or otherwise participate in the process.

Fiscal Impact

This proposed rulemaking is not expected to have a fiscal impact on the Commission, the regulated commu-

nity (that is, the promulgating agencies), the Commonwealth, local governments or the general public. This proposed rulemaking clarifies the requirements of the existing regulatory review process.

Effective Date

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

Sunset Provisions

The Commission will make this proposed rulemaking effective upon final-form publication after conducting an analysis and evaluation of the comments, suggestions or objections received. The Commission will not establish a sunset date for these regulations. However, the Commission will continue to closely monitor the regulations for effectiveness and consistency with the act.

Public Comments

Written comments, suggestions or objections will be accepted for 30 days after publication of this proposed rulemaking in the *Pennsylvania Bulletin*. The Commission invites comments from the General Assembly, the legislative standing committees, executive and independent agencies, and interested parties. Comments should be addressed to Leslie Lewis Johnson, Esq., Chief Counsel, Independent Regulatory Review Commission, 333 Market Street, 14th Floor, Harrisburg, PA 17101, (717) 783-5417, fax (717) 783-2664, ljohnson@irrc.state.pa.us, irrc@irrc.state.pa.us.

Contact Persons

This proposed rulemaking is available on the Commission's web site at www.irrc.state.pa.us. Questions may be referred to either Leslie Lewis Johnson, Chief Counsel, ljohnson@irrc.state.pa.us, or Michelle L. Elliott, Regulatory Analyst, melliott@irrc.state.pa.us, (717) 783-5417.

Alternative means of providing public comments and alternative formats of the proposed rulemaking may be made available to persons with disabilities upon request by contacting Cheryl Yohn, cyohn@irrc.state.pa.us, or Stephen F. Hoffman, shoffman@irrc.state.pa.us, (717) 783-5417.

Regulatory Review

Under sections 5(a) and 11(a) of the act, on October 13, 2015, the Commission submitted a copy of this proposed rulemaking and an RAF to the Joint Committee on Documents and to the Chairpersons of the House State Government Committee and the Senate Rules and Executive Nominations Committee. A copy of this material is available to the public upon request and is available on the Commission's web site at www.irrc.state.pa.us.

Under section 5(g) of the act, the Joint Committee on Documents may convey comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections shall specify the regulatory review criteria that have not been met. Prior to final publication of the regulation, the Joint Committee on Documents, the General Assembly and the Governor are afforded the opportunity, under the procedures in the act, to review the comments and recommendations received and objections raised.

JOHN F. MIZNER, Esq.,
Chairperson

Fiscal Note: 70-9. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 1. GENERAL PROVISIONS

PART III. INDEPENDENT REGULATORY REVIEW COMMISSION

CHAPTER 301. GENERAL PROVISIONS

§ 301.1. Definitions.

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

Act—The Regulatory Review Act (71 P. S. §§ 745.1— [745.15] 745.14).

Agency—As defined in section 3 of the act (71 P. S. § 745.3).

Blackout period—The 48-hour period immediately preceding the call to order of the public meeting.

Comments—Written statements delivered to the **agency or Commission**[,] supporting, opposing or recommending changes to a final, proposed or existing regulation which is subject to review by the Commission. Comments do not include previously published or copyrighted material.

* * * * *

Order—The statement of the Commission's findings and action on a final regulation, which is not subject to appeal.

***Preamble*—A document that provides information about a regulation that includes the effective date, statutory authority, purpose and explanation of the regulation, a description of the amendments to the regulation, fiscal impact, contact person and details regarding the public comment period.**

Promulgate—As defined in section 3 of the act.

* * * * *

Transmittal sheet—The form accompanying a regulation which lists the regulation number, the title of the regulation, the agency promulgating the regulation, the type of regulation, the date of delivery and the signatures of the persons receiving the regulation on behalf of the committees, the Commission, the Attorney General (for **proposed and final-omitted** regulations) and the LRB.

* * * * *

§ 301.2. Regulation files.

(a) The Commission will retain regulation files [**in accordance with**] **for no less than the time period in the following schedule:**

* * * * *

(e) The Commission may charge reasonable fees for copying, certifying and mailing material contained in a regulation file. [**Fees will be posted on the website.**] **Fees are established in the Commission's Right to Know Law Policy, which is available in the Commission's office and posted on the web site.**

§ 301.3. Determination of date and time of delivery of comments and documents.

(a) The Commission will determine the date and time of delivery of comments and documents as follows:

(1) *E-mail*. [**As**] **The time and date of receipt by the Commission as indicated on the Commission's computer system.**

(2) *Fax.* [**As**] **The time and date of receipt by the Commission as indicated on the transmittal report generated by the Commission's facsimile machine.**

* * * * *

§ 301.7. **Withdrawal of a regulation.**

* * * * *

(c) If the agency withdraws a final-form regulation after delivery to the Commission **and the committees and before the Commission's public meeting**, but subsequently desires to proceed with promulgation, the agency may deliver a new final-form regulation in accordance with § 307.2 (relating to delivery of a final-form regulation)[,] within 2 years from the close of the public comment period.

* * * * *

§ 301.9. **Procedure for public hearings.**

(a) The Commission may schedule public hearings on **all matters before the Commission, including those** that are related to a proposed, a final or an existing regulation under review.

* * * * *

CHAPTER 303. MEETINGS OF THE COMMISSION

§ 303.1. **Notice of Commission public meetings; participation; minutes.**

* * * * *

(e) The Commission may charge reasonable fees for copying, certifying and mailing minutes. [**Fees will be posted on the website.**] **Fees are established in the Commission's Right to Know Law Policy, which is available in the Commission's office and posted on the web site.**

CHAPTER 305. PROCEDURES FOR DELIVERY AND REVIEW OF PROPOSED REGULATIONS

§ 305.1. **Delivery of a proposed regulation.**

(a) The agency shall deliver a proposed regulation to the LRB, the committees and the Commission on the same date.

(b) The agency shall include the following material with the regulation:

- (1) A completed regulatory analysis form.
- (2) A face sheet signed by the agency head, the Office of Attorney General and the Office of General Counsel or the chief counsel of an independent agency.
- (3) A transmittal sheet signed by the committees.
- (4) The preamble, **which must include the information described in § 301.1 (relating to definitions).**
- (5) **Instructions for submitting public comments to the agency.**

[(5)] (6) The text of the regulation.

CHAPTER 307. PROCEDURES FOR DELIVERY AND REVIEW OF FINAL REGULATIONS

§ 307.2. **Delivery of a final-form regulation.**

* * * * *

(c) The agency shall include the following documents with the regulation:

- (1) A completed regulatory analysis form relating to the final-form regulation.

(2) A face sheet signed by the agency head and the Office of General Counsel or chief counsel of an independent agency.

(3) A transmittal sheet signed by the committees.

(4) The agency's response to the comments received. **This response may be included in the preamble or in a separate document submitted with the regulation.**

(5) The preamble, **which must include a summary of the changes made to the proposed regulation and the information described in § 301.1 (relating to definitions).**

(6) The names and addresses of commentators who requested additional information on the final-form regulation **or a statement that no commentator requested additional information.**

(7) The text of the final-form regulation.

§ 307.3. **Delivery of a final-omitted regulation.**

* * * * *

(b) The agency shall include the following documents with the regulation:

* * * * *

(4) The preamble, **which must include the information described in § 301.1 (relating to definitions).**

(5) The text of the final-omitted regulation.

§ 307.3a. **Formatting the text of a final regulation.**

(a) **When preparing and formatting the text of the final-form regulation, the agency shall use as its source document the proposed regulation as published by the LRB in the *Pennsylvania Bulletin*.**

[(a)] (b) If the proposed regulation was published in the format prescribed in § 305.1a(a) (relating to formatting the text of a proposed regulation) as an amendment to an existing regulation, amendments in the final-form regulation shall be illustrated as follows:

(1) Strikeout type to indicate language in the existing or proposed regulation which is being deleted.

(2) Capital letters to indicate new language which is being added to the final-form regulation which was not included in the existing or proposed regulation.

[(b)] (c) If the entire proposed regulation was published in the format set forth in § 305.1a(b) as new, and not an amendment to an existing regulation, amendments in the final-form regulation shall be illustrated as follows:

(1) Brackets to indicate language in the proposed regulation which is being deleted.

(2) Underscoring or bolding to indicate new language which is being added in the final-form regulation.

[(c)] (d) If the entire final-omitted regulation is new, and not an amendment to an existing regulation, the formatting described in subsections [(a) and] (b) and (c) is not required.

[(d)] (e) If the final-omitted regulation is an amendment to an existing regulation, amendments in the final-omitted regulation shall be illustrated as follows:

(1) Brackets to indicate language in the existing regulation which is being deleted.

(2) Underscoring or bolding to indicate new language which is being added in the final-omitted regulation.

(f) If there are extenuating circumstances that may prevent an agency from using the requirements of this section, the agency shall contact the Commission to discuss alternative formatting methods.

CHAPTER 309. ACTION ON REGULATIONS

§ 309.1. Commission and committee action on a final regulation.

* * * * *

(c) The Commission is deemed to have approved a final-form regulation under sections [5g] 5(g) and 5.1(e) of the act (71 P. S. §§ 745.5(g) and 745.5a(e)) [,] if one of the following conditions [apply] applies:

* * * * *

CHAPTER 311. PROCEDURES FOR REVIEW OF DISAPPROVED FINAL REGULATIONS

§ 311.1. Commission disapproval of a final regulation.

* * * * *

(b) The Commission will deliver its disapproval order to the LRB, the committees, the agency and the Attorney General. The Commission [may] will notify commentators listed by the agency as having requested information on the final regulation by delivery of the disapproval order or by publication of a legal notice under 45 Pa.C.S. Chapter 3 (relating to Newspaper Advertising Act).

* * * * *

§ 311.4. Report for a disapproved regulation submitted with revisions.

If the agency chooses to revise or modify the final regulation under § 311.2(a)(2) (relating to response by an agency to Commission disapproval), the report must contain the following:

(1) A completed regulatory analysis form.

[(1)] (2) The revised final regulation, formatted in accordance with § 307.3a (relating to formatting the text of a final regulation).

[(2)] (3) The Commission's disapproval order.

[(3)] (4) A detailed explanation of how the revisions respond to the Commission's disapproval order.

[(4)] (5) A signed transmittal sheet indicating that the report was delivered to the committees on the same day on which it was delivered to the Commission.

§ 311.5. Subsequent review of disapproved regulation.

* * * * *

(e) If the committees and the [Commission] Commission approve or are deemed to have approved the report, the agency may proceed with promulgation of the revised final regulation.

* * * * *

CHAPTER 311a. DELIVERY OF REGULATIONS, COMMENTS, REPORTS AND ORDERS BEFORE AND AFTER THE END OF THE LEGISLATIVE SESSION

§ 311a.1. Delivery of a proposed regulation after the end of the legislative session.

* * * * *

(c) If the agency does not deliver the proposed regulation and required material to the committees on the fourth Monday in January or by the second Monday after the publication of both committee designations in the Pennsylvania Bulletin, whichever is later, the regulation [will] shall be deemed withdrawn. If the agency wants to promulgate the regulation after the regulation has been deemed withdrawn, the agency shall submit a new proposed regulation to the Commission, committees and LRB in accordance with section 5(a) of the act (71 P. S. § 745.5(a)) and § 305.1 (relating to delivery of a proposed regulation).

* * * * *

§ 311a.2. Delivery of public comments after the end of the legislative session.

* * * * *

(c) If the agency does not deliver public comments received after the end of the legislative session to the committees on the fourth Monday in January or by the second Monday after the publication of both committee designations in the Pennsylvania Bulletin, whichever is later, the agency may be in violation of the act and this part, under section 5.2(b)(6) of the act (71 P. S. § 745.5b(b)(6)).

§ 311a.3. Delivery of Commission comments after the end of the legislative session.

* * * * *

(c) The Commission will deliver Commission comments issued after the end of the legislative session to the committees on the fourth Monday in January or by the second Monday after the publication of both committee designations in the Pennsylvania Bulletin, whichever is later.

§ 311a.4. Delivery of a final regulation within 20 days before the end of the legislative session.

* * * * *

(b) If the end of the legislative session occurs before the committees have had at least 20 days to review the regulation, the agency shall redeliver the final regulation and required material to the [Commission] Commission and committees in the next legislative session.

(c) The agency may not redeliver the final regulation and required material to the Commission and the committees until the fourth Monday in January of the next year or until both committees have been designated in the next legislative session, whichever is later.

(d) If the agency does not redeliver the final regulation on the fourth Monday in January or by the second Monday after the publication of both committee designations in the Pennsylvania Bulletin, whichever is later, the regulation shall be deemed withdrawn. If the agency wants to promulgate the regulation after the regulation has been deemed withdrawn, the agency may submit one of the following:

* * * * *

§ 311a.5. Delivery of a final regulation after the end of the legislative session.

* * * * *

(c) If the [two-year] 2-year period for promulgation of a final-form regulation under section 5.1(a) of the act (71 P. S. § 745.5(a)) and § 307.1 (relating to two-year period for promulgation) expires after the end of the legislative session, the agency shall deliver the final-form

regulation and required material to the Commission and the committees **on the fourth Monday in January** or by the second Monday after publication of both committee designations in the *Pennsylvania Bulletin*, **whichever is later**. If the agency does not deliver the final-form regulation and required material by this date, the regulation shall be deemed withdrawn. If the agency wants to promulgate the regulation after the regulation has been deemed withdrawn, the agency may submit one of the following:

* * * * *

§ 311a.7. **Delivery of the report for subsequent review of a disapproved regulation.**

* * * * *

(c) If the agency does not deliver its report and required material **on the fourth Monday in January** or by the second Monday after both committee designations have been published in the *Pennsylvania Bulletin*, **whichever is later**, the disapproved final regulation shall be deemed withdrawn. If the agency wants to promulgate the regulation after the regulation has been deemed withdrawn, the agency shall submit either a new proposed regulation to the Commission, committees and LRB in accordance with section 5(a) of the act (71 P. S. § 745.5(a)) and § 305.1 (relating to delivery of a proposed regulation), a new final-form regulation to the Commission and the committees in accordance with section 5.1(a) of the act (71 P. S. § 745.5a(a)) and § 307.2 (relating to delivery of a final-form regulation), or a final-omitted regulation to the Commission, the committees and the Attorney General in accordance with section 5.1(c) of the act and § 307.3 (relating to delivery of a final-omitted regulation).

CHAPTER 315. EXISTING REGULATIONS AND PUBLISHED OR UNPUBLISHED DOCUMENTS

§ 315.1. **Review of an existing regulation.**

* * * * *

(b) Upon delivery of a request to review an existing regulation, the Commission will initiate a preliminary review to determine whether further [**investigation**] **review** is warranted.

(c) If the Commission determines that [**an investigation**] **further review** is not warranted, the matter will be closed. The Commission will notify the person or entity requesting the review of the existing regulation that no further action will be taken.

(d) If it is determined that [**an investigation**] **further review** is warranted, the Commission will notify the agency of the issues that have been raised and request a written response.

* * * * *

§ 315.2. **Review of a published or an unpublished document.**

If the Commission finds that a published or unpublished document should be promulgated as a regulation, the Commission will present its finding to the Joint Committee on Documents. The Joint Committee on Documents shall determine whether the document should be promulgated as a regulation, and may order the agency to promulgate the document as a regulation within 180 days, or to desist from using the document in its business.

[Pa.B. Doc. No. 15-2102. Filed for public inspection November 25, 2015, 9:00 a.m.]

NOTICES

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending November 10, 2015.

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

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
11-9-2015	Riverview Financial Corporation Halifax Dauphin County Application for approval to acquire 100% of Citizens National Bank of Meyersdale, Meyersdale.	Approved

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
11-9-2015	Riverview Bank Marysville Perry County Application for approval to merge Citizens National Bank of Meyersdale, Meyersdale, with and into Riverview Bank, Marysville.	Approved

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
10-27-2015	Manor Bank Manor Westmoreland County	226 Main Street Irwin Westmoreland County	Opened
11-2-2015	Jersey Shore State Bank Jersey Shore Lycoming County	550 North Derr Street Lewisburg Union County	Opened
11-6-2015	Northwest Savings Bank Warren Warren County	3858 North Buffalo Road Orchard Park Erie County, New York	Approved
11-6-2015	Penn Liberty Bank Wayne Delaware County	110 Town Square Place King of Prussia Montgomery County	Filed

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
9-30-2015	ESSA Bank & Trust Stroudsburg Monroe County	5580 Crawford Drive Bethlehem Northampton County	Closed
10-30-2015	First Commonwealth Bank Indiana Indiana County	2 East Long Avenue Dubois Clearfield County	Closed

NOTICES

Branch Consolidations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
11-4-2015	AmeriServ Financial Bank Johnstown Cambria County	<i>Into:</i> 1857 North Atherton Street State College Centre County <i>From:</i> 734 South Atherton Street State College Centre County	Filed

CREDIT UNIONS

No activity.

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

ROBIN L. WIESSMANN,
Secretary

[Pa.B. Doc. No. 15-2103. Filed for public inspection November 25, 2015, 9:00 a.m.]

Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending November 17, 2015.

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

BANKING INSTITUTIONS**Interim Incorporations**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
11-16-2015	Interim Atlantic Community Bankers Bank Camp Hill Cumberland County	Approved

The purpose of Interim Atlantic Community Bankers Bank, Camp Hill, is to merge with Atlantic Community Bankers Bank, Camp Hill, to facilitate the proposed reorganization of Atlantic Community Bankers Bank into a bank holding company structure whereby Atlantic Community Bankers Bank will become the wholly-owned subsidiary of Atlantic Community Bancshares, Inc., a new holding company in formation.

Conversions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
11-16-2015	Bank of Bird-in-Hand Bird-in-Hand Lancaster County	Approved

Application for approval to convert from a Pennsylvania State-chartered commercial bank to a Pennsylvania State-chartered stock savings bank.

Branch Applications**De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
11-16-2015	Meridian Bank Malvern Chester County	653 Skippack Blue Bell Montgomery County	Approved

CREDIT UNIONS

No activity.

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

ROBIN L. WIESSMANN,
Secretary

[Pa.B. Doc. No. 15-2104. Filed for public inspection November 25, 2015, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications

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

<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>
PA0050521 (Sewage)	Green Lane—Marlboro STP 108 Gravel Pike Green Lane, PA 18054	Montgomery County Green Lane Borough	Perkiomen Creek (3-E)	Y
PA0055468 (Sewage)	Pleasant Run MHP STP 570 Layfield Road Perkiomenville, PA 18074	Montgomery County New Hanover Township	Deep Creek (3-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>
PA0028282 (Sewage)	Eagles Mere Borough Authority Wastewater Treatment Plants Carl Rider Road Eagles Mere, PA 17731	Sullivan County Eagles Mere Borough	Unnamed Tributary to Doubles Run, Unnamed Tributary to Mackeys Run, Unnamed Tributary to Outlet and The Outlet (10-B and 10-D)	Y

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

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

PA0011231, SIC Code 4613, **MIPC LLC**, 920 Cherry Tree Road, Aston, PA 19014. Facility Name: Chelsea Pipeline Station and Tank Farm. This existing facility is located in Upper Chichester Township, **Delaware County**.

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

The receiving stream(s), Boozers Run a Tributary to Marcus Hook Creek, is located in State Water Plan watershed 3-G 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 an average stormwater flow.

<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</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (GPD)	XXX	Report	XXX	XXX	XXX	XXX
Oil and Grease	XXX	XXX	XXX	15	XXX	30
TRPH	XXX	XXX	XXX	15	XXX	30

The proposed effluent limits for Outfall 002 are based on an average stormwater flow.

<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</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (GPD)	XXX	Report	XXX	XXX	XXX	XXX
Oil and Grease	XXX	XXX	XXX	15	XXX	30
TRPH	XXX	XXX	XXX	15	XXX	30

The proposed effluent limits for Outfall 003 are based on an average stormwater flow.

<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</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (GPD)	XXX	Report	XXX	XXX	XXX	XXX
Oil and Grease	XXX	XXX	XXX	15	XXX	30
TRPH	XXX	XXX	XXX	15	XXX	30

The proposed effluent limits for Monitoring Point 103 are based on a design flow of 0.072 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30	XXX	75
Oil and Grease	XXX	XXX	XXX	15	XXX	30
				Avg		
Dissolved Iron	XXX	XXX	XXX	XXX	XXX	7.0
Ethylbenzene	XXX	XXX	XXX	Report	XXX	Report
Benzene	XXX	XXX	XXX	0.001	XXX	0.0025
Total BTEX	XXX	XXX	XXX	0.1	XXX	0.25
Toluene	XXX	XXX	XXX	Report	XXX	Report
Total Xylenes	XXX	XXX	XXX	Report	XXX	Report
MTBE	XXX	XXX	XXX	Report	XXX	Report

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

- A. Acquire Necessary Property Rights
- B. Proper Sludge Disposal
- C. WQM Permit Requirement
- D. BAT/ELG reopener
- E. BTEX Measurement
- F. No Stripper Tower Cleaning Water
- G. Continuous Operation of Treatment Facility
- H. Stormwater Requirements
- I. Petroleum Marketing Terminals Requirements

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

The EPA Waiver is in effect.

PA0026867, Sewage, SIC Code 4952, **Abington Township Montgomery County**, 1176 Old York Road, Abington, PA 19001-3713. Facility Name: Abington Township Sewer System & STP. This existing facility is located in Upper Dublin Township, **Montgomery County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated sewage from Abington Township STP.

The receiving stream(s), Sandy Run, is located in State Water Plan watershed 3-F and is classified for Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The nearest downstream public water supply is for City of Philadelphia located on Schuylkill River. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 3.91 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	7.0	XXX	XXX	XXX
CBOD ₅						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
CBOD ₅						
May 1 - Oct 31	245	376	XXX	7.5	11.25	15
Nov 1 - Apr 30	489	734	XXX	15	22.5	30
BOD ₅						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	978	1,467	XXX	30	45	60
Total Suspended Solids						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Dissolved Solids	32,609	XXX	XXX	1,000	XXX	1,500
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
UV Transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Ammonia-Nitrogen						
May 1 - Oct 31	23	XXX	XXX	0.72	XXX	1.44
Nov 1 - Apr 30	70	XXX	XXX	2.16	XXX	4.32
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Report	XXX	XXX	Report	Report	XXX
					Daily Max	
Orthophosphate	60	XXX	XXX	1.85	XXX	3.70
Total Aluminum	XXX	XXX	XXX	Report	XXX	XXX
Total Copper	XXX	XXX	XXX	Report	XXX	XXX
Hardness, Total (as CaCO ₃)	XXX	XXX	XXX	Report	XXX	XXX
Chronic Toxicity—						
Ceriodaphnia Survival (TUc)	XXX	XXX	XXX	1.02	XXX	XXX
				Daily Max		
Ceriodaphnia Reproduction (TUc)	XXX	XXX	XXX	1.02	XXX	XXX
				Daily Max		
Pimephales Survival (TUc)	XXX	XXX	XXX	1.02	XXX	XXX
				Daily Max		
Pimephales Growth (TUc)	XXX	XXX	XXX	1.02	XXX	XXX
				Daily Max		

Note: (*) See Part C Permit Requirement for instructions regarding October thru April reporting of maximum fecal coliform values.

The proposed effluent limits for Outfall 002 and 003 are based on a storm event.

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

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

- No Stormwater in Sewers
- Obtain Necessary Property Rights
- Proper Sludge Disposal
- Chlorine Minimization
- Small Stream Discharge
- Notification of Responsible Owner
- Fecal Coliform Reporting
- Whole Effluent Toxicity (WET)
- Requirements Applicable to Stormwater Outfalls
- Site-Specific Copper Criteria

Abington Township STP has site-specific copper criteria based on a water effects ratio (WER) of 3.7 (29 Pa.B. 5928 (November 20, 1999)). The WER is used as modifications to the statewide copper criteria equation in order to determine site-specific copper criteria.

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

The EPA Waiver is not in effect.

PA0053473, Sewage, SIC Code 4952, **Thornbury Township**, 6 Township Drive, Cheyney, PA 19319. Facility Name: Thornbury Township STP. This existing facility is located in Thornbury Township, **Delaware 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), Chester Creek, is located in State Water Plan watershed 3-G and is classified for Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.18 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.2
CBOD ₅	38	60	XXX	25	40	50
CBOD ₅ Influent	Report	XXX	XXX	Report	XXX	XXX
BOD ₅ Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	45	68	XXX	30	45	60
Fecal Coliform (No./100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	6.0	XXX	XXX	4.0	XXX	8.0
Nov 1 - Apr 30	18.0	XXX	XXX	12.0	XXX	24.0
Total Phosphorus	3.0	XXX	XXX	2.0	XXX	4.0
Total Copper	XXX	XXX	XXX	Report	XXX	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	XXX	XXX

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

- Designation of Responsible Operator
- Remedial Measures
- Change in Ownership
- Chlorine Minimization
- Lab Certification

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

The EPA Waiver is in effect.

PA0043818, SIC Code 4953, **Waste Management Disposal Service of PA Inc.**, 1000 New Ford Mill Road, Morrisville, PA 19067. Facility Name: Grows Landfill IWWTP. This existing facility is located in Falls Township, **Bucks County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated landfill leachate and stormwater.

The receiving stream(s), Delaware River, and Unnamed Tributary to Delaware River, is located in State Water Plan watershed 2-E and is classified for Warm Water Fishes, Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.3 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Inst. Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	0.30	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	Inst Min XXX	0.5	1.0	1.2
Color (Pt-Co Units)	XXX	XXX	XXX	XXX	XXX	750
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	Report
BOD ₅	75	150	XXX	30	60	75
BOD ₅ Influent	Report	XXX	XXX	Report	XXX	XXX

Parameters	Mass (lb/day)		Inst. Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
CBOD ₂₀	42	XXX	XXX	XXX	XXX	XXX
CBOD ₂₀ % Removal (%)						
Percent Removal	XXX	XXX	XXX	88.5 Min	XXX	XXX
BOD ₅ % Removal (%)						
Percent Removal	XXX	XXX	XXX	95 Min	XXX	XXX
Total Suspended Solids Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids TSS % Removal (%)	75	150	XXX	30	60	75
Percent Removal	XXX	XXX	XXX	90 Min	XXX	XXX
Total Dissolved Solids	XXX	XXX	XXX	15,000	20,000	25,000
Oil and Grease	37.5	75	XXX	15	30	30
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	200 Geo Mean	XXX	1,000
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	Report	XXX
Total Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Dissolved Oxygen	XXX	XXX	Report	XXX	XXX	XXX
Ammonia-Nitrogen	12.26	25.0	XXX	4.9	10	15
Total Phosphorus	XXX	XXX	XXX	Report	Report	XXX
Total Aluminum	0.688	1.376	XXX	0.275	0.550	0.680
Total Antimony	1.13	2.26	XXX	0.450	0.900	1.13
Total Arsenic	0.375	0.750	XXX	0.150	0.300	0.375
Total Barium	0.250	0.500	XXX	0.100	0.200	0.250
Total Beryllium	0.0125	0.0250	XXX	0.005	0.010	0.0125
Total Boron						
Influent	Report	Report	XXX	Report	Report	Report
Total Boron (%)						
Percent Removal	XXX	XXX	10	XXX	XXX	XXX
Total Boron	Report	Report	XXX	Report	Report	Report
Total Cadmium	0.0125	0.0250	XXX	0.005	0.010	0.0125
Hexavalent Chromium	XXX	XXX	XXX	Report	Report	Report
Total Chromium	0.375	0.750	XXX	0.150	0.300	0.375
Total Cobalt	0.125	0.250	XXX	0.050	0.100	0.125
Total Copper	0.125	0.250	XXX	0.050	0.100	0.125
Total Cyanide	0.187	0.375	XXX	0.075	0.150	0.188
Total Iron	6.25	12.50	XXX	2.5	5.0	6.3
Total Lead	0.090	0.180	XXX	0.036	0.072	0.090
Total Manganese	2.50	5.0	XXX	1.0	2.0	2.5
Total Mercury	0.001	0.002	XXX	0.0004	0.0008	0.0010
Total Nickel	0.500	1.0	XXX	0.2	0.4	0.5
Total Silver	0.025	0.050	XXX	0.010	0.020	0.025
Total Thallium	0.085	0.170	XXX	0.100	0.200	0.250
Total Tritium (pCi/L)	XXX	XXX	XXX	XXX	Report	XXX
Total Vanadium	0.250	0.500	XXX	0.100	0.200	0.250
Total Zinc	0.275	0.500	XXX	0.110	0.200	0.250
4,4-DDD	0.000008	0.000016	XXX	0.000003	0.000006	0.000008
4,4-DDT	0.000008	0.000016	XXX	0.000003	0.000006	0.000008
4,4-DDE	0.000008	0.000016	XXX	0.000003	0.000006	0.000008
2-Hexanone	0.038	0.075	XXX	0.015	0.030	0.037
4-Methyl-2-pentanone	0.038	0.075	XXX	0.015	0.030	0.037
Isopropanol	1.35	2.7	XXX	0.540	1.080	1.350
Pentachlorophenol	XXX	XXX	XXX	Report	Report	Report
Phenol	0.038	0.065	XXX	0.015	0.026	0.037
Acetone	0.273	0.546	XXX	0.109	0.218	0.273
a-Terpineol	0.040	0.082	XXX	0.016	0.033	0.040
Chlorobenzene	XXX	XXX	XXX	0.050	0.100	0.125
1-Propanol	1.376	2.752	XXX	0.550	1.100	1.350
Benzene	XXX	XXX	XXX	0.036	0.072	0.090
Benzidine	XXX	XXX	XXX	Report	Report	Report
Benzoic Acid	0.177	0.300	XXX	0.071	0.120	0.150

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Inst. Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Butyl Benzyl Phthalate	XXX	XXX	XXX	Report	Report	Report
Bromoform	XXX	XXX	XXX	0.540	XXX	6.480
				Annl Avg		
Chlordane	XXX	XXX	XXX	Report	Report	Report
2-Butanone	0.525	1.050	XXX	0.210	0.420	0.525
1,1,1-Trichloroethane	XXX	XXX	XXX	Report	Report	Report
1,2,3-Trichloropropane	0.250	0.500	XXX	0.100	0.200	0.250
1,1-Dichloroethane	XXX	XXX	XXX	Report	Report	Report
1,2-Dichloroethane	XXX	XXX	XXX	Report	Report	Report
Chloroform	XXX	XXX	XXX	0.010	0.020	0.025
2-Chloronaphthalene	XXX	XXX	XXX	Report	Report	Report
Dieldrin	XXX	XXX	XXX	Report	Report	Report
Diethyl Phthalate	XXX	XXX	XXX	Report	Report	Report
Di-n-Butyl Phthalate	XXX	XXX	XXX	0.830	1.660	2.080
gamma-BHC	XXX	XXX	XXX	Report	Report	Report
Heptachlor	XXX	XXX	XXX	Report	Report	Report
Heptachlor Epoxide	XXX	XXX	XXX	Report	Report	Report
Isophorone	XXX	XXX	XXX	Report	Report	Report
Dibromomethane	0.025	0.050	XXX	0.010	0.020	0.025
Methyl Chloride	XXX	XXX	XXX	Report	Report	Report
Methylene Chloride	XXX	XXX	XXX	Report	Report	Report
p-Cresol	0.035	0.063	XXX	0.014	0.025	0.035
Total Phenolics	0.675	1.351	XXX	0.270	0.540	0.680
trans-1,2-Dichloroethylene	0.075	0.150	XXX	0.030	0.060	0.0750
Tetrachloroethylene	XXX	XXX	XXX	Report	Report	Report
Tetrahydrofuran	0.063	0.125	XXX	0.025	0.050	0.063
Toluene	XXX	XXX	XXX	Report	Report	Report
Toxaphene	XXX	XXX	XXX	Report	Report	Report
Trichloroethylene	XXX	XXX	XXX	Report	Report	Report
Total Trihalomethanes	XXX	XXX	XXX	0.027	XXX	0.324
				Annl Avg		
Total Xylenes	XXX	XXX	XXX	0.010	0.020	0.025
PCBs (Dry Weather)	XXX	XXX	XXX	XXX	Report	XXX
Chronic Toxicity—						
Ceriodaphnia Survival (TUc)	XXX	XXX	XXX	XXX	Report	XXX
Ceriodaphnia Reproduction (TUc)	XXX	XXX	XXX	XXX	Report	XXX
Pimephales Survival (TUc)	XXX	XXX	XXX	XXX	Report	XXX
Pimephales Growth (TUc)	XXX	XXX	XXX	XXX	Report	XXX
Acute Toxicity—						
Ceriodaphnia Survival (TUa)	XXX	XXX	XXX	XXX	Report	XXX
Pimephales Survival (TUa)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for storm water Outfalls 002, 003, 005, 006, 009, 010, 011, 012 are:

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	Report	Report	XXX
CBOD ₅	XXX	XXX	XXX	Report	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	Report	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Total Arsenic	XXX	XXX	XXX	Report	Report	XXX
Total Barium	XXX	XXX	XXX	Report	Report	XXX
Total Cadmium	XXX	XXX	XXX	Report	Report	XXX
Total Chromium	XXX	XXX	XXX	Report	Report	XXX
Total Cyanide	XXX	XXX	XXX	Report	Report	XXX
Dissolved Iron	XXX	XXX	XXX	Report	Report	XXX
Total Lead	XXX	XXX	XXX	Report	Report	XXX
Dissolved Magnesium	XXX	XXX	XXX	Report	Report	XXX
Total Magnesium	XXX	XXX	XXX	Report	Report	XXX
Total Mercury	XXX	XXX	XXX	Report	Report	XXX
Total Selenium	XXX	XXX	XXX	Report	Report	XXX
Total Silver	XXX	XXX	XXX	Report	Report	XXX
Total Organic Carbon	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for storm water Outfall 004 are:

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily</i>	<i>Minimum</i>	<i>Annual Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH (S.U.)	XXX	XXX	XXX	Report	Report	XXX
CBOD ₅	XXX	XXX	XXX	Report	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	Report	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Total Arsenic	XXX	XXX	XXX	Report	Report	XXX
Total Barium	XXX	XXX	XXX	Report	Report	XXX
Total Cadmium	XXX	XXX	XXX	Report	Report	XXX
Total Chromium	XXX	XXX	XXX	Report	Report	XXX
Total Cyanide	XXX	XXX	XXX	Report	Report	XXX
Dissolved Iron	XXX	XXX	XXX	Report	Report	XXX
Total Lead	XXX	XXX	XXX	Report	Report	XXX
Dissolved Magnesium	XXX	XXX	XXX	Report	Report	XXX
Total Magnesium	XXX	XXX	XXX	Report	Report	XXX
Total Mercury	XXX	XXX	XXX	Report	Report	XXX
Total Selenium	XXX	XXX	XXX	Report	Report	XXX
Total Silver	XXX	XXX	XXX	Report	Report	XXX
Total Tritium (pCi/L)	XXX	XXX	XXX	XXX	Report	XXX
Total Organic Carbon	XXX	XXX	XXX	Report	Report	XXX

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

- Effective Disinfection
- Remedial Measures
- BOD₅ Percent Removal
- Change in Ownership
- TRC/THMs Monitoring Requirements
- Biomonitoring
- PCBs-PMP Requirements

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

The EPA Waiver is in effect.

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

PA0232521, Stormwater, SIC Code 2011, **Nicholas Meats LLC**, 508 East Valley Road, Loganton, PA 17747.

Facility Name: Nicholas Meats. This existing facility is located in Greene Township, **Clinton County**.

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

The receiving stream(s), Fishing Creek, is located in State Water Plan watershed 9-C and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent monitoring for Outfalls 001, 002, 003, 004, 005, 006 & 007 are based on a design flow of 0.00 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH (S.U.)	XXX	XXX	Report	XXX	XXX	Report
Chemical Oxygen Demand	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX

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

- Requirements Applicable to Stormwater Outfalls

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

The EPA Waiver is in effect.

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

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

WQM Permit No. 0606409, Amendment No. 1, Sewerage, Tilden Township (West Hamburg Sewer System), 874 Hex Highway, Hamburg, PA 19526.

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

Description of Proposed Action/Activity: Seeking permit approval for the re-permitting of three (3) existing sanitary pump stations.

WQM Permit No. 0185405, Amendment No. 2, Sewerage, Biglerville Borough Authority, 33 Musselman Avenue, PO Box 631, Biglerville, PA 17307.

This proposed facility is located in Biglerville Borough & Butler Township, **Adams County**.

Description of Proposed Action/Activity: Seeking permit approval for replacement of existing chlorine contact tanks with open trench ultraviolet disinfection.

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

WQM Permit No. 0215417, Sewage, Miller Cheryl, 5715 Clay Pike, Chandlersville, OH 43727.

This proposed facility is located in Moon Township, **Allegheny County**.

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

WQM Permit No. 3281205 A-13, Industrial Waste, Homer City Generation LP, 1750 Power Plant Road, Homer City, PA 15748.

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

Description of Proposed Action/Activity: Improvements to storm water controls at the facility's coal combustion residual waste landfill.

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>
PAI014615004	Corson Street Acquisition, LP 3815 West Chester Pike Newtown Square, PA 19073	Montgomery	Conshohocken Borough Plymouth Township	Plymouth Creek WWF-MF

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

Lackawanna County Conservation Dist., 1038 Montdale Road, Suite 109, Scott Twp., PA 18447

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023515003	PPL Electric Utilities Corporation Two North Ninth Street Allentown, PA 18101	Lackawanna	Blakely Borough Archbald Borough Jessup Borough	UNT West Branch Tinklepaugh Creek (CWF, MF) West Branch Tinklepaugh Creek (CWF, MF) Wildcat Creek (CWF, MF) Lackawanna River (HQ-CWF, MF)

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>
PAI023915024	Robert Kiel Liberty Property Limited Partnership 74 W. Broad St. Bethlehem, PA 18018	Lehigh	Lower Macungie Township and Alburtis Borough	UNT to Little Lehigh Creek (HQ-CWF, MF)

Luzerne Conservation District, 325 Smiths Pond Road, Shavertown, PA 18708

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024008002R	M.A.C. Realty Company, Inc. 265 Magnolia Drive Dallas, PA 18612	Luzerne	Dallas Township	Toby Creek (CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024815014	Jared & Monica Isaacman 2202 North Irving Street Allentown, PA 18109	Northampton	Lower Nazareth Township	East Branch Monocacy Creek (HQ-CWF, MF)

Schuylkill County Conservation District, 1206 Ag Center Dr., Pottsville, PA 17901

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025415001	Heisler's Egg Farm, Inc. c/o Todd Heisler 757 Valley Road Tamaqua, PA 18252	Schuylkill	Walker Township	Beaver Creek (HQ-CWF, MF) UNT to Beaver 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>
PAI033609002R	Paul Lantz Builders	Lancaster	Bart Township	W. Branch, Octorara Creek Designated Use of Water HQ-CWF

*Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701**Centre County Conservation District: 414 Holmes Avenue, Suite 4, Bellefonte, PA 16823, (814) 355-6817*

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041405011	Walker Land Development Inc 1008 Startford Development State College, PA 16801	Centre	Harris Township	Spring Creek, HQ-CWF

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

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

Permit No. 2415501-C, Public Water Supply

Applicant	Highland Township Municipal Authority
Township or Borough	Highland Township
County	Elk
Responsible Official	Kevin Moran, Chairman

Type of Facility	Public Water Supply
Consulting Engineer	Kerry D. Tyson, P.E. Nittany Engineering and Assoc., LLC 2836 Earlstown Road, Suite 1 Centre Hall, PA 16828
Application Received Date	October 22, 2015
Description of Action	Installation and operation of corrosion control equipment.

MINOR AMENDMENT

Applications Received Under the Pennsylvania Safe Drinking Water Act

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

Application No. 1696501-MA1, Minor Amendment.

Applicant	West Freedom Water Association
Township or Borough	Perry Township
Responsible Official	Samuel E. Rupert
Type of Facility	Public Water Supply
Consulting Engineer	Don A. Gilmore, P.E. Dakota Engineering Associates, Inc. 35 Wilson Street, Suite 300 Pittsburgh, PA 15223
Application Received Date	November 5, 2015
Description of Action	Water storage tank replacement.

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 ap-

proved 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.

Former McCrory Stores, 2925 East Market Street, York, PA, Springettsbury 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 2925 East Market LP, 40 Morris Avenue, Suite 230, Bryn Mawr, PA 19010, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with VOCs, PHs, and BNs. 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.

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

All American Hose (217 Titusville Road), 217 Titusville Road, Borough of Union City, **Erie County**. URS Corporation, 12420 Milestone Center Drive, Suite 150, Germantown, MD 20876, on behalf of Parker Hannifin Corporation, 6035 Parkland Boulevard, Cleveland, OH 44124, submitted a Notice of Intent to Remediate. Site is currently being used for manufacturing fire hose. Due to historical use, site soil has been contaminated with volatile organic compounds, semi-volatile organic compounds, and metals; site groundwater has been contaminated with metals. Intended future use of the property will be non-residential. The selected remediation standard is Site-Specific. The Notice of Intent to Remediate was published in *The Erie Times-News* on October 14, 2015.

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 and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.

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

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

14-00003H: Pennsylvania State University (101P Physical Plant Bldg, University Park, PA 16802) for the construction of two 2,000 kW Cummins model DQKAE emergency generators powered by 2,922 brake-horsepower diesel-fired Cummins QSK60 reciprocating internal combustion engines (RICE) and one Cummins model C25 D6 emergency generator powered by a 69 bhp Cummins 4BT3.3-G5 diesel-fired RICE at the Data Center at the University Park Campus located in College Township and State College Borough, **Centre County**. The Department of Environmental Protection's (Department) review of the information submitted by the Pennsylvania State University indicates that the air contamination sources will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the new source performance standards, the national emission standards for hazardous air pollutants, 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 emergency generators.

The following is a brief description of the 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 requirements of 25 Pa. Code §§ 127.1 and 127.12 and to 40 CFR 60.4205(b), the permittee shall operate Data Center Generators #1 & #2 in a manner such that the rate of emissions from the stationary reciprocating internal combustion engines (RICE) do not exceed the following limitations: (a) Nitrogen Oxide and Nonmethane Hydrocarbons—3.8 g/bhp-hr and 6.1 tons/year. (b) Carbon Monoxide—0.75 g/bhp-hr and 1.2 ton/year (c) Particulate Matter—0.09 g/bhp-hr and 0.15 ton/year (d) Sulfur Oxide—0.01 ton/year.

2. Pursuant to the Best Available Technology requirements of 25 Pa. Code §§ 127.1 and 127.12 as well as 40 CFR 60.4207(b) and 63.6604(a), the diesel fuel fired in Data Center Generators #1 & #2 shall comply with the following per-gallon standards: (a) Sulfur content of 15 ppm maximum. (b) Cetane index or aromatic content, as follows: (i) A minimum cetane index of 40; or (ii) A maximum aromatic content of 35 volume percent.

3. The permittee shall operate the Data Center Generators in accordance with the requirements of 40 CFR 60.4211(f), which limits non-emergency operation. The permittee shall equip the Data Center Generators with non-resettable hour meters that log the run-time of the engines.

4. Pursuant to 40 CFR 60.4211, the permittee shall install, configure, operate, and maintain the Data Center

Generators according to the manufacturer's emission-related written instructions; change only those emission-related settings that are permitted by the manufacturer; and meet the requirements of 40 CFR parts 89, 94, and/or 1068, as applicable.

5. The permittee shall keep records of the following information: (a) The monthly emissions of nitrogen oxides (NO_x), nonmethane hydrocarbons (NMHC), carbon monoxide (CO), particulate matter (PM), and sulfur oxides (SO_x) from the exhaust of Data Center Generators #1 & #2 and the supporting calculations/documentation; (b) The number of hours from the non-resettable hour meters that the engines are operated on a monthly basis; (c) For each delivery of diesel fuel for these engines, a copy of the fuel certification report that verifies compliance with diesel fuel requirements. (d) Maintenance records that verify the engines are operated and maintained according to the manufacturer's written instructions and recommendations. These records shall be kept for a minimum of five (5) years and shall be made available to the Department upon request.

6. The Data Center Generators are subject to the requirements of 40 CFR Part 60 Subpart IIII and 40 CFR Part 63 Subpart ZZZZ. The permittee shall comply with all applicable requirements of Subparts IIII and ZZZZ for the Data Center Generators.

The facility is a major (Title V) 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 14-00003H, the requirements established in the plan approval will be incorporated into Title V Operating Permit 14-00003 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.

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

46-00283: Danco General Contracting, Inc. (485 Texas Road, Morganville, NJ 07751) for an initial State Only Operating Permit for a portable non-metallic mineral processing plant located at Silve Concrete in Limerick Township, **Montgomery County**. Sources authorized under this operating permit include a portable crusher and screener with associated diesel-fired engines. The portable non-metallic mineral processing plant is controlled by a water spray dust suppression system with the primary pollutant of concern being particulate matter. The facility is categorized as a natural minor facility based on its potential emissions. The operating permit includes monitoring, record keeping and reporting requirements to address 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

39-00080: Muhlenberg College (2400 West Chew Street, Allentown, PA 18104-5564) The Department intends to issue a State-Only (Synthetic Minor) Operating Permit renewal for operation in the City of Allentown, **Lehigh County**. The sources consist of two (2) boilers, miscellaneous combustion units, twenty-six (26) emergency generators, and one (1) fire pump. The permittee shall demonstrate compliance through emission limitations, fuel type, and fuel usage restrictions. 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.

52-00003: G.F. Edwards, Inc. (204 State Route 435, Elmhurst, PA 18444-7692) The Department intends to issue a State-Only Operating Permit for the operation of a sand and stone processing plant in Greene Township, **Pike County**. The sources consist of four (4) crushers, five (5) screens, and associated conveyors. The fugitive emissions are controlled by a water spray system. 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

07-03038: Amerway Inc. (3701 Beale Avenue, PA 16601) to issue a Natural Minor Operating Permit for Altoona plant located in Altoona City, **Blair County**. The primary emission from the solder production is particulate matter and the potential emissions are less than 30 tpy. 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.

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

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

17-00040: Moshannon Valley School District (4934 Green Acre Road, Houtzdale, PA 16651-9424) to renew the State Only (Synthetic Minor) Operating Permit for their elementary and Jr./Sr. high school facility located in Bigler Township, **Clearfield County**. The facility's sources include boilers, water heaters, and generator-engines. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions in the operating permit have been derived from the applicable requirements of 40 CFR Parts 60 and 63 as well as 25 Pa. Code Chapters 121—145. The facility's potential to emit sulfur oxides is restricted to below the major threshold by the fuel throughput limitations for No. 2 fuel oil and bituminous coal. The facility's potential to emit other criteria pollutants are less than the major thresholds. The renewal operating permit included the applicable National Emission Standard of Hazardous Air Pollutants (NESHAP) requirement for the boilers and water heaters at the facility and the Standards of Performance for New Sources (NSPS) requirement for the diesel generator-engines. The renewal operating permit contains all applicable Federal and State regulatory requirements including applicable testing, monitoring, recordkeeping,

and reporting conditions to demonstrate compliance with the applicable Federal and State regulatory requirements. 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.

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

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

Permit No. 40150201. Newport Aggregate, Inc., (76 Main Road, Glen Lyon, PA 18617), commencement, operation and restoration of an anthracite coal refuse reprocessing operation in Newport and Conyngham Townships, **Luzerne County** affecting 54.7 acres, receiving stream: Susquehanna River, classified for the following use: warm water fishes. Application received: November 2, 2015.

Noncoal Applications Received

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

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

* The parameter is applicable at all times.

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

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

Permit No. 58150807 and NPDES Permit No. PA0225576. Jose F. Suscal, (60 Pine Street, Hallstead, PA 18822), commencement, operation and restoration of a quarry operation and NPDES Permit for discharge of treated mine drainage in Jackson Township, **Susquehanna County** affecting 5.0 acres, receiving streams: unnamed tributary to Fullers Lake to Page Lake to Salt Lick Creek to Susquehanna River, classified for the following uses: HQ—cold water and migratory fishes. Application received: May 21, 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. PA0125474 (Mining Permit No. 11813039), Cooney Brothers Coal Company, P.O. Box 246, Cresson, PA 16630, renewal of an NPDES permit for continued reclamation and water treatment in Adams Township, **Cambria County**, affecting 1,343 acres. Receiving streams: unnamed tributary to/and Sulphur Creek, classified for the following use: cold water fishes. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: August 4, 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 outfalls listed below discharge to unnamed tributary to/and Sulphur Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
004	N
011	N
019	N

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

<i>Outfall: 004</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	1.1	2.2	2.7
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			

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

<i>Outfalls: 011 and 019</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	1.1	2.2	2.7
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Selenium		Monitor and Report	
pH (S.U.): Must be between 6.0 and 10.0 standard units at all times			
Alkalinity must exceed acidity at all times.			

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

NPDES No. PA0256773 (Mining Permit No. 14080101), Warren C. Harman Contractor, 5315 Bigler Road, Clearfield, PA 16830, renewal of an NPDES permit for bituminous surface mining in Snow Shoe and Burnside Townships, **Centre County**, affecting 209 acres. Receiving stream(s): UNT to Little Sandy Run and UNT to Contrary Run, classified for the following use(s): CWF. Beech Creek (Basin) TMDL. Application received: December 15, 2014.

The outfall(s) listed below discharge to Little Sandy Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TF-F	N
TF-G	N
TF-H	N
TF-I	N
TF-J	N
TF-K	N
SP-A	N
SP-B	N
SP-C	N
SP-D	N
SP-E	N

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
		<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	0.75	0.75
Alkalinity greater than acidity ¹				
Total Suspended Solids (mg/l)		35.0	70.0	90.0
Osmotic Pressure (milliosmoles/kg)				

¹The parameter is applicable at all times.

NPDES No. PA0220060 (Mining Permit No. 17950106), Waroquier Coal Company, P. O. Box 128, Clearfield, PA 16830, renewal of an NPDES permit for bituminous surface mining in Greenwood Township, **Clearfield County**, affecting 111.2 acres. Receiving stream(s): Watts Creek and UNT to Watts Creek classified for the following use(s): CWF. Clearfield Creek Watershed TMDL. Application received: April 8, 2015.

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

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

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TP1	N
SP1	N
SP2	N
SP5	N

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		2.0	4.0	5.0
Alkalinity greater than acidity ¹				
Total Suspended Solids (mg/l)		35.0	70.0	90.0
Osmotic Pressure (milliosmoles/kg)				

¹The parameter is applicable at all times.

Noncoal NPDES Draft Permits

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

NPDES Permit No. PA0225576 on Surface Mining Permit No. 58150807. Jose F. Suscal, (60 Pine Street, Hallstead, PA 18822), new NPDES Permit for a bluestone quarry operation in Jackson Township, **Susquehanna County**, affecting 5.0 acres. Receiving streams: unnamed tributary to Fullers Lake to Page Lake to Salt Lick Creek to Susquehanna River, classified for the following uses: HQ—cold water and migratory fishes. Application received: May 21, 2015.

Non-discharge BMP's shall be in effect.

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.

E35-459. Moosic Borough, 715 Main St, Moosic, PA 18507, in Moosic Borough, **Lackawanna County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain an outfall in Springbrook (HQ-CWF, MF) consisting of a 24-inch diameter HDPE pipe and endwall. The project is located at Salina Street. (Avoca, PA Quadrangle, Latitude: 40° 32' 29.0"; Longitude: -75° 38' 03.5").

E52-252. Sunrise Lake Property Owners Association, 101 Sunrise Drive, Milford, PA 18337, in Dingman Township, **Pike County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain the following water obstructions and encroachments for the purpose of constructing a parking lot. 1. A channel change consisting of a watercourse re-alignment of a UNT to Rattlesnake Creek (HQ-CWF, MF) for approximately 410-linear feet; and 2. A 20-foot wide road crossing of two UNT's to Rattlesnake Creek (HQ-CWF, MF) consisting of two 24-inch diameter HDPE pipes and one 12-inch diameter HDPE pipe depressed 6 inches below streambed elevation with headwalls, endwalls and riprap aprons. Fill within the floodway of the watercourse for construction of the park-

ing lot is a activity as per § 105.12(a)(2). The project is located approximately 0.05 mile north of the Sunrise Drive and Copper Court intersection (Edgemere, PA Quadrangle, Latitude: 41° 19' 15"; Longitude: -74° 57' 59").

E40-772. Mark and Molly Davies, P. O. Box 296, Harveys Lake, PA 18618, in Harveys Lake Borough, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain a 500 sq. ft. addition to an existing 500 sq. ft. dock to include a 200 sq. ft. open front pavilion on the expanded dock in Harveys Lake (HQ-CWF). The project is located at Pole 227 along Lakeside Drive in Harveys Lake Borough, Luzerne County (Harveys Lake, PA Quadrangle, Latitude: 41°21'52.1"; Longitude: -76°2'43.6").

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

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.

E50-259: Alvin Peachy, 396 Ash Drive, Millerstown, PA 17062 in Saville Township, **Perry County**, U.S. Army Corps of Engineers Baltimore District.

To construct and maintain a 30-foot long 83-inch by 57-inch Corrugated Metal pipe and associated fill to convey Raccoon Creek (CWF) under a proposed driveway. The project is located north of PA Route 17 to a point approximately 150 feet upstream of the Saville/Tuscarora Township line on Raccoon Creek (Ickesburg, PA Quadrangle; Latitude: 40° 28' 41", Longitude: 77° 19' 03") in Saville Township, Perry County. The purpose of the project is to construct a 12-foot wide driveway for access to property. No wetland impacts are proposed.

E07-460: PA Department of Transportation, Engineering District 9-0, 1620 North Juniata Street, Holidaysburg, PA 16648 in Frankstown Township, **Blair County**, U.S. Army Corps of Engineers Baltimore District.

To remove existing structure and to (1) install and maintain a new 175-foot x 44.38 foot bridge, approximately 150 feet upstream of the existing structure, over Frankstown Branch Juniata River (WWF, MF) and (2) to extend an existing concrete arch culvert by 33.5 linear feet for a total of 189.88 foot enclosure in Brush Creek (WWF, MF) along SR 0022 Sec 42S in Frankstown Township, Blair County (Latitude: 40° 26' 22"; Longitude: -78° 21' 8.8") for the purpose of improving roadway safety. The project proposes to permanently affect 166 linear feet of stream channel and temporarily affect 290 linear feet. No wetland impacts are proposed.

E22-620 PA Department of Transportation Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103-1699 in Derry Township, **Dauphin County**, U.S. Army Corps of Engineers Baltimore District.

To remove existing structure and to install and maintain (1) a 65.28 foot x 43.11 foot bridge over Spring Creek (WWF, MF), (2) a temporary causeway during construction in Spring Creek (WWF, MF), and (3) two 18-inch pipe outfalls with riprap along Spring Creek (WWF, MF) all for the purpose of improving transportation safety and roadway standards. The project is located on SR 0743 Section 028 in Derry Township, Dauphin County (Latitude: 40° 17' 18"; Longitude: -76° 39' 10"). No wetland impacts are proposed.

E67-921 PA Department of Transportation Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103-1699 in Hellam Township, **York County**, U.S. Army Corps of Engineers Baltimore District.

To remove existing structure and to (1) install and maintain a 125-foot x 27.4-foot bridge over Kruetz Creek (WWF, MF), (2) place 205 linear feet of R-4 and R-7 riprap along Kruetz Creek (WWF, MF), and (3) relocate

136 linear feet of a UNT Kruetz Creek (WWF, MF) along SR 2021-006 in Hellam Township, York County (Latitude: 40° 0' 9.5"; Longitude: -76° 34' 31.7"). The project proposes to permanently impact 398.4 of stream channel and 0.011 acre of wetland. The project proposes to temporarily impact 0.078 acre of wetlands and 266 linear feet of stream channel. The amount of wetland impact is considered a de minimus impact of 0.01 acre and wetland mitigation is not required.

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

E14-562. Lawrence & Barb Morar, 332 Arbor Way, State College, PA 16803-3401. Morar Camp, in Gregg Township, **Centre County**, ACOE Baltimore District (Spring Mills, PA Quadrangle N: 40° 48' 11.6"; W: -77° 34' 31.2").

To: 1) construct and maintain a steel beam wood deck bridge across with a 14 foot clear span and an underclearance of at least 57-inches over a 10 foot wide stream, 2)

place and maintain a utility line across the bridge in order to provide vehicle and utility access to a proposed seasonal cabin. This project proposes to: 1) temporarily impact 0 linear feet of Laurel Run and 0 acres of wetland, 2) permanently impact 12 linear feet of Laurel Run and 0 acres of wetland, which are classified as High Quality—Cold Water—Wild Trout Fishery.

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

E43-363, Mercer Borough, 145 North Pitt St. Mercer, PA 16137. Wastewater Treatment Plant upgrade in Mercer Borough, **Mercer County** (USGS Mercer Quad N: 41° 13' 21"; W: -80° 13' 48"):

To construct an upgrade to the existing Wastewater Treatment Plant incorporating Sequencing Batch Reactor technology. All work is to be conducted in the existing fenced in area of the existing wastewater treatment plant. The entire site is located in the 100 year floodplain of Neshannock Creek.

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

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>
PA0010651 (IW)	Shippen Township Plant 1 Cameron Road Emporium, PA 15834-9797	Cameron County Shippen Township	Sinnemahoning Portage Creek (8-A)	Y

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

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

NPDES Permit No. PA0012823, Industrial Waste, SIC Code 4911, **Martins Creek, LLC**, 835 Hamilton Street, Suite 150, Allentown, PA 18101.

This existing facility is located in Lower Mount Bethel Township, **Northampton County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated industrial wastewater, treated sewage, and stormwater.

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

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

WQM Permit No. 1115403, Sewage, **Southmont Borough**, 148 Wonder Street, Johnstown, PA 15905.

This proposed facility is located in Southmont Borough, **Cambria County**.

Description of Proposed Action/Activity: Proposed construction of new sanitary sewers to replace existing defective sewers in the Phase I Area of Southmont Borough.

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. 0215408, **Jefferson Hills Borough**, 925 Old Clairton Road, Jefferson Hills, PA 15025-3133.

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

Description of Proposed Action/Activity: Description of Proposed Action/Activity: Sewer Upsize along Scotia Hollow & Walton Road; construction of a new pump station, force main, and wet weather flow equalization tank, to pump sewage flow to WESA STP.

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>
PAI011515010	Liberty Property Limited Partnership by its Sole General Partner Liberty Property Trust 500 Chesterfield Parkway Malvern, PA 19355-8707	Chester	Tredyffrin Township	Valley Creek EV
PAI010915007	Kinder Morgan 1000 South Port Road Fairless Hills, PA 19030	Bucks	Falls Township	Delaware River WWF-MF
PAI011515006	Liberty Property Limited Partnership by its Sole General Partner Liberty Property Trust 500 Chesterfield Parkway Malvern, PA 19355-8707	Chester	East Whiteland Township	Unnamed Tributary to Valley Creek EV Valley Creek EV

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041415002 Phase 2	Mr. Ed Poprik State College Area School Dist 141 W Nittany Ave State College, PA 16801	Centre	State College Boro	Slab Cabin Run HQ-CWF

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>
Upper Providence Township Montgomery County	PAG02004614045(1)	Audubon Land Development Corp 2620 Egypt Road Audubon, PA 19403	Doe Run TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Providence Township Montgomery County	PAG02004615046	Providence Business Park 3 LLC 1030 West Germantown Pike East Norriton, PA 19403	Schuylkill River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Pittston Township Luzerne County	PAG02004015027	U.S. Gain—A Division of U.S. Venture, Inc. 425 Better Way Appleton, WI 54915	Mill Creek (CWF)	Luzerne Conservation District 570-674-7991

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>
Oxford Township Adams County	PAG02000115030 Issued	Jay E. Rohrbach The Brethren Home Community 2990 Carlisle Pike New Oxford, PA 17350	UNT to South Branch Conewago Creek/ WWF, MF and UNT to Pine Run/ WWF, MF	Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325 717-334-0636
Royalton Borough Dauphin County	PAG02002215020 Issued	Michael Richards 419 South Union Street Middletown, PA 17057	Swatara Creek/WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100
South Hanover Township Dauphin County	PAG02002215007-1 Issued	South Hanover Township 111 West Third Street Hershey, PA 17033	Swatara Creek/WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100
Swatara Township Dauphin County	PAG02002215043 Issued	J & B Ranch, LLC 700 Ayers Avenue Lemoyne, PA 17043	Spring Creek West/ CWF, MF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100
Londonderry Township Dauphin County	PAG02002215018 Issued	Living Hope Church 308 South Progress Avenue Harrisburg, PA 17109	Swatara Creek/ WWF, MF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100
Gratz Borough Dauphin County	PAG02002215040 Issued	Reuben King 184 Airport Road Lykens, PA 17048	Wiconisco Creek/ WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100

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

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Columbia County Scott Township	PAG02001915006	JDK Hospitality 1388 SR 487 Bloomsburg, PA 17815	Fishing Creek	Columbia County Conservation District 702 Sawmill Rd Ste 204 Bloomsburg, PA 17815 (570) 784-1310 X 102
Tioga County Blossburg Borough	PAG2005910002(1)	Hydro Recovery, LP 1975 Waddle Rd State College, PA 16803	Johnson Creek, Boone Run (CWF, MF)	Tioga County Conservation District 50 Plaza Ln Wellsboro, PA 16901 (570) 724-1801 X 5

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

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
South Bend Township Armstrong County	PAG02000315005	South Bend Well Services, LLC, One Gateway Center, 16th Floor, 420 Fort Duquesne Boulevard, Pittsburgh, PA 15222	Crooked Creek (WWF); Craig Run (WWF); UNT to Sugar Run (WWF); Sugar Run (WWF)	Armstrong Conservation District, Armsdale Administration Building, Suite B-2, 124 Armsdale Road, Kittanning, PA 16201 (724) 548-3425
Cherryhill Township and Pine Township Indiana County	PAG02003215013	Indiana County Municipal Services Authority 602 Kolter Drive Indiana, PA 15701	Penn Run (CWF); Rose Run (CWF); Allen Run (CWF); Laurel Run (CWF); UNT to Yellow Creek (CWF)	Indiana County Conservation District, 625 Kolter Drive, Suite 8, Indiana, PA 15701-3571 (724) 471-4751
Brush Valley Township and East Wheatfield Township Indiana County	PAG02003215008(1)	Peoples TWP, LLC 5999 Route 119 Highway North, Home, PA 15747	Blacklick Creek (TSF); Mardis Run (CWF)	Indiana County Conservation District, 625 Kolter Drive, Suite 8, Indiana, PA 15701-3571 (724) 471-4751
Center Township and Homer City Borough Indiana County	PAG02003215014	Central Indiana County Water Authority 30 East Wiley Street Homer City, PA 15748	UNT to Cherry Run (CWF); Cherry Run (CWF)	Indiana County Conservation District, 625 Kolter Drive, Suite 8, Indiana, PA 15701-3571 (724) 471-4751
White Township Indiana County	PAG02003215010	Indy-Apple, LLC c/o TVC Development Company, LLC, 329 South Main Street, Suite B, Doylestown, PA 18901	McCarthy Run (CWF)	Indiana County Conservation District, 625 Kolter Drive, Suite 8, Indiana, PA 15701-3571 (724) 471-4751
Adams Township Butler County	PAG02001015030	Brickyard Park Holdings LLC 13 Dewey Lane Gibsonia, PA 15044	Glad Run WWF	Butler County Conservation District 724-284-5270
Paint Township Clarion County	PAG02001615010	Clarion Industries 143 Fiberboard Road Shippenville, PA 16254	UNT Clarion River CWF	Clarion County Conservation District 814-297-7813
Punxsutawney Borough Jefferson County	PAG02003315002	PADOT District 10-0 2550 Oakland Avenue Indiana, PA 15701-3388	Mahoning Creek (Wetland) WWF	Jefferson County Conservation District 814-849-7463
Foster Township McKean County	PAG02004215005	Sheetz Inc 817 Brookfield Drive Seven Fields, PA 16046	Foster Brook CWF	McKean County Conservation District 814-887-4001
Jackson Township Mercer County	PAG02004314007(1)	JMJACD Associates Ltd 190 Kelly Road Quakertown, PA 18951	Yellow Creek TSF	Mercer County Conservation District 724-662-2242
City of Sharon Mercer County	PAG02004315015	GNH Enterprises LLC One Miller Court Sharon, PA 16146	Shenango River WWF	Mercer County Conservation District 724-662-2242
Conewango Township Warren County	PAG02006215002	TrAiLCo 341 White Pond Drive Akron, OH 44308	UNT Allegheny River CWF	Warren County Conservation District 814-726-1441

<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>
Horton Township, Elk County	PAG02302415003	Bureau of Conservation and Restoration Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	Brandy Camp Creek (CWF)	Attention: Craig R. Treese, P.E. PA DEP Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 814-472-1800
<i>General Permit Type—PAG-03</i>				
<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Lower Saucon Township Northampton County	PAR502205	IESI PA Bethlehem Landfill Corp 2335 Applebutter Road Bethlehem, PA 18015	Unnamed Tributary to East Branch Saucon Creek—2-C	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Lehigh Township Northampton County	PAR802253	First Student Inc. 600 Vine Street Suite 1400 Cincinnati, OH 45202	Unnamed Tributary of Lehigh River—2-C	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Milton Borough Northumberland County (Industrial Stormwater)	PAR204826	Milton Steel Co. 6 Canal Street Milton, PA 17847-1515	West Branch— Susquehanna River—10-D	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.0530
Muncy Borough Lycoming County (Industrial Stormwater)	PAG034827	Bass Fishing & Rentals LLC 351 Industrial Parkway Muncy, PA 17756-6657	Muncy Creek—10-D	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.0530
Derry Township Montour County	PAR704802	Montour LLC 835 Hamilton Street Suite 150 Genpl6 Allentown, PA 18101	Chillisquaque Creek and Mud Creek— 10-D	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.0530

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

sure 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

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

Permit No. 4015514MA, Minor Amendment, Public Water Supply.

Applicant	Pennsylvania-American Water Company (Huntsville Water System) 800 West Hershey Park Drive Hershey, PA 17033
Municipality	Luzerne Borough
County	Luzerne
Type of Facility	PWS
Consulting Engineer	Scott M. Thomas, P.E. Pennsylvania-American Water Company 852 Wesley Drive Mechanicsburg, PA 17055
Permit to Construct Issued	November 16, 2015

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

Permit No 4115510—Construction—Public Water Supply.

Applicant	Muncy Borough Municipal Authority
Township/Borough	Muncy Borough
County	Lycoming
Responsible Official	Mr. Edward Breon Muncy Borough Municipal Authority 14 North Washington Street Muncy, PA 17756
Type of Facility	Public Water Supply
Consulting Engineer	Steven Riley, P.E. Entech Engineering, Inc. 201 Penn Street Reading, PA 19602
Permit Issued	November 10, 2015

Description of Action	Authorizes modifications to the distribution system, as follows: construction of a 1 MG ground-level finished water storage tank and a 0.5 MG elevated tank; abandonment of the 3 MG inground reservoir, 0.2 MG Kellogg's tank, and Kellogg's booster pump station; installation of a 2nd transmission line along Old Glade Run Road to the new 1 MG tank site near the old reservoir; and slip-lining of the oversized pipe along Muncy Exchange Road.
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Southwest Region: Water Supply Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

Permit No. 0415504, Public Water Supply.

Applicant	Center Township Water Authority 224 Center Grange Road Aliquippa, PA 15001
[Borough or Township]	Potter Township
County	Beaver
Type of Facility	Water intake, pump station and transmission lines
Consulting Engineer	Lennon, Smith, Souleret Engineering, Inc. 846 Fourth Avenue Coraopolis, PA 15108
Permit to Construct Issued	November 10, 2015

Permit No. 0315505, Public Water Supply.

Applicant	Rayburn Township Joint Municipal Authority PO Box 776 Kittanning, PA 16201
[Borough or Township]	Rayburn Township
County	Armstrong
Type of Facility	New water system
Consulting Engineer	Senate Engineering Company U-PARC 420 William Pitt Way Pittsburgh, PA 15238-1330
Permit to Construct Issued	November 10, 2015

Permit No. 3215511, Public Water Supply.

Applicant	Indiana County Municipal Services Authority 602 Kolter Drive Indiana, PA 15701
[Borough or Township]	Pine Township
County	Indiana
Type of Facility	Heilwood WTP improvements
Consulting Engineer	Gibson-Thomas Engineering Co., Inc. 1004 Ligonier Street PO Box 853 Latrobe, PA 15650

Permit to Construct Issued November 10, 2015

Permit No. 3215512, Public Water Supply.
 Applicant **Indiana County Municipal Services Authority**
 602 Kolter Drive
 Indiana, PA 15701
 [Borough or Township] Cherryhill Township
 County **Indiana**
 Type of Facility Penn Run water storage tank
 Consulting Engineer Gibson-Thomas Engineering Co., Inc.
 1004 Ligonier Street
 PO Box 853
 Latrobe, PA 15650
 Permit to Construct Issued November 10, 2015

Operations Permit issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (PWSID #5650032) Derry Township, **Westmoreland County** on November 10, 2015 for the operation of facilities approved under Construction Permit #6512512MA.

Permit No. 3015510MA, Minor Amendment. Public Water Supply.

Applicant **Southwestern Pennsylvania Water Authority**
 PO Box 187
 1442 Jefferson Road
 Jefferson, PA 15344
 [Borough or Township] Richhill Township
 County **Greene**
 Type of Facility SR 0021 to West Virginia line
 Consulting Engineer Bankson Engineers, Inc.
 Suite 200
 267 Blue Run Road
 Cheswick, PA 15024
 Permit to Construct Issued November 10, 2015

Permit No. 3215513MA, Minor Amendment. Public Water Supply.

Applicant **Indiana County Municipal Services Authority**
 602 Kolter Drive
 Indiana, PA 15701
 [Borough or Township] Cherryhill and Pine Townships
 County **Indiana**
 Type of Facility WR 18—Area 1 waterline project
 Consulting Engineer Gibson-Thomas Engineering Co., Inc.
 1004 Ligonier Street
 PO Box 853
 Latrobe, PA 15650
 Permit to Construct Issued November 12, 2015

Permit No. 3215515MA, Minor Amendment. Public Water Supply.

Applicant **Indiana County Municipal Services Authority**
 602 Kolter Drive
 Indiana, PA 15701
 [Borough or Township] Cherryhill and Pine Townships
 County **Indiana**
 Type of Facility WR 18—Area 2 waterline project
 Consulting Engineer Gibson-Thomas Engineering Co., Inc.
 1004 Ligonier Street
 PO Box 853
 Latrobe, PA 15650
 Permit to Construct Issued November 12, 2015

Permit No. 3215516MA, Minor Amendment. Public Water Supply.

Applicant **Indiana County Municipal Services Authority**
 602 Kolter Drive
 Indiana, PA 15701
 [Borough or Township] Cherryhill and Pine Townships
 County **Indiana**
 Type of Facility WR 18—Area 3 waterline project
 Consulting Engineer Gibson-Thomas Engineering Co., Inc.
 1004 Ligonier Street
 PO Box 853
 Latrobe, PA 15650
 Permit to Construct Issued November 12, 2015

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

Permit No., 4312502-T1-MA1 Public Water Supply
 Applicant **Trinity Real Estate Holdings, LLC d/b/a Country Corner RV Park**

Township or Borough New Lebanon Borough
 County **Mercer**
 Type of Facility Public Water Supply
 Consulting Engineer Chad W. Yurisc, P.E.
 Deiss & Halmi Engineering, Inc.
 105 Meadville Street
 Edinboro, PA 16412
 Permit to Construct Issued November 5, 2015

Operation Permit issued to **Jay Township Water Authority**, PWSID No. 6240005, Jay Township, **Erie County**. Permit Number 2414501 issued November 9, 2015 for the operation of Byrnedale Well No. 1 and the intake flow monitoring equipment for Kersey Run. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on September 14, 2015 and October 1, 2015.

Permit No., 1615502 Public Water Supply
 Applicant **Clarion Vista Lofts**
 Township or Borough Paint Township
 County **Clarion**
 Type of Facility Public Water Supply
 Consulting Engineer Kenneth Orié, P.E.
 Gibson-Thomas Engineering
 Company
 P. O. Box 853
 1004 Ligonier Street
 Latrobe, PA 15650
 Permit to Construct November 9, 2015
 Issued

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Salem Township	38 Bomboy Lane Berwick, PA 18603	Luzerne

Plan Description: The project involves four parcels that are located on the eastern end of Towpath Lane in Salem Township, Luzerne County. The intent of this project is to revise the municipality's Sewage Facilities Plan so that these four parcels are changed from the public sewer service area to the onlot sewage disposal area. Three of the four parcels contain existing seasonal cabins; the fourth parcel is used for recreational purposes. As part of the project, the municipality proposes to decommission any wells serving these properties and to use either privies or chemical toilets to allow for proper sewage treatment on these properties.

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:

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

Danielle Hairston-Green Residence, 608 Muench Street, Harrisburg, PA 17102, City of Harrisburg, **Dauphin County**. Trimpi Associates, 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of State Farm Insurance PA Fire Claims, PO Box 106110, Atlanta, GA 30348-6110, and Danielle Hairston-Green, 12034 Kleinmeadow Drive, Houston, TX 77066-4723, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

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

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of

regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has received the following plans and reports:

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

Lehigh Valley Industrial Park Lot 53, 1355 Easton Road, Bethlehem City, **Northampton County**. HDR Engineering, 1720 Spillman Drive, Bethlehem, PA 18015, on behalf of Lehigh Valley Industrial Park, 1355 Easton Road, Bethlehem, PA 18108, submitted a Cleanup Plan concerning remediation of site soils contaminated with manganese. The report is intended to document remediation of the site to meet the Site-Specific Standard, and was approved by the Department on November 4, 2015.

Lehigh Valley Industrial Park Lot 3, 10 Emery Street, Bethlehem City, **Northampton County**. HDR Engineering, 1720 Spillman Drive, Bethlehem, PA 18015, on behalf of Lehigh Valley Industrial Park, 1355 Easton Road, Bethlehem, PA 18108, submitted a Final Report concerning remediation of site soils contaminated with antimony, arsenic, cadmium, chromium, iron, lead, and mercury. The report is intended to document remediation of the site to meet the Site-Specific Standard, and was approved by the Department on November 4, 2015.

Chambers, O. Well Pad (Pad 1), 1073 Blanding Lake Road, Harford Township, **Susquehanna County**. Resource Environmental, 50 Maple Street, Montrose, PA 18801, on behalf of Cabot Oil & Gas Corporation, 2000 Park Lane, Suite 300, Pittsburgh, PA 15275, submitted a Final Report concerning the remediation of site soils contaminated with Aluminum, Arsenic, Barium, Boron, Chromium, Copper, Iron, Lead, Manganese, Strontium, Vanadium, Zinc, Target Compound List VOCs, 1,2,4-trimethylbenzene, 1,3,5-Trimethylbenzene, Target Compound List SVOCs. The Final Report demonstrated attainment of the Statewide Health and Background Standard, and was approved by the Department on November 12, 2015.

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

Former General Electric Environmental Services Parcel B, 253 North Fourth Street, Lebanon, PA 17046, Lebanon City, **Lebanon County**. Environmental Standards, 1140 Valley Forge Road, PO Box 810, Valley Forge, PA 19482, on behalf of General Electric Company, 1935 Redmond Circle, Rome, GA 30165 a submitted Final Report concerning remediation of site soils contaminated with PCBs and lead. The Final Report demonstrated attainment of the Non-Residential Statewide Health Standard, and was approved by the Department on November 10, 2015.

Doris's Cafe, 437 South Queen Street, York, PA 17403, City of York, **York County**. EnviroSure, Inc., 319 South High Street, Suite 1, West Chester, PA 19382, on behalf of Queen Street Associates, LP, PO Box 1534, Hockessin, DE 19707, submitted a Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with leaded and unleaded gasoline. The combined Remedial Investigation and Final Report did not demonstrate attainment of Residential Statewide Health and Site Specific Standards, and was disapproved by the Department on November 13, 2015.

Boger Concrete Accident/Farmers Pride, SR 343 and US 22, Bethel Township, **Lebanon County**. EnviroTrac, 176 Thorn Hill Road, Warrendale, PA 15086, on behalf of Environmental Compliance Management, 345 King Street, Myerstown, PA 17067, and Farmers Pride, Incorporated, dba Bell & Evans, 154 West Main Street, P. O. Box 39, Fredericksburg, PA 17026 submitted a Final Report concerning remediation of site soils and surface water contaminated with diesel fuel and hydraulic oil. The report did not demonstrate attainment of the Non-Residential Statewide Health Standard, and was disapproved by the Department on November 13, 2015.

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

R. C. Winslow No. 54 Compressor Site, Latitude 41° 01' 18.948" Longitude -78° 58' 2.748", McCalmont Township, **Jefferson County**. ARCADIS U.S., Inc., 6041 Wallace Road Extension, Suite 300, Wexford, PA 15090, on behalf of XTO Energy, Inc., 190 Thorn Hill Road, Warrendale, PA 15086, submitted a Final Report concerning the remediation of site soil contaminated with Benzene, Cumene (isopropylbenzene), Ethylbenzene, Naphthalene, Toluene, Benzo[a]anthracene, Benzo[b]fluoranthene, Benzo[g,h,i]perylene, Benzo[a]pyrene, Chrysene, Indeno[1,1,3-cd]pyrene, Pyrene, and Lead. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on October 30, 2015.

Franklin Bronze & Alloy, 655 Grant Street, City of Franklin, **Venango County**. Moody & Associates, Inc., 11548 Cotton Road, Meadville, PA 16335, on behalf of Franklin Bronze & Alloy, 655 Grant Street, Franklin, PA 16323 submitted a Final Report concerning the remediation of site soil contaminated with Arsenic, Nickel and site groundwater contaminated with Arsenic. The Final Report demonstrated attainment of a combination of the Site-Specific and Statewide Health Standards 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

Almono Site (former LTV Hazelwood Coke Plant-Areas A&B), Second Avenue, City of Pittsburgh, **Allegheny County**. KU Resources, 22 South Linden Street,

Duquesne, PA 15110 on behalf of Almono, L.P., 210 Sixth Avenue, Suite 3620, Pittsburgh, PA 15222 submitted a Remedial Investigation Report/Risk Assessment/Cleanup Plan concerning the remediation of site soils and groundwater contaminated with semi-volatile organic compounds and metals. The RIR/RA/CP was approved by the Department on November 10, 2015.

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.

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

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

GP10-06-03145A: IWCO Direct Twin, LLC (7951 Powers Blvd, Chanhassen, MN 55317) on November 4, 2015, for six non-heatset offset printing presses, under GP10, at the printing facility located in Tilden Township, **Berks County**. The general permit authorization was renewed.

Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

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

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

66-00001F: Procter & Gamble Paper Products (PO Box 32, Mehoopany, PA 18629) issued on November 02, 2015 for the re-designation of the facility as an area source of HAP emissions for the facility located in Washington Twp, **Wyoming County**.

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

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

28-05022A: Signature Companies, Inc. (5171 Innovation Way, Chambersburg, PA 17201) on November 9, 2015, for the retrospective approval of the construction of a spray paint system (Source ID 104) equipped with dry panel filters for particulate matter (PM) overspray control at the wood furniture (i.e., cabinets, stairs and railings) manufacturing facility located in Greene Township, **Franklin County**.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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

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

15-0144: Vanguard Group Inc: (PO Box 2600, PM15 Valley Forge, PA 19482) On November 12, 2015 for the construction and installation of six (6) 2014 model year, Tier 4i, diesel-fired IC engine generator sets in Tredyffrin Township, **Chester County**.

15-0145: Vanguard Group Inc: (PO Box 2600, PM15 Valley Forge, PA 19482) On November 12, 2015 for the construction and installation of one (1) 2014 model year, Tier 4i, diesel fired IC engine generator set in Tredyffrin Township, **Chester County**.

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

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

06-05069V: East Penn Manufacturing Co., Inc. (P. O. Box 147, Lyon Station, PA 19536) on November 6, 2015, for modifying the Industrial Facility production lines at the lead-acid battery assembly plant located in Richmond Township, **Berks County**. Plan Approval 06-05069V is for installation and startup of pieces of equipment controlled by fabric filters and mist eliminators. The plan approval was extended.

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

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

08-00001A: Tennessee Gas Pipeline Company, LLC (1001 Louisiana Street, Suite 1000, Houston, TX 77002) on October 7, 2015, extended the authorization an additional 180 days from October 10, 2015 to April 7, 2016, to continue the evaluation for compliance with the plan approval conditions. Additionally, the extension allows continued operation of the compressor turbine located at the Compressor Station 319 facility in Wyalusing Township, **Bradford County** pending issuance of an operating permit. The plan approval has been extended.

14-00016A: Penns Valley Area School District (4528 Penns Valley Road, Spring Mills, PA 16875) on November 12, 2015, to extend the authorization for the construction and temporary operation of a wood-fired boiler at their facility located in Penn Township, **Centre County** to May 12, 2016. The plan approval has been extended.

59-00005J: Dominion Transmission, Inc. (445 West Main St., Clarksburg, WV 26301) on November 12, 2015, to extend the authorization for the construction of a 12.07 million Btu per hour ETI model THE-1207 natural-gas fired salt bath heater (Source ID 044) and a 3.0 million Btu per hour Ajax model WRF-3000 natural-gas fired boiler (Source ID 045) at the Sabinsville Compressor Station located in Clymer Township, **Tioga County** to May 12, 2016. The plan approval has been extended.

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

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

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

67-05001: Magnesita Refractories Co. (425 S. Salem Church Rd., York, PA 17408-5955) on November 5, 2015, for the refractory materials manufacturing facility located in West Manchester Township, **York County**. The Title V permit was renewed.

31-05005: Containment Solutions, Inc. (14489 Croghan Pike, Mount Union, PA 17066) on November 3, 2015, for the fiberglass-reinforced tank manufacturing facility located in Shirley Township, **Huntingdon 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.

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

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

09-00163: The H&K Group, Inc. (901 Minsi Trail, Blooming Glen, PA 18911), On November 12, 2015 for renewal of a State Only Operating Permit (natural minor) located in Hilltown Township, **Bucks County**. The H&K Group operates an aggregate processing plant at the Blooming Glen quarry using various crushers, screeners, and conveyors. The primary pollutant of concern is particulate matter emissions (PM/PM₁₀/PM_{2.5}). The facility employs a water spray dust suppression system to minimize fugitive dust emissions. The renewal application indicates that no new sources or changes have occurred since the permit was last issued in 2010. The permit will include monitoring, record keeping and reporting requirements designed to address 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

54-00057: Reading Anthracite, Co. (116 Connorton Road, Girardville, PA 17935) issued on 11/2/15, for the operation of an anthracite mining facility in Butler Township, **Schuylkill County**. The sources consist of two (2) crushers and associated conveyors. The particulate emissions are controlled by water sprays. This is a renewal of a State-Only 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 Elmer-ton Avenue, Harrisburg, PA 17110

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

28-03055: DL Martin Co. (25 DL Martin Drive, Mercersburg, PA 17236-1715) on November 6, 2015, for the precision machined component and custom fabrications manufacturing facility located in Mercersburg Borough, **Franklin County**. The State-only permit was renewed.

07-05024: Gulf Oil Ltd Partnership (100 Crossing Blvd., Farmingham, MA 01702-5401) on November 4, 2015, for the gasoline storage and distribution terminal located in Allegheny Township, **Blair County**. The State-only permit was renewed.

06-05061: Cambridge Lee Industries LLC (86 Tube Drive, Reading, PA 19605-9274) on November 5, 2015, for the copper tubing manufacturing facility located in Ontelaunee Township, **Berks County**. The State-only permit was renewed.

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

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

49-00042: Catawissa Wood & Components, Inc. (1015 W. Valley Ave., Elysburg, PA 17824) on November 12, 2015, was issued a renewal state only operating permit for their Paxinos Plant located in Ralpho Township, **Northumberland County**. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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

20-00301: Universal Well Services, Incorporated (13549 South Mosiertown Road, Meadville, PA 16335-8317) on November 12, 2015, for a renewal of the Natural Minor Operating Permit to operate a service facility for the mobile equipment used by the company located in Vernon Township, **Crawford County**. The emitting sources include: 1) Truck Paint Booth, 2) Small Paint Booth and, 3) Emergency Generator. The emergency generator is subject to 40 CFR Part 60, Subpart JJJJ. All applicable conditions of Subpart JJJJ have been included in the permit. In the permit renewal application the facility stated the potential emissions are: VOC: 7.4 Tons per year (TPY), HAP: 1.1 TPY. Emissions from the emergency generator engine are less than 1 TPY for each of the criteria pollutants.

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.

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

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

36-05009: JL Clark LLC (303 N. Plum Street, Lancaster, PA 17602-2401) on November 3, 2015, for the decorative can manufacturing facility located in Lancaster City, **Lancaster County**. The Title V permit was administratively amended in order to reflect a change of ownership.

07-03002: Pittsburgh Glass Works LLC (PO Box 307, Tipton, PA 16684-0307) on November 6, 2015, for the automotive glass manufacturing facility located in Antis Township, **Blair County**. The State-only permit was administratively amended in order to incorporate the requirements of Plan Approval No. 07-03002A.

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

GP5-08-293B: Chesapeake Energy Corporation (414 Summers Street, Charleston, WV 25301), terminated General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane or Gob Gas Production or Recovery Facilities (BAQ-GPA/GP-5) on November 10, 2015, for their Vargson BRA Pad site located in Granville Township, **Bradford County**. The facility emits all air contaminants below the exemption emission thresholds.

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

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

17100110 and NPDES PA0257427. Horton Coal Company, LLC (446 WM Cemetery Road, Curwensville, PA 16833). Permit renewal for continued operation and restoration of a bituminous surface mine located in Brady Township, **Clearfield County** affecting 28.0 acres. Receiving stream(s): Stump Creek classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: March 23, 2105. Permit issued: November 5, 2015.

Noncoal Permits Issued

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

08090304 and NPDES No. PA0257206. M. R. Dirt, Inc. (21186 Route 187, Towanda, PA 18848). NPDES permit renewal on an existing large noncoal surface mine located in Wysox Township, **Bradford County** affecting 52.0 acres. Receiving stream(s): Unnamed Tributaries to Wysox Creek. Application received: February 10, 2015. Permit issued: November 2, 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

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

59154102. Meshoppen Stone, Inc. (P. O. Box 127, Meshoppen, PA 18630). Blasting for Talisman DCNR 594 gas pad located in Bloss Township, **Tioga County** with expiration date of November 3, 2016. Permit issued: November 10, 2015.

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

Permit No. 15154110. Brubacher Excavating, Inc., (PO Box 528, Bowmansville, PA 17507), construction blasting for Atwater Village in East Whiteland Township, **Chester County** with an expiration date of November 3, 2016. Permit issued: November 10, 2015.

Permit No. 36154147. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Brooklawn Development in Manheim Township, **Lancaster County** with an expiration date of November 30, 2015. Permit issued: November 10, 2015.

Permit No. 36154148. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Chestnut Ridge Acres in Earl Township, **Lancaster County** with an expiration date of December 30, 2015. Permit issued: November 10, 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

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

E24-263, Raymond L. and Michelle L. Calhoun, 583 Horizon Drive, Brockway, PA 15824. Tapawingo Lodge Pedestrian Bridge Across Dog Hollow Run, in Ridgway Township, **Elk County**, ACOE Pittsburgh District (Carman, PA Quadrangle N: 41.37265°; W: 78.791390°).

To construct and maintain a 10-foot wide pile-supported pedestrian bridge having five 10-foot spans and one 20-foot span with a maximum underclearance of 10 feet across Dog Hollow Run (CWF) at Tapawingo Lodge approximately 250 feet upstream of SR 949 and at a point approximately 5.9 miles southwest of Ridgway.

E33-253, PA DOT District 10-0, 2550 Oakland Ave., Indiana, PA 15701. SR 0119 Section 559 Indiana Hill Climbing Lane, Punxsutawney Borough, **Jefferson County**, ACOE Pittsburgh District (Punxsutawney, PA Quadrangle N: 40°, 56', 17.1"; W: -78°, 58', 33.4").

To permanently impact 0.34 acre of PEM wetland, temporarily impact 0.11 acre of PEM wetland, and permanently impact 60 linear feet of an unnamed tributary to Mahoning Creek as a result of the construction of a truck climbing lane and realignment of the Mahoning Shadow Trail, replacing the existing bridge with a concrete box culvert, on SR 119 approximately 1.5 miles north of its intersection with SR 436. Permanent wetland impacts of 0.34 acre will be mitigated through a debit from PennDOT's Jefferson County Wetland Bank.

ENVIRONMENTAL ASSESSMENTS

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

EA20-052, Pennsylvania Game Commission, 9552 Hartstown Road, Hartstown, PA 16131. Pymatuning Wildlife Management Area—Moist Soil Unit, in North Shenango Township, **Crawford County**, ACOE Pittsburgh District (Hartstown, PA Quadrangle N: 41°, 36', 51"; W: 80°, 25', 35").

To reestablish 20.1 acres of wetland habitat in an agricultural field located in the Pymatuning Wildlife Management Area. Work will include building 2 low berms with water control structures and minor site grading. The project will impact 0.392 acre of PEM wetland in the agricultural field for construction of the 20.1 acres wetland complex. The newly re-established wetlands will be managed by the applicant for waterfowl and water bird breeding habitat as well as migration and wintering habitat. The project is being reviewed as a restoration plan to qualify for waiver of permit requirements under 105.12(a)(16).

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>
ESG0000515001(1)	Columbia Midstream Group, LLC 5151 San Felipe Street, Suite 2500, Houston, TX 77056	Armstrong County	Gilpin Township	UNT to Elder Run (WWF)

Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701

ESCGP-2 # ESG29-115-15-0043
 Applicant Name DTE Energy
 Contact Person Michael Cefalo
 Address 1429 Oliver Road
 City, State, Zip New Milford, PA 18834
 County Susquehanna
 Township(s) New Milford Twp
 Receiving Stream(s) and Classification(s) East Lake Creek & Salt Lick Creek (HQ-CWF)
 Secondary—Susquehanna River (WWF)

ESCGP-2 # ESG29-113-15-0006
 Applicant Name Chief Oil & Gas LLC
 Contact Person Jeffrey Deegan
 Address 6051 Wallace Road Ext, Suite 300
 City, State, Zip Wexford, PA 15090-7383
 County Sullivan & Bradford
 Township(s) Forks & Overton Twps
 Receiving Stream(s) and Classification(s) Black Creek (EV, CWF)
 Secondary—Little Loyalsock Creek (CWF, EV)

ESCGP-2 # ESG29-081-15-0028
 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) East Branch Murray Run (EV)
 Secondary—Murray Run (EV)

ESCGP-2 # ESX29-015-15-0017
 Applicant Name Chief Oil & Gas LLC
 Contact Person Jeffrey Deegan
 Address 1720 Sycamore Road
 City, State, Zip Montoursville, PA 17754
 County Bradford
 Township(s) West Burlington Twp
 Receiving Stream(s) and Classification(s) UNT to North Branch Towanda Creek (CWF)
 Secondary—Towanda Creek

**STORAGE TANKS
 SITE-SPECIFIC INSTALLATION PERMITS**

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101—6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Environmental Cleanup and Brownfields, Director, PO Box 8763, Harrisburg, PA 17105-8763.

<i>SSIP Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
15-02-038	Allegheny Petroleum Products Co. 999 Airbrake Avenue Wilmerding, PA 15148-1064 Attn: Luke Wisniewski	Allegheny	Wilmerding Borough	1 AST storing diesel fuel additive	30,000 gallons

SPECIAL NOTICES

**Draft Hazardous Permit;
 Notice of Intent to Issue a Hazardous Waste Permit Modification**

The Department of Environmental Protection (DEP) intends to issue a permit modification to Bethlehem Apparatus Company, Inc. a Solid Waste Management Act Permit. This draft permit modification is to include mercury retirement activities at their Hazardous Waste facility located in the City of Bethlehem. The Bethlehem facility of Bethlehem Apparatus is primarily a treatment and storage facility for mercury. The facility recycles/reclaims mercury fro include the addition of red mercury sulfide treatment process for mercury retirement for offsite disposal of mercury as a hazardous solid waste m mercury bearing hazardous waste and sends it to their Hellertown facility for further refining by distillation for sale to commercial and industrial users. The mercury retirement activities will convert elemental mercury to mercury sulfide to be sent for disposal at a facility permitted to accept this material. The facility currently has an office area, a paved receiving lot, a material sorting and preparation area with various safety and handling equipment, an enclosed and covered container storage area, six high vacuum mercury retorts and associated equipment, a high vacuum auto-feed retort system,

calomel work area, a mercury amalgamation area (for mercury retirement) and a research and development laboratory. All storage and treatment operations take place within the enclosed building.

The public will be given 45 days to comment on the draft permit prepared under the Solid Waste Management Act. The comment period will begin on July 11, 2015, and will end on August 26, 2015. Any person interested in commenting on the application or draft permit must do so within this comment period. Copies of the application, draft permit and fact sheet for the Hazardous Waste Facility may be reviewed at the Pennsylvania Department of Environmental Protection, Bethlehem District Office at 4530 Bath Pike (Route 512), Bethlehem, PA 18017. Please contact Jeffrey Spaide at 570-826-2511 for further information.

All persons wishing to comment on any of the permit conditions or permit application should submit the comments in writing to the Department of Environmental Protection, Waste Management Program, 2 Public Square, and Wilkes-Barre, PA 18701-1915; Attention Roger Bellas, Regional Solid Waste Manager. Comments should include all reasonably available references, factual grounds and supporting materials. A public hearing may be scheduled if requested.

When making a determination regarding the issuance of a hazardous waste permit to Bethlehem Apparatus

Company, Inc., the Department will consider all written comments received during the comment period, and oral or written statements received during a public hearing, the requirements of the hazardous waste regulations of 25 Pa. Code Chapters 260—270 and the Department's permitting policies.

**Drinking Water State Revolving Fund
Special Notice**

**Special Notice under the Federal Safe Drinking
Water Act (42 U.S.C.A. §§ 300f, et. seq.)**

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

Project Location:

<i>Applicant</i>	<i>Applicant Address</i>	<i>County</i>
Sykesville Borough	21 East Main Street, Sykesville, PA 15865	Jefferson 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. Sykesville Borough "Borough" proposes the replace 25,900 L.F. of 8" and 12" diameter water transmission lines from their take-point with Dubois to the Borough's water storage tank, construct a new chlorination booster/metering station, and install a dedicated inlet pipe connection to the Borough's 250,000-gallon storage tank. The project will serve customers in the City of DuBois, Brady and Sandy Townships in Clearfield County and Sykesville Borough and Winslow Township in Jefferson County, Pennsylvania. The preliminary estimated project cost is \$3,670,000. 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.

Water Obstruction and Encroachment Permit

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

CDO-009. Robindale Energy Services, Inc., P. O. Box 228, Armagh, PA 15920. Unnamed Tributary 44463 to Blacklick Creek, Brush Valley Township, **Indiana County**, Pittsburgh ACOE District (New Florence, PA Quadrangle, UNT 44463 Blacklick Creek project area centroid latitude 40° 29' 31.63"N, Longitude 79° 01' 04.91" W). The applicant proposes the enhancement of 4,061 linear feet of stream and creation of 5.69 acres of wetlands to mitigate impacts associated with the expansion of the Dilltown Facility coal refuse disposal area located in Brush Valley Township, Indiana County.

This is a Chapter 105 Water Obstruction and Encroachment permit application and 401 Water Quality Certification request.

Written comments or objections on the request for Section 401 Water Quality Certification or to the issuance of the Water Obstruction and Encroachment Permit may be submitted to the Department within 30 days of the date of this notice to the California District Office, 25 Technology Park, Coal Center, PA 15423, Phone: 724.769.1100. Comments should contain the name, address, and telephone number of the person commenting. Identification of the request for 401 Water quality Certification and Chapter 105 permit application, to which the comments or objections are addressed and a concise

statement of comments, objections or suggestions including relevant facts upon which they are based.

The Water Obstruction and Encroachment permit application is available for review at the California District Office, by appointment, at the address listed above.

Application received: November 3, 2015

Draft NPDES Permit Public Hearing

Notice is hereby given that the Department of Environmental Protection, District Mining Operations, 25 Technology Drive, Coal Center, PA 15423, has received a request for a public hearing on the draft NPDES Permit for the Matt Canestrone Contracting, Inc., PO Box 234, Belle Vernon, PA 15012, NPDES permit renewal (NPDES No. PA0215112—Mining Permit No. 26970702) published at 45 Pa.B. 4806 (August 15, 2015). The site has nine NPDES outfalls located in Luzerne Township, Fayette County one NPDES outfall in East Bethlehem Township, Washington County.

The draft NPDES permit renewal lists the following NPDES outfalls:

Outfall 001—Lat: 40° 00' 12" Long: 79° 57' 58"—UNT to Monongahela River

Outfall 002—Lat: 40° 00' 10" Long: 79° 58' 56"—UNT to Monongahela River

Outfall 003—Lat: 39° 59' 52" Long: 79° 58' 07"—UNT to Monongahela River

Outfall 004—Lat: 39° 59' 40" Long: 79° 58' 17"—Meadow Run

Outfall 005—Lat: 38° 59' 27" Long: 79° 58' 39"—UNT Meadow Run

Outfall 006—Lat: 40° 00' 21" Long: 79° 59' 11"—UNT to Monongahela River

Outfall 007—Lat: 39° 59' 59" Long: 79° 58' 59"—UNT to Monongahela River

Outfall 008—Lat: 40° 00' 28" Long: 79° 59' 07"—UNT to Monongahela River

Outfall 009—Lat: 39° 59' 42" Long: 79° 58' 18"—Meadow Run

The Department will hold a public hearing on the draft NPDES permit renewal application at the LaBelle Volunteer Fire Department, Luzerne Township, 1101 LaBelle Road, LaBelle, PA 15450 on Thursday, January 7, 2016, from 6 p.m. to 8 p.m. The nature of the public hearing is to solicit concerns and comments regarding the draft NPDES permit renewal for the LaBelle Site. The public hearing will be held in accordance with 25 Pa. Code § 92a.83.

The public hearing is being held at the request of the Citizens Coal Council and Environmental Integrity Project, who state the draft permit is insufficient under the Clean Water Act and fails to achieve water quality standards because:

- It fails to include some of the most polluting point source discharges from the Matt Canestrone Contracting, Inc. site.
- It uses the coal refuse technology-based limits for a host of other pollutants which are likely to be in the waste streams from the site.
- The Department did not consider whether water-quality based limits are necessary when it is clear that the current technology-based limits are not sufficient to prevent violations of the water quality standards.

• The Department failed to carry out a comprehensive reasonable potential analysis on the tributaries of the Monongahela.

A Department representative will be available to receive both written and oral testimony regarding the draft NPDES permit. Testimony will be placed into public record for the draft NPDES permit and considered by Department staff in the review process. A court stenographer will be present to document the expressed concerns.

Persons with a disability who wish to attend this public hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Bonnie Herbert at (724) 769-1100 to discuss how the Department may accommodate your needs. If necessary, use the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD Users) or (800) 654-5988 (voice users) and request that the call be relayed to Bonnie Herbert at (724) 769-1100.

Copies of the draft NPDES permit are on file for public review, by appointment, at the Department of Environmental Protection, District Mining Operations, 25 Technology Drive, California Technology Park, Coal Center, PA 15423, (724) 769-1100.

[Pa.B. Doc. No. 15-2105. Filed for public inspection November 25, 2015, 9:00 a.m.]

Extension of NPDES General Permit for Stormwater Discharges Associated with Industrial Activities (PAG-03)

Under The Clean Streams Law (35 P.S. §§ 691.1—691.1001), 25 Pa. Code §§ 92a.7(b) and (c) and 92a.54(b) (relating to duration of permits and continuation of expiring permits; and general permits) and section 1905-A of The Administrative Code of 1929 (71 P.S. § 510-5), the Department of Environmental Protection (Department) is, by this notice, extending for 12 months the availability of the current General Permit for Stormwater Discharges Associated with Industrial Activities (PAG-03).

The existing PAG-03 in effect at this time will expire on December 4, 2015.* By this notice, the Department is administratively extending the current PAG-03 General Permit to December 4, 2016, or until the draft PAG-03 update is published as final. The Department is extending the availability of this permit to adequately complete preparation for the reissuance of the PAG-03 General Permit, which was recently published as draft for public comment. It is anticipated that the final PAG-03 General Permit update will be published prior to December 4, 2016.

*Note: The Department's public notice of the draft PAG-03 published at 45 Pa.B. 6245 (October 17, 2015) indicated that the existing PAG-03 General Permit was in effect until December 5, 2015. This date of expiration should have been noted as December 4, 2015.

To access the General Permit and related documents, visit www.elibrary.dep.state.pa.us and select "Permit and Authorization Packages," then "Water Management," then "NPDES (National Pollutant Discharge Elimination System)," then "General Permits" then "PAG-03."

Questions regarding the PAG-03 General Permit for Stormwater Discharges Associated with Industrial Activity should be directed to Dharmendra Kumar, (717) 787-8184, dkumar@pa.gov.

JOHN QUIGLEY,
Secretary

[Pa.B. Doc. No. 15-2106. Filed for public inspection November 25, 2015, 9:00 a.m.]

Rescission of Technical Guidance

DEP ID: 362-2000-005. *Title:* Subsurface Disposal of Car Wash Waste. *Description:* This document describes the recommended best management practices for the disposition of the generated wastewater in the washing of vehicle and by other laundry services. The information contained in this guidance is not current.

This guidance document was replaced by Department of Environmental Protection fact sheet 3800-FS-DEP1944 issued in August 2014.

Effective Date: Upon publication of this notice as final in the *Pennsylvania Bulletin*.

Contact: Ron Furlan, (717) 787-5017, rfurlan@pa.gov.

JOHN QUIGLEY,
Secretary

[Pa.B. Doc. No. 15-2107. Filed for public inspection November 25, 2015, 9:00 a.m.]

DEPARTMENT OF HEALTH

Newborn Screening and Follow-Up Program Technical Advisory Board Meeting

The Newborn Screening and Follow-Up Program Technical Advisory Board, established under the Newborn Child Testing Act (35 P.S. §§ 621—625), will hold a public meeting on Thursday, December 17, 2015, from 9 a.m. until 1 p.m. The meeting will be held by webinar; information on how to access the webinar follows. Agenda items will include: updates on newborn screening funding and the Department of Health's new data system (Natus); the new design of the filter paper; presentations on critical congenital heart disease, severe combined immunodeficiency and newborn screening follow-up; and discussion on the implementation of testing procedures for lysosomal storage disorders.

Bridge Number: 17176124788

Toll-free: 18557344390

PIN: 655431

Web Conference Provider: OpenScape WebCollaboration

For all participants that can download .exe files (which generally excludes Apple operating systems and mobile devices) use https://openscapewebconf2.pa.gov/client/fastclient_i_r657954F5.exe, which full hosting features including desktop and file sharing.

For all participants using Apple operating systems and mobile devices use <https://openscapewebconfw2.pa.gov/joinclient.aspx?inv=r657954F5>, which viewing of collaboration content (shared screen) by means of browser.

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 Lani Culley, Public Health Program Administrator, 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. 15-2108. Filed for public inspection November 25, 2015, 9:00 a.m.]

Pennsylvania Cancer Control, Prevention and Research Advisory Board Meeting

The Pennsylvania Cancer Control, Prevention and Research Advisory Board (Board), established under section 3 of the Pennsylvania Cancer Control, Prevention and Research Act (35 P.S. § 5633), will hold a meeting on Wednesday, December 2, 2015, from 9 a.m. to 12 p.m. at the Giant Super Food Store Community Center, Second Floor, 2300 Linglestown Road, Harrisburg, PA 17110. The purposes of the Board and items that may be discussed are the following: advising the Secretary of Health with respect to cancer control, prevention and research in this Commonwealth; approving each year a program for cancer control, prevention and research, to be known as the "Pennsylvania Cancer Plan"; and recommending to the Secretary of Health the awarding of grants and contracts to qualified associations, nonprofit organizations or governmental agencies to plan, establish or conduct programs in cancer control or prevention, cancer education and training and cancer clinical research. In addition, various Department of Health and Centers for Disease Control and Prevention updates will be presented.

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 Sharon H. Sowers, Plan and Policy Development Section Chief, Comprehensive Cancer Control Section, Division of Cancer Prevention and Control, Department of Health, Health and Welfare Building, Room 1011, 625 Forster Street, Harrisburg, PA 17120, (717) 547-3249 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT) for speech and/or hearing impaired persons.

This meeting is subject to cancellation without notice.

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 15-2109. Filed for public inspection November 25, 2015, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Pharmacy Prior Authorization

The Department of Human Services (Department) announces it will add Alpha 1-Proteinase Inhibitors,

Corlanor and Orkambi to the Medical Assistance (MA) Program's list of services and items requiring prior authorization.

Section 443.6(b)(7) of the Public Welfare Code (62 P.S. § 443.6(b)(7)) authorizes the Department to add items and services to the list of services requiring prior authorization by publication of notice in the *Pennsylvania Bulletin*.

The MA Program will require prior authorization of all prescriptions for Alpha 1-Proteinase Inhibitors, Corlanor and Orkambi. These prior authorization requirements apply to prescriptions dispensed on or after December 1, 2015.

The Department will issue MA Bulletins to providers enrolled in the MA Program specifying the procedures for obtaining prior authorization of prescriptions for each of the medications previously listed.

Fiscal Impact

These changes are estimated to result in savings totaling \$0.074 million (\$0.035 million in State funds) in the MA Outpatient Program in Fiscal Year (FY) 2015-2016. Savings are estimated \$0.177 million (\$0.085 million in State funds) in FY 2016-2017.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered for any subsequent revisions to these prior authorization requirements.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-982. (1) General Fund; (2) Implementing Year 2015-16 is -\$35,000; (3) 1st Succeeding Year 2016-17 through 5th Succeeding Year 2020-21 are -\$85,000; (4) 2014-15 Program—\$348,741,000; 2013-14 Program—\$264,179,000; 2012-13 Program—\$450,835,000; (7) MA—Outpatient; (8) recommends adoption. This action will result in savings to the Commonwealth.

[Pa.B. Doc. No. 15-2110. Filed for public inspection November 25, 2015, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

State Transportation Commission Meeting

The State Transportation Commission will hold a meeting on Thursday, December 17, 2015, from 10 a.m. to 12 p.m. in Conference Room 8N1, Commonwealth Keystone Building, Harrisburg, PA. For more information contact Ellen E. Sweeney, (717) 787-2913, ellsweeney@pa.gov.

LESLIE S. RICHARDS,
Secretary

[Pa.B. Doc. No. 15-2111. Filed for public inspection November 25, 2015, 9:00 a.m.]

Transportation Advisory Committee Meeting

The Transportation Advisory Committee will hold a meeting on Thursday, December 10, 2015, from 10 a.m. to 12 p.m. in Conference Room 8N1, Commonwealth Keystone Building, Harrisburg, PA. For more information contact Ellen E. Sweeney, (717) 787-2913, ellsweeney@pa.gov.

LESLIE S. RICHARDS,
Secretary

[Pa.B. Doc. No. 15-2112. Filed for public inspection November 25, 2015, 9:00 a.m.]

GAME COMMISSION

Cervid Parts Importation Ban #8

Order

Whereas, Chronic Wasting Disease (CWD) is an infectious and progressive neurological disease that is found in, and always proves fatal to, members of the Family Cervidae (deer, elk or moose, collectively called cervids); and

Whereas, The specific cause of CWD is believed to be prions (abnormal infectious protein particles) that are known to be concentrated in the nervous system and lymphoid tissues of infected cervids; and

Whereas, There are no known treatments for CWD infection, no vaccines to protect against CWD infection, and no approved tests that can detect the presence of CWD in live cervids; and

Whereas, CWD has been designated a “dangerous transmissible disease” of animals by order of the Secretary of Agriculture under the provisions of the Domestic Animal Law (3 Pa.C.S. §§ 2301 et seq.), at 3 Pa.C.S. § 2321(d); and

Whereas, CWD is known to be transmissible from infected to uninfected cervids by contact with or ingestion of CWD-infected or contaminated cervid parts or materials; and

Whereas, CWD is of particular concern to the Commonwealth of Pennsylvania because, it has the potential to have a severe, detrimental impact on both Pennsylvania’s wild and captive cervid populations; and

Whereas, the Pennsylvania Game Commission (PGC) has determined that importation of potentially infectious parts or materials from cervids harvested in CWD-endemic States or Canadian Provinces into the Commonwealth of Pennsylvania poses an unacceptable risk of continued introduction of CWD into the state; and

Whereas, The Game and Wildlife Code (Code) (34 Pa.C.S. §§ 101 et seq.) and regulations promulgated thereunder (58 Pa. Code §§ 131.1 et seq.) collectively provide broad authority to the PGC to regulate activities relating to the protection, preservation, and management of game and wildlife, including cervids;

Whereas, 58 Pa. Code § 137.34 provides specific emergency authority to the Executive Director of the PGC to ban the importation of certain cervid parts from other states or nations to prevent the introduction or spread of CWD into the Commonwealth of Pennsylvania; and

Whereas, Previous executive orders concerning cervid parts importation restrictions were issued by the Commission on December 19, 2005, May 27, 2009, July 30, 2010, July 20, 2011, October 16, 2012, May 12, 2014 and October 27, 2015.

Now Therefore, I, R. Matthew Hough, Executive Director of the Pennsylvania Game Commission, pursuant to the authority vested in me by the Code and regulations promulgated thereunder, do hereby order and direct the following:

1. The previous executive order concerning cervid parts importation restrictions issued on October 27, 2015 is hereby rescinded in its entirety and replaced by this Order.

2. The importation of any high-risk parts or materials from cervids harvested in any CWD-endemic States or Canadian Provinces into the Commonwealth of Pennsylvania is hereby strictly prohibited.

3. For the purposes of this Order, CWD-endemic States or Canadian Provinces shall be defined as any States or Canadian Provinces where CWD has been detected in wild or captive cervid populations. At present, this includes the following specific States and Canadian Provinces: Alberta, Colorado, Illinois, Iowa, Kansas, Maryland (only Allegany County), Michigan, Minnesota, Missouri, Montana, Nebraska, New Mexico, New York (only Madison and Oneida Counties), North Dakota, Ohio (only Holmes County), Oklahoma, Saskatchewan, South Dakota, Texas, Utah, Virginia (only Frederick, Shenandoah, Warren, and Clarke Counties), West Virginia (only Hampshire, Hardy and Morgan Counties), Wisconsin, and Wyoming.

4. For the purposes of this Order, the term cervid shall include any member of the family Cervidae (deer), specifically including the following species: black-tailed deer, caribou, elk, fallow deer, moose, mule deer, red deer, sika deer, white-tailed deer, and any hybrids thereof.

5. For the purposes of this Order, high-risk parts or materials shall be defined as any parts or materials, derived from cervids, which are known to accumulate abnormal prions. This includes any of the following:

- a. Head (including brain, tonsils, eyes, and lymph nodes);
- b. Spinal Cord/Backbone (vertebra);
- c. Spleen;
- d. Skull plate with attached antlers, if visible brain or spinal cord material is present;
- e. Cape, if visible brain or spinal cord material is present;
- f. Upper canine teeth, if root structure or other soft material is present;
- g. Any object or article containing visible brain or spinal cord material;
- h. Brain-tanned hide.

6. This Order shall not be construed to limit the importation of the following cervid parts or materials into the Commonwealth of Pennsylvania:

- a. Meat, without the backbone;
- b. Skull plate with attached antlers, if no visible brain or spinal cord material is present;
- c. Tanned hide or rawhide with no visible brain or spinal cord material present;

d. Cape, if no visible brain or spinal cord material is present;

e. Upper canine teeth, if no root structure or other soft material is present; and

f. Taxidermy mounts, if no visible brain or spinal cord material is present.

7. This Order shall not be construed in any manner to limit the PGC's authority to establish additional importation or testing requirements on imported cervid parts or materials.

8. This Order is effective immediately and shall remain in effect until rescinded or modified by subsequent order.

Given under my hand and seal of the Pennsylvania Game Commission on this 11th day of November 2015.

R. MATTHEW HOUGH,
Executive Director

[Pa.B. Doc. No. 15-2113. Filed for public inspection November 25, 2015, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Action Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10 a.m., Thursday, November 12, 2015, and announced the following:

Action Taken—Regulations Approved:

Department of Labor and Industry #12-100: Uniform Construction Code (amends 34 Pa. Code Sections 401.1 and 403.21)

Environmental Quality Board #7-487: Control of Volatile Organic Compound Emissions from Fiberglass Boat Manufacturing Materials (amends 25 Pa. Code Chapter 129)

Board of Coal Mine Safety #7-488: Standards for Surface Facilities (amends 25 Pa. Code Chapter 208)

Pennsylvania Public Utility Commission #57-307: Automatic Adjustment Clauses Related to Electric Default Service (amends 52 Pa. Code Sections 54.187 and 54.190)

Approval Order

Public Meeting Held
November 12, 2015

Commissioners Voting: John F. Mizner, Esq., Chairperson; George D. Bedwick, Vice Chairperson; W. Russell Faber; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Department of Labor and Industry—
Uniform Construction Code
Regulation No. 12-100 (#3120)*

On September 22, 2015, the Independent Regulatory Review Commission (Commission) received this regulation from the Department of Labor and Industry (Department). This rulemaking amends 34 Pa. Code Sections 401.1 and 403.21. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This regulation updates Pennsylvania's Uniform Construction Code to adopt the 2015 revisions to the Interna-

tional Code Council codes designated by the Uniform Construction Code Review and Advisory Council.

We have determined this regulation is consistent with the statutory authority of the Department (35 P. S. § 7210.304(a)(1)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
November 12, 2015

Commissioners Voting: John F. Mizner, Esq., Chairperson; George D. Bedwick, Vice Chairperson; W. Russell Faber; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Environmental Quality Board—
Control of Volatile Organic Compound Emissions from
Fiberglass Boat Manufacturing Materials
Regulation No. 7-487 (#3066)*

On July 8, 2014, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (EQB). This rulemaking amends 25 Pa. Code Chapter 129. The proposed regulation was published in the July 19, 2014 *Pennsylvania Bulletin* with a 65-day public comment period. The final-form regulation was submitted to the Commission on September 9, 2015.

This regulation adds requirements for reasonably available control technology (RACT) and RACT emission limitations for stationary sources of volatile organic compound emissions from fiberglass boat manufacturing materials including open molding resins, gel coats and cleaning materials.

We have determined this regulation is consistent with the statutory authority of the EQB (35 P. S. § 4005(a)(1) and (8)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
November 12, 2015

Commissioners Voting: John F. Mizner, Esq., Chairperson; George D. Bedwick, Vice Chairperson; W. Russell Faber; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Board of Coal Mine Safety—
Standards for Surface Facilities
Regulation No. 7-488 (#3067)*

On July 17, 2014, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Board of Coal Mine Safety (Board). This rulemaking amends 25 Pa. Code Chapter 208. The proposed regulation was published in the August 2, 2014 *Pennsylvania Bulletin* with a 31-day public comment period. The final-form regulation was submitted to the Commission on September 9, 2015.

This final-form regulation incorporates by reference existing Federal regulations that broadly relate to the

surface work areas of underground coal mines, thereby making them independently enforceable by the Commonwealth.

We have determined this regulation is consistent with the statutory authority of the Board (52 P. S. § 690-106.1) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
November 12, 2015

Commissioners Voting: John F. Mizner, Esq., Chairperson; George D. Bedwick, Vice Chairperson; W. Russell Faber; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Pennsylvania Public Utility Commission—
Automatic Adjustment Clauses Related to
Electric Default Service
Regulation No. 57-307 (#3088)*

On February 27, 2015, the Independent Regulatory Review Commission (Commission) received this proposed

regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking amends 52 Pa. Code Sections 54.187 and 54.190. The proposed regulation was published in the March 14, 2015 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on September 24, 2015.

This regulation makes the interest rate the same for under collections and over collections.

We have determined this regulation is consistent with the statutory authority of the PUC (66 Pa.C.S. § 501) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

GEORGE D. BEDWICK,
Vice Chairperson

[Pa.B. Doc. No. 15-2114. Filed for public inspection November 25, 2015, 9:00 a.m.]

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b).

The Commission has issued comments on the following proposed regulations. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
7-491	Environmental Quality Board Control of Volatile Organic Compound Emissions from Miscellaneous Metal Parts Surface Coating Processes, Miscellaneous Plastic Parts Surface Coating Processes and Pleasure Craft Surface Coatings 45 Pa.B. 4366 (August 8, 2015)	10/13/15	11/12/15
7-490	Environmental Quality Board Control of Volatile Organic Compound Emissions from Automobile and Light Duty Truck Assembly Coating Operations and Heavier Vehicle Coating Operations 45 Pa.B. 4351 (August 8, 2015)	10/13/15	11/12/15

**Environmental Quality Board Regulation #7-491
(IRRC #3109)**

**Control of Volatile Organic Compound Emissions
from Miscellaneous Metal Parts Surface Coating
Processes, Miscellaneous Plastic Parts Surface
Coating Processes and Pleasure Craft Surface
Coatings**

November 12, 2015

We submit for your consideration the following comments on the proposed rulemaking published in the August 8, 2015 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review

Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Environmental Quality Board (EQB) to respond to all comments received from us or any other source.

1. Implementation procedures.

EQB establishes a compliance date of January 1, 2016, in this proposed regulation. However, in the Preamble, EQB notes that it is considering changing the compliance date to May 1, 2016. We recommend that EQB establish a compliance date that allows for the proper development of a final-form regulation and full compliance by the regulated community.

Additionally, § 129.52d(a)(4) provides owners and operators of a miscellaneous metal part surface coating process or a miscellaneous plastic part surface coating process the option of meeting compliance standards by being regulated under § 129.52e (relating to control of volatile organic emissions from automobile and light-duty truck assembly coating operations and heavier vehicle coating operation). Similar to this proposed regulation, § 129.52e is currently being reviewed as a proposed rulemaking. (See EQB regulation #7-490; IRRC #3110.) We ask EQB to ensure that the two rulemakings are adopted on the same date.

2. Section 129.52. Surface coating processes.—Reasonableness; Clarity.

Subsection (g) is being amended to require onsite storage of records. What is the reason for this change? We ask EQB to explain the rationale for this requirement in the Preamble to the final-form regulation.

In addition, we are concerned with the clarity of the last sentence of this subsection. It reads as follows: “The records shall be submitted to the Department in an acceptable format on a schedule reasonably prescribed by the Department.” The term “in an acceptable format” is vague. We suggest that it be clarified to state what formats would be acceptable. In addition, the term “on a schedule reasonably prescribed” is also vague. We note that this term is in the existing regulation. However, we believe the overall clarity of this section would be improved if a more definitive and binding timeframe or schedule is included in the final-form regulation.

3. Section 129.52d. Control of VOC emissions from miscellaneous metal parts surface coating processes, miscellaneous plastic parts surface coating processes and pleasure craft surface coatings.—Possible conflict with or duplication of statutes or existing regulations; Clarity.

Subsection (a)(5)(i) provides an exemption for the use or application of aerosol coatings. A commentator has asked for clarification on whether hand-held aerosol cans would be included in this exemption. In the Preamble to the final-form rulemaking, we ask EQB to explain if hand-held aerosol cans are exempt, and if they are, to clarify that in the regulation.

In addition, the commentator suggests that this rulemaking be amended to state that § 129.52d supersedes the emissions limits and other requirements of § 129.52, relating to surface coating processes. We note that other sections of 25 Pa. Code Chapter 129 include language that supersedes § 129.52. If supersedeas language is appropriate for this rulemaking, while at the same time consistent with Federal requirements on which this rulemaking is based, we suggest that it be included in the final-form regulation.

**Environmental Quality Board Regulation #7-490
(IRRC #3110)**

Control of Volatile Organic Compound Emissions from Automobile and Light-Duty Truck Assembly Coating Operations and Heavier Vehicle Coating Operations

November 12, 2015

We submit for your consideration the following comments on the proposed rulemaking published in the August 8, 2015 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (RRA) (71 P. S. § 745.5b). Section 5.1(a) of the RRA (71 P. S. § 745.5a(a)) directs the Environmental Quality Board (EQB) to respond to all comments received from us or any other source.

Implementation procedures.

EQB establishes a compliance date of January 1, 2016, in this proposed regulation. However, in the Preamble, EQB notes that it is considering changing the compliance date to May 1, 2016. We recommend that EQB establish a compliance date that allows for the proper development of a final-form regulation and full compliance by the regulated community.

Additionally, EQB states in the Preamble that the owner or operator of a separate coating line at an automobile and light-duty truck assembly coating facility, and the owner or operator of a facility that coats a body or body part for a new heavier vehicle, would have the option to elect to be regulated under this proposed rulemaking instead of proposed rulemaking #7-491 (IRRC #3109), which EQB intends to adopt as a final-form rulemaking concurrently with adoption of this final-form regulation. We ask EQB to ensure that the two rulemakings are adopted on the same date.

JOHN F. MIZNER, Esq.,
Chairperson

[Pa.B. Doc. No. 15-2115. Filed for public inspection November 25, 2015, 9:00 a.m.]

INSURANCE DEPARTMENT

**Alleged Violation of Insurance Laws; Ismael Baliar
Seals; Doc. No. SC15-11-014**

Notice is hereby given of the Order to Show Cause issued on November 13, 2015, by the Deputy Insurance Commissioner in the previously-referenced matter. Violation of the following is alleged: sections 611-A(2) and (20), 612-A(a) and 678-A(b) of The Insurance Department Act of 1921 (40 P. S. §§ 310.11(2) and (20), 310.12(a) and 310.78(b)).

Respondent shall file a written answer to the Order to Show Cause within 20 days of the date of issue. If 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. 15-2116. Filed for public inspection November 25, 2015, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insured has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (act) (40 P.S. § 1171.8) in connection with the company's termination of the insured's homeowners policy. The hearing will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's regional office in Harrisburg, PA. Failure by the appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Elizabeth Richardson; file no. 15-116-187653; Safeco Insurance Company of Illinois; Doc. No. P15-11-012; December 17, 2015, 10 a.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence, or both. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend 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. 15-2117. Filed for public inspection November 25, 2015, 9:00 a.m.]

MILK MARKETING BOARD

Meeting Change

The December 2, 2015, meeting of the Milk Marketing Board will convene at 12 p.m. instead of 1 p.m. as previously advertised at 45 Pa.B. 2565 (May 23, 2015). The meeting will be held in Room 202, Agriculture Building, Harrisburg, PA 17110.

TIM MOYER,
Secretary

[Pa.B. Doc. No. 15-2118. Filed for public inspection November 25, 2015, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Electric Power Research Institute Public Briefing

The Electric Power Research Institute will be providing a public briefing on the United States Environmental Protection Agency's Clean Power Plan to be held on Thursday, December 17, 2015, at 1 p.m. in Hearing Room 1, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 15-2119. Filed for public inspection November 25, 2015, 9:00 a.m.]

Natural Gas Service

A-2015-2513395. Columbia Gas of Pennsylvania, Inc. Application of Columbia Gas of Pennsylvania, Inc. for approval of the abandonment of service by Columbia Gas of Pa, Inc. of natural gas service to six customers in Centre County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities), on or before December 14, 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: Columbia Gas of Pennsylvania, Inc.

Through and By: Michael W. Hassell, Esquire, Michael W. Gang, Esquire, Devin T. Ryan, Esquire, Post & Schell, PC, 17 North Second Street, 12th Floor, Harrisburg, PA 17101-1601; and Andrew S. Tubbs, Esquire, 800 North Third Street, Suite 204, Harrisburg, PA 17102

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 15-2120. Filed for public inspection November 25, 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 14, 2015. Documents filed in support of the applications are avail-

able 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-2015-2511501. Omelnor, Inc., t/a Pleasant Limousine (295 Pamela Circle, Harleysville, Montgomery County, PA 19438) persons in limousine service, from Montgomery County, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* David R. Alperstein, 1080 North Delaware Avenue, Suite 505, Philadelphia, PA 19125.

A-2015-2512884. Denise Miller t/a Graybeal's Transportation (5171 Lincoln Highway, Gap, Lancaster County, PA 17527) for the right to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the Counties of Lancaster and Perry, to points in Pennsylvania, and return.

A-2015-2513097. Tony Williams Car Service, LLC (1 Elwyn Avenue, Carnegie, Allegheny County, PA 15106) for the right to transport as a common carrier, by motor vehicle, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in the Counties of Allegheny, Armstrong, Beaver, Butler, Cambria, Fayette, Greene, Indiana, Lawrence, Somerset, Washington and Westmoreland, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

A-2015-2513390. Allegheny Medical Transport, Inc. (105 Westwind Drive, Moon, Allegheny County, PA 15108) for the right to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Allegheny and Washington, to points in Pennsylvania, and return.

Applications of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under each application.

A-2015-2512871. Real-Time Delivery & Services, LLC (2261 North Lawrence Street, Philadelphia, Philadelphia County, PA 19133) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania.

A-2015-2512917. All American Veteran Moving Services, LLC (591 Spring Avenue, Hanover, York County, PA 17331) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 15-2121. Filed for public inspection November 25, 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 14, 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. Love 1's Transportation, LLC; Docket No. C-2015-2507151

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 Love 1's Transportation, LLC, (respondent) is under suspension effective September 13, 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 161, Norwood, PA 19074.

3. That respondent was issued a Certificate of Public Convenience by this Commission on April 23, 2015, at A-6416425.

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-6416425 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: 10/13/2015

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

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. Michael Bickings, t/a Bickings Transport; Docket No. C-2015-2507156

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 Michael Bickings, t/a Bickings Transport, (respondent) is under suspension effective September 15, 2015 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 440 Manor Road, Hatboro, PA 19040.
3. That respondent was issued a Certificate of Public Convenience by this Commission on September 08, 2010, at A-8912629.
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-8912629 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: 10/13/2015

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

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. Fisher Bros Farms, LLC; Docket No. C-2015-2507173

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 Fisher Bros Farms, LLC, (respondent) is under suspension effective September 15, 2015 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 309 Hillside Lane, Honey Grove, PA 17035.

3. That respondent was issued a Certificate of Public Convenience by this Commission on December 18, 2014, at A-8916927.

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-8916927 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: 10/7/2015

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. 15-2122. Filed for public inspection November 25, 2015, 9:00 a.m.]

Transfer of Indirect Control

A-2015-2513421, A-2015-2513422 and A-2015-2513423. Garrison TNCI, LLC, TNCI Operating Company, LLC, Impact Telecom, Inc. and Matrix Telecom, Inc. Joint application of Garrison TNCI, LLC, TNCI Operating Company, LLC, Impact Telecom, Inc. and Matrix Telecom, Inc. for approval of the proposed transfer of indirect control of Matrix Telecom, Inc. to Garrison TNCI, LLC and related transactions.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before December 14, 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.

Applicants: Garrison TNCI, LLC; TNCI Operating Company, LLC; Impact Telecom, Inc.; Matrix Telecom, Inc.

Through and By Counsel: Michael Gruin, Esquire, Stevens & Lee, 17 North Second Street, 16th Floor, Harrisburg, PA 17101

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 15-2123. Filed for public inspection November 25, 2015, 9:00 a.m.]

Wastewater Service

A-2015-2513381. CMV Sewage Company, Inc. Application of CMV Sewage Company, Inc. for approval of the abandonment of wastewater service at the Chanceford Crossing Wastewater Treatment Plant in Chanceford Township, York County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities), on or before December 14, 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.

Applicants: CMV Sewage Company, Inc.

Through and By Counsel: John J. Baranski, Jr., Esquire, Blakey Yost Bupp & Rausch, LLP, 17 East Market Street, York, PA 17401

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 15-2124. Filed for public inspection November 25, 2015, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Bids

The Philadelphia Regional Port Authority will accept sealed bids for Project No. 15-128.P, Miscellaneous Roofing Materials Draw Down, until 2 p.m. on Thursday, December 10, 2015. Information concerning this project 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. 15-2125. Filed for public inspection November 25, 2015, 9:00 a.m.]

