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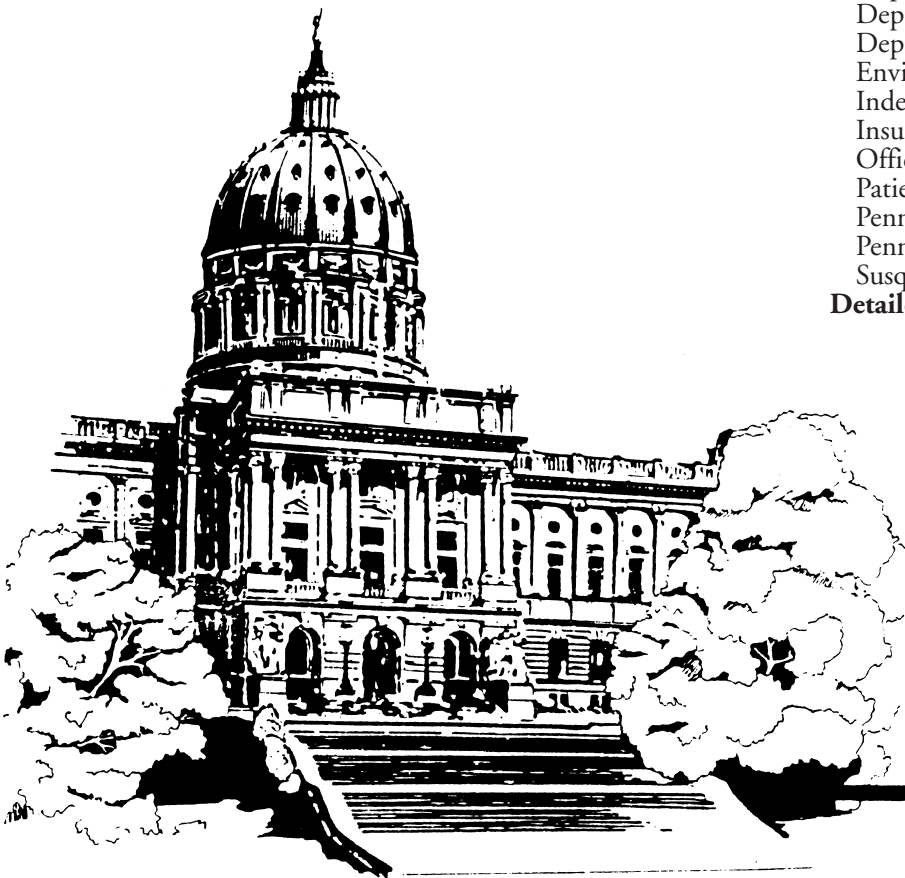
# PENNSYLVANIA BULLETIN

Volume 45  
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## Agencies in this issue

The Courts  
Department of Agriculture  
Department of Community and Economic  
Development  
Department of Environmental Protection  
Department of General Services  
Department of Health  
Department of Human Services  
Department of Transportation  
Environmental Quality Board  
Independent Regulatory Review Commission  
Insurance Department  
Office of the Budget  
Patient Safety Authority  
Pennsylvania eHealth Partnership Authority  
Pennsylvania Public Utility Commission  
Susquehanna River Basin Commission

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

**No. 493, December 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](http://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](http://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](http://www.pabulletin.com).

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#### Printing Format

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

#### Fiscal Notes

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

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

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# List of Pa. Code Chapters Affected

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

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# THE COURTS

## Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

### PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

[ 204 PA. CODE CH. 211 ]

#### Judicial Salaries

##### Annex A

### TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

#### PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

##### CHAPTER 211. CONSUMER PRICE INDEX AND JUDICIAL SALARIES

###### § 211.1a. Consumer Price Index—judicial salaries.

The Court Administrator of Pennsylvania reports that the percentage change in the Philadelphia-Wilmington-Atlantic City, PA-NJ-DE-MD, Consumer Price Index for All Urban Consumers (CPI-U) for the 12-month period ending October 2015, was negative 0.5 percent (-0.5%). (See U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index, Tuesday, November 17, 2015).

###### § 211.2. Judicial salaries effective January 1, 2016.

The annual judicial salaries for calendar year beginning January 1, 2016 will not be adjusted by a cost-of-living factor. The following salaries that became effective January 1, 2015 will remain in effect:

###### (a) *Supreme Court.*

(1) The annual salary of a justice of the Supreme Court shall be \$203,409.

(2) The annual salary of the Chief Justice of the Supreme Court shall be \$209,329.

###### (b) *Superior Court.*

(1) The annual salary of a judge of the Superior Court shall be \$191,926.

(2) The annual salary of the President Judge of the Superior Court shall be \$197,844.

###### (c) *Commonwealth Court.*

(1) The annual salary of a judge of the Commonwealth Court shall be \$191,926.

(2) The annual salary of the President Judge of the Commonwealth Court shall be \$197,844.

###### (d) *Courts of common pleas.*

(1) The annual salary of a judge of the court of common pleas shall be \$176,572.

(2) The annual salary of the President Judges of the Court of Common Pleas shall be in accordance with the following schedule:

(i) Allegheny County, \$179,532.

(ii) Philadelphia County, \$180,124.

(iii) Judicial districts having six or more judges, \$178,111.

(iv) Judicial districts having one to five judges, \$177,342.

(v) Administrative judges of the divisions of the Court of Common Pleas of Philadelphia County with divisions of six or more judges, \$178,111.

(vi) Administrative judges of the divisions of the Court of Common Pleas of Philadelphia County with divisions of five or less judges, \$177,342.

(vii) Administrative judges of the divisions of the Court of Common Pleas of Allegheny County with divisions of six or more judges, \$178,111.

(viii) Administrative judges of the divisions of the Court of Common Pleas of Allegheny County with divisions of five or less judges, \$177,342.

###### (e) *Philadelphia Municipal Court.*

(1) The annual salary of a judge of the Philadelphia Municipal Court shall be \$172,486.

(2) The annual salary of the President Judge of the Philadelphia Municipal Court shall be \$175,151.

###### (f) *Philadelphia Municipal Court—Traffic Division.*

(1) The annual salary of a judge of the Philadelphia Traffic Court shall be \$92,788.

(g) *Magisterial district judge.* The annual salary of a magisterial district judge shall be \$88,290.

(h) *Senior judges.* The compensation of the senior judges pursuant to 42 Pa.C.S. § 4121 (relating to assignment of judges) shall be \$545 per day. In any calendar year the amount of compensation which a senior judge shall be permitted to earn as a senior judge shall not when added to retirement income paid by the Commonwealth for such senior judge exceed the compensation payable by the Commonwealth to a judge then in regular active service on the court from which said senior judge retired. A senior judge who so elects may serve without being paid all or any portion of the compensation provided by this section.

[Pa.B. Doc. No. 15-2126. Filed for public inspection December 4, 2015, 9:00 a.m.]

## Title 210—APPELLATE PROCEDURE

### PART II. INTERNAL OPERATING PROCEDURES

[ 210 PA. CODE CH. 63 ]

#### Amendment of Section 9 of the Internal Operating Procedures of the Supreme Court; No. 451 Judicial Administration Doc.

##### Order

*Per Curiam*

And Now, this 17th day of November, 2015, *It Is Ordered* that Section 9 of the Internal Operating Procedures of the Supreme Court is amended as set forth in the following form. The amendments shall be effective immediately.

## Annex A

## TITLE 210. APPELLATE PROCEDURE

## PART II. INTERNAL OPERATING PROCEDURES

## CHAPTER 63. INTERNAL OPERATING PROCEDURES OF THE SUPREME COURT

## § 63.9. Photographing, Recording and Broadcasting [ of Supreme Court Proceedings by the Pennsylvania Cable Network (PCN) ].

A. *General Provisions.*

1. The Supreme Court reserves the right to restrict usage of all sound recordings and visual images taken in Supreme Court Courtrooms. Photographing, recording and broadcasting in those areas are permissible only in accordance with the following provisions.

2. The Executive Administrator of the Supreme Court or his or her designee ("Executive Administrator") may permit photographing, recording and broadcasting in any Supreme Court Courtroom in his or her discretion. Requests to photograph, record or broadcast sound or images for public or private use in any media, including, but not limited to, printed, online and video form, must be submitted to the Executive Administrator at least three business days before the proposed date of photographing, recording or broadcasting, or within a shorter period as the Executive Administrator may determine. Requests to photograph, record or broadcast during scheduled Supreme Court proceedings will not be entertained.

3. Members of the general public visiting any Supreme Court Courtroom as a permitted guest or a participant in a supervised tour may take photographs or record sound or images for their private, non-profit use, unless otherwise directed by the Executive Administrator. This provision does not authorize photographing, recording or broadcasting during scheduled Supreme Court proceedings.

4. When a Supreme Court Courtroom is being used by an executive or legislative agency, board, commission or similar entity, sections A. 2.-3. shall not affect that entity's policies relating to photographing, broadcasting and recording.

**B. *Photographing, Recording and Broadcasting of Supreme Court Proceedings by the Pennsylvania Cable Network ("PCN").***

1. *General Provisions.*

[ (1) ] a. The recording by [ the Pennsylvania Cable Network ("PCN") ] PCN of a proceeding before the Supreme Court for future broadcast on PCN is permissible only in accordance with this section.

[ (2) ] b. A request to be present to record a scheduled proceeding electronically for future broadcast on PCN must be made at least three business days before the proceeding. Such requests must be submitted to the Executive Administrator [ of the Supreme Court of Pennsylvania or his or her designee ("Executive Administrator") ] for approval by the Chief Justice. The Supreme Court shall maintain discretion to prohibit camera coverage of any proceeding, or any part thereof, due to the nature of the issues or the sensitivity of the subject matter of a proceeding.

[ (3) ] c. There shall be no coverage of a proceeding involving any case that has been designated as "sealed."

[ (4) ] d. There shall be no audio pickup or broadcast of conferences between co-counsel or among the Justices.

[ (5) ] e. The Supreme Court may limit or terminate coverage, or direct the removal of camera coverage personnel, when necessary to protect the rights of the parties or to assure the orderly conduct of the proceedings.

[ (6) ] f. The Supreme Court shall not incur any expense for equipment, wiring or personnel necessary to provide coverage by PCN.

[ (7) ] g. Introductory commentary, if any, shall be supplied by members in good standing of the Pennsylvania Bar approved by the Supreme Court.

[ (8) ] h. All coverage must be "gavel-to-gavel," including rebroadcasts, with the exceptions in [ A.(3)—(5) ] 1.c.—e.

[ (9) ] i. All copyrights to the broadcasts are the possession of the Supreme Court and may not be used without its approval. PCN shall provide the Supreme Court with DVD or videotape recordings of all sessions covered by PCN, whether or not broadcast or aired.

[ (10) ] j. Broadcasts are not permitted until a minimum of 48 hours after recording.

[ B. ] 2. *Equipment and Personnel.*

[ (1) ] a. Only robotic cameras will be permitted in the courtroom. PCN personnel shall consult with the Executive Administrator to determine the location in the courtroom for the camera equipment and operators.

[ (2) ] b. Equipment shall not produce distracting sound or light. Signal lights or devices to show when the equipment is operating shall not be visible.

[ (3) ] c. Except as otherwise approved by the Executive Administrator, existing courtroom sound and light systems shall be used without modification. Audio pickup for all media purposes shall be accomplished from existing audio systems present in the court facility, or from a camera's built-in microphone. If no technically suitable audio system exists in the court facility, microphones and related wiring essential for media purposes shall be unobtrusive and shall be located in places designated in advance by the Executive Administrator.

[ (4) ] d. All equipment must be in place prior to the opening of the court session and shall not be removed until after the conclusion of the day's proceedings. Video recording equipment which is not a component part of a camera shall be located in an area remote from the courtroom. PCN personnel shall not enter or exit the courtroom once the proceedings are in session except during a recess or adjournment. PCN personnel shall wear appropriate attire in the courtroom.

[ (5) ] e. PCN personnel shall adhere to the direction of the Executive Administrator in matters such as security, parking, noise avoidance and other related issues.

[ C. ] 3. *Impermissible Use of Material.*

None of the film, videotape, video discs, still photographs or audio reproductions developed during or by virtue of coverage of a proceeding shall be admissible as



evidence in the proceeding from which it arose, in any proceeding subsequent or collateral thereto, or upon any appeal of such proceedings.

[Pa.B. Doc. No. 15-2127. Filed for public inspection December 4, 2015, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### LACKAWANNA COUNTY

#### Repeal and Adoption of Rules of Civil Procedure; No. 2015 CV 1

##### Order

*And Now*, this 6th day of November, 2015, it is hereby *Ordered* and *Decreed* that the following Lackawanna County Rules of Civil Procedure are adopted and amended as follows:

1. New Lacka.Co.R.C.P. 214.2 is adopted as reflected in the following Rule. The new language of Local Rule 214.2 appears in bold type for ease of reference;

2. Lacka.Co.R.C.P. 4000.1, 4000.2, 4012, 4013 and 4019 are amended as reflected in the following Rules. The amended language of Local Rules 4000.1, 4000.2, 4012, 4013 and 4019 appears in bold type for ease of reference, whereas the former language being replaced by the amendments appears in brackets.

3. Pursuant to Pa.R.C.P. 239(c)(2)—(6), the following Local Rule shall be disseminated and published in the following manner:

(a) One (1) certified copy of the following Local Rules shall be filed with the Administrative Office of the Pennsylvania Courts;

(b) Two (2) certified copies of the following Local Rule and a computer diskette containing the text of the following Local Rule to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

(c) One (1) certified copy of the following Local Rule shall be filed with the Civil Procedural Rules Committee;

(d) The following Local Rule shall be kept continuously available for public inspection and copying in the Office of the Clerk of Judicial Records, Civil Division, and upon request and payment of reasonable costs of reproduction and mailing, the Clerk of Judicial Records shall furnish to any requesting person a copy of the requested Local Rule(s); and

(e) A computer diskette containing the text of the following Local Rule shall be distributed to the Lackawanna Bar Association for publication on the website of the Lackawanna Bar Association.

4. The foregoing adoption of and amendments to the following Local Rules shall become effective thirty (30) days after the date of their publication in the *Pennsylvania Bulletin* pursuant to Pa.R.C.P. 239(d).

*By the Court*

THOMAS J. MUNLEY,  
*President Judge*

#### **Rule 214.2. Assignment of Medical Professional Liability Actions and Protracted Cases.**

(a) **Following the filing of a Complaint by the plaintiff pursuant to Pa.R.C.P. 1042.2 and the entry**

**of appearance by the defendant(s) or defense counsel pursuant to Pa.R.C.P. 1012(a) or Lacka.Co.R.C.P. 200.1(a) in all medical professional liability actions subject to the reporting requirements set forth in Pa.R.C.P. 1042.51(c), the Court Administrator shall assign the case to the judges of the court on a rotating basis and shall promptly schedule a status conference before that judge and forward notice of the conference to all counsel and unrepresented parties. During the status conference, the assigned judge will establish deadlines for the completion of discovery, the exchange of expert witness reports and the filing of case dispositive motions, and schedule dates certain for trial and the final pre-trial conference. All preliminary objections, motions for judgment on the pleadings, motions for summary judgment, and other case dispositive motions, discovery motions, and other pre-trial motions will be addressed to, served upon and decided by the assigned judge.**

(b) **Any other case that will require at least eight (8) days of total trial time, including jury selection, may be designated as a protracted case and assigned to a judge of the court on a rotating basis for pre-trial and trial purposes. A case may be designated as a protracted case upon the filing of a Certification for Protracted Case Designation, subject to the provisions of Pa.R.C.P. 1023.1 to 1023.4, with the concurrence of all counsel of record and unrepresented parties in the form attached to the Appendix of these Local Rules as Form 7A. In the event that all counsel and unrepresented parties do not concur with the designation of a case as a protracted case, the party seeking such designation may present a motion to the Motions Court judge pursuant to Lacka.Co.R.C.P. 208.3(a) requesting the designation of the case as a protracted case. The motion requesting designation as a protracted case must set forth with specificity, and subject to Pa.R.C.P. 1023.1 to 1023.4, the reason(s) why the case warrants designation as a protracted case.**

(c) **A Certification for Protracted Case Designation (Form 7A) or a motion requesting the designation of a case as a protracted case may be filed following the filing of a complaint by the plaintiff and the entry of appearance by all defense counsel and unrepresented parties pursuant to Pa.R.C.P. 1012(a) and Lacka.Co.R.C.P. 200.1(a). Once a Certification for Protracted Case Designation or an Order of Court designating a case as a protracted case has been filed, the Court Administrator shall assign the case to a judge of the court on a rotating basis and shall promptly schedule a status conference before the assigned judge and forward notice of that conference to all counsel of record and unrepresented parties. During the status conference, the assigned judge will establish deadlines for the completion of discovery, the exchange of expert witness reports and the filing of case dispositive motions, and schedule dates certain for trial and the final pre-trial conference. After a case has been designated as a protracted case and assigned to a judge, all case dispositive motions, discovery motions, and other pre-trial motions in a protracted case will be addressed to, served upon and decided by the assigned judge.**

**Rule 4000.1. [ Motion for Presentation before a Special Trial Master ] Discovery Motions Court.**

(a) [ Presentation to the court of a motion pursuant to Lacka.Co.R.C.P. 4000 shall in all circumstances be initially presented to and decided by a Special Trial Master appointed by the Court who shall follow the same procedures set forth in Lacka.Co.R.C.P. 4000. ] Except for medical professional liability actions and protracted cases governed by Lacka.R.C.P. 214.2, all discovery motions shall be presented to the Discovery Motions Court Judge who shall hear motions in the Lackawanna County Courthouse on Monday and Thursday at 9:30 AM in a courtroom designated by the Court Administrator, unless otherwise agreed by counsel or the Discovery Motions Court Judge or by order of the Discovery Motions Court Judge.

(b) [ An order of the Special Trial Master may be appealed de novo by presentation of an appeal motion to the designated Motions Court Judge in accordance with Lacka.Co.R.C.P. 206.4(c), together with proof of payment to the Clerk of Judicial Records of an appeal cost in an amount to be set by the court from time to time. The appeal motion shall be filed within ten days of the order of the Special Trial Master and shall be considered by the court pursuant to Lacka.Co.R.C.P. 4000. ] In the event that the Discovery Motions Court Judge is unavailable on Monday or Thursday at 9:30 AM, and unless otherwise agreed by counsel or the Discovery Motions Court Judge, discovery motions shall be presented to the Motions Court Judge in compliance with Lacka.Co.R.C.P. 208.3(a).

(c) Motions practice before the Special Trial Master shall be conducted in compliance with the Lacka.Co.R.C.P. 206.1 and the Master shall hear motions in the Lackawanna County Courthouse on Monday and Thursday at 9:30 AM, unless otherwise agreed by counsel and the Master or by order of the Master.

(d) Presentation of a motion in any case in which the Special Trial Master is involved shall be presented to the court rather than through the procedure set forth in this Rule. ]

**Rule 4000.2. Case Management Proposal.**

With the exception of [ medical malpractice cases ] medical professional liability actions and protracted cases governed by Lacka.Co.R.C.P. 214.2, and upon closure of the pleadings, the plaintiff(s) shall complete and forward to all parties a Case Management Proposal in substantial compliance with Form 15 in the attached Appendix. The Case Management Proposal shall set forth proposed deadlines for the completion of discovery, exchange of expert reports, and the filing of dispositive motions.

If the plaintiff(s) has not received any objections to the Case Management Proposal within fifteen (15) days of mail, the plaintiff(s) shall submit the Proposal to the [ Lackawanna County Discovery Master ] Discovery Motions Court Judge for approval. If a party objects to the Proposal, and the parties are otherwise unable to agree, and upon appropriate notice as outlined in Lacka.Co.R.C.P. 208.2(f), the Proposal shall be submitted to the [ Discovery Master ] Discovery Motions Court Judge for resolution.

If the plaintiff(s) shall fail to complete and forward a Case Management Proposal within thirty (30) days of the closure of the pleadings, nothing in this Rule shall preclude an opposing party from submitting a Case Management Proposal in compliance with this Rule.

**Rule 4012. Protective Orders.**

(a) If a deposition is being taken within the Lackawanna County Courthouse and demand is made for its suspension, a motion for a protective order under Pa.R.Civ.P. 4012(b) shall be made immediately to the [ Special Trial Master for Discovery ] Discovery Motions Court Judge, if available, in which event the motion may be oral and heard. If the [ Special Trial Master for Discovery ] Discovery Motions Court Judge is not available, the motion for a protective order may be oral and shall be presented to the [ Special Trial Master for Discovery ] Discovery Motions Court Judge within forty-eight hours of the suspension of the taking of deposition. Otherwise, the objecting party or deponent will be deemed to have waived the objection and the taking of the deposition shall be immediately resumed on notice to all interested parties and the deponent.

(b) In all other cases, the motion must be in writing and presented to the [ Special Trial Master for Discovery ] Discovery Motions Court Judge as provided in Lacka.Co.R.C.P. 4000 herein except that, upon failure to present such motion within fifteen (15) days of the suspension of the taking of the deposition, the objecting party or deponent will be deemed to have waived the objection whereupon the taking of the deposition shall be resumed on reasonable notice to all interested parties and deponent.

**Rule 4013. Stay of Proceedings by Discovery.**

(a) If a party seeks a stay of discovery pending disposition of a motion for a protective order, the basis for such a request shall be stated with particularity in the motion and shall be called to the attention of the [ Special Trial Master for Discovery ] Discovery Motions Court Judge at the time of presentation of the motion.

(b) If during the pendency of an action a party desires a general stay of the proceedings for purposes of deposition and discovery, the court upon motion and for cause shown may enter an appropriate order staying the proceedings.

**Rule 4019. Petitions for Sanctions [ before a Special Trial Master ].**

[ (a) ] Any party seeking sanctions pursuant to Pa.R.Civ.P. 4019 for violation of an order of the [ Special Trial Master ] Discovery Motions Court Judge pursuant to Lacka.Co.R.C.P. 4000.1, or an order of the court pursuant to Lacka.Co.R.C.P. 4000, or otherwise pursuant to Pa.R.Civ.P. 4019, shall in all circumstances [ initially ] do so by motion to the [ Special Trial Master ] Discovery Motions Court Judge pursuant to Lacka.Co.R.C.P. 4000.1.

[ (b) Any order of the Special Trial Master granting or denying a sanction may be appealed de novo by presentation of an appeal motion to the court, together with proof of payment to the Clerk of Judicial Records of an appeal cost of an amount to be set by the court from time to time, and said appeal motion shall be considered by the court pursuant to Lacka.Co.R.C.P. 4000. ]

THE COURTS

FORM 7A

Court of Common Pleas County of Lackawanna	CERTIFICATION FOR PROTRACTED CASE DESIGNATION	NUMBER  ACTION
ALL PROTRACTED CASES SHALL BE ASSIGNED TO A JUDGE BY THE COURT ADMINISTRATOR UPON THE FILING OF A CERTIFICATION FOR PROTRACTED CASE DESIGNATION IN THE FOLLOWING FORM:		
TYPE OF TRIAL REQUESTED  <input type="checkbox"/> Jury <input type="checkbox"/> Non-Jury	ESTIMATED TIME  DAYS	DATE PREPARED
PLAINTIFF(S)		
DEFENDANT(S)		
ADDITIONAL DEFENDANTS(S)		
I CERTIFY, SUBJECT TO PA.R.C.P. 1023.1 TO 1023.4, THAT THE TRIAL OF THIS CASE WILL REQUIRE AT LEAST EIGHT (8) DAYS OF TOTAL TRIAL TIME, INCLUDING JURY SELECTION, AND THAT ALL COUNSEL AND UNREPRESENTED PARTIES LISTED BELOW CONCUR WITH THE DESIGNATION OF THIS MATTER AS A PROTRACTED CASE PURSUANT TO LACKA.CO.R.C.P. 214.2		
DATE SERVED _____		SIGNATURE OF TRIAL COUNSEL _____
COUNSEL WHO WILL ACTUALLY TRY THE CASE		
FOR THE PLAINTIFF(S) ADDRESS	TEL. NUMBER	
FOR THE DEFENDANT(S) ADDRESS	TEL. NUMBER	
FOR THE ADDITIONAL DEFENDANT(S)	TEL. NUMBER	
CASE ASSIGNED TO JUDGE _____  STATUS CONFERENCE SCHEDULED FOR _____ AT _____ .M.  <div style="text-align: right;">                     IMPORTANT NOTICE: FILE CERTIFICATE WITH THE CLERK OF                      JUDICIAL RECORDS, LACKAWANNA                      COUNTY COURTHOUSE, SCRANTON, PA                 </div>		
CJR-CV-2		



**MERCER COUNTY**  
**Local Rules of Court; No. 4 AD 2015**

*And Now*, this 13th day of November, 2015, The Court Hereby *Approves, Adopts and Promulgates* this amendment to Mercer County Local Rule of Civil Procedure L-317. Said amendment shall become effective thirty (30) days after the date of publication in the *Pennsylvania Bulletin*, pursuant to Rule 103(c) of the Pennsylvania Rules of Judicial Procedure, and Rule 239 of the Pennsylvania Rules of Civil Procedure.

It is further *Ordered and Directed* that the Court Administrator of Mercer County shall file one (1) certified copy of this amendment with the Administrative Office of Pennsylvania Courts, furnish two (2) certified copies to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, and file one certified copy with the Civil Procedural Rules Committee.

It is further *Ordered and Directed* that Local Rules shall be kept continuously available for public inspection and copying in the Offices of the Prothonotary of Mercer County. Upon request and payment of reasonable costs of reproduction and mailing, these offices shall furnish to any person a copy of these Local Rules. These amendments shall be published in the *Mercer County Law Journal*.

*By the Court*

THOMAS R. DOBSON,  
*President Judge*

**Amendment to Local Rule of Civil Procedure L-317**

(F) *Procedure for handling cases initiated by Writ of Summons:*

(1) A status conference shall be held no sooner than 60 days nor more than 90 days after the filing of the writ.

(a) At the initial status conference, the Court shall make inquiry of plaintiff's counsel when counsel anticipates filing a complaint.

(i) If the complaint is anticipated to be filed within 90 days of the conference, the Court shall enter an order designating the nature of the case, setting a discovery, motion and trial schedule consistent with the designation;

(ii) If the complaint is not anticipated to be filed within 90 days of the conference, the Court shall schedule a review conference no sooner than 180 days nor more than 200 days after said conference. At the review conference, the Court shall make inquiry as to when a complaint is anticipated to be filed and enter an order consistent with subparagraph (i), or if a complaint is anticipated to be filed within 90 days or another status conference if it is not; or enter any other order deemed appropriate by the nature and circumstances of the case.

[Pa.B. Doc. No. 15-2129. Filed for public inspection December 4, 2015, 9:00 a.m.]

# STATEMENTS OF POLICY

## Title 67—TRANSPORTATION

### DEPARTMENT OF TRANSPORTATION

#### [ 67 PA. CODE CH. 190 ]

#### Letter of Local Determination

The Department of Transportation (Department), under the authority in section 7 of the act of February 14, 2012 (P. L. 87, No. 13) (Act 13), the act of November 25, 2013 (P. L. 974, No. 89) and 75 Pa.C.S. §§ 4902 and 6103 (relating to restrictions on use of highways and bridges; and promulgation of rules and regulations by department), amends Chapter 190 (relating to Letter of Local Determination—statement of policy) to read as set forth in Annex A. This amended statement of policy establishes the framework within which the Department will exercise its administrative discretion.

#### *Purpose*

The purpose of Chapter 190 is to establish Department policy regarding the use of Letters of Local Determination by vehicles and combinations having a gross weight in excess of the posted weight limit on highways posted with weight restrictions under 75 Pa.C.S. § 4902.

Chapter 190 provides a mechanism (Letters of Local Determination) to identify local, over-posted-weight traffic that is exempt from posted and bonded road requirements, including, but not limited to, bonding and proportional sharing of costs to repair damaged roads. The amendments to Chapter 190 are consistent with recent amendments to 75 Pa.C.S. § 4902 that reflect a clearer definition of “local traffic” as that term is used in Chapter 190 and provides details for issuance of Letters of Local Determination.

#### *Significant Provisions*

The amendments to Chapter 190 include definitions of key terms in the recent amendments to 75 Pa.C.S. § 4902, which include two new categories of local traffic: permanent coal reprocessing and preparation plants; and permanent forest product processing mills. This expanded definition will provide an expanded means for haulers to operate under the categories of “local traffic.”

#### *Persons and Entities Affected*

This amended statement of policy will not change the affected persons or entities, except for the expansion of the definition of “local traffic” to include permanent coal reprocessing and preparation plants and permanent forest product processing mills.

#### *Fiscal Impact*

This amended statement of policy will not have fiscal impact to the Commonwealth and local governments and a positive fiscal impact on qualifying local traffic, including individuals, businesses, labor communities and other public and private organizations.

#### *Sunset Date*

Act 13 originally provided that this statement of policy shall remain in effect until December 31, 2015. Recent amendments to 75 Pa.C.S. § 4902 provide that this statement of policy, as amended, remains in effect until December 31, 2018.

#### *Effective Date*

These amendments are effective upon publication.

#### *Contact Person*

The contact person for technical questions related to this statement of policy is Halley Cole, PE, Bureau of Maintenance and Operations, Department of Transportation, 400 North Street, 7th Floor, Commonwealth Keystone Building, Harrisburg, PA 17120, (717) 783-6146, fax (717) 705-5520.

LESLIE S. RICHARDS,  
*Secretary*

*(Editor’s Note: Title 67 of the Pennsylvania Code is amended by amending statements of policy in §§ 190.1—190.3 to read as set forth in Annex A.)*

**Fiscal Note:** 18-468. No fiscal impact; (8) recommends adoption.

### Annex A

#### TITLE 67. TRANSPORTATION

#### PART I. DEPARTMENT OF TRANSPORTATION

#### Subpart A. VEHICLE CODE PROVISIONS

#### ARTICLE VII. VEHICLE CHARACTERISTICS

#### CHAPTER 190. LETTER OF LOCAL DETERMINATION—STATEMENT OF POLICY

#### § 190.1. Purpose.

(a) This chapter is adopted under section 7 of Act 13 and section 33 of the act of November 25, 2013 (P. L. 974, No. 89) (75 Pa.C.S. § 4902 (relating to restrictions on use of highways and bridges)). The purpose of this chapter is to provide guidance for the implementation of a program to provide Letters of Local Determination identifying particular vehicles, routes or uses as local in nature to provide exemption from the requirements of Chapter 189 (relating to hauling in excess of posted weight limit).

(b) This chapter only applies to Chapter 189 and does not apply to roads and bridges posted under Chapters 191 and 193 (relating to authorization to use bridges posted due to condition of bridge; and authorization to use highways posted due to traffic conditions).

(c) The policies and procedures in this chapter are intended to supplement existing requirements. Nothing in this chapter will affect regulatory requirements. This chapter is not an adjudication or a regulation. This chapter establishes the framework within which the Department will exercise its administrative discretion. The Department reserves the discretion to deviate from this chapter if circumstances warrant.

(d) Letters of Local Determination do not apply to local authorities unless the local authority elects to enact an ordinance adopting the policies and procedures as such.

#### § 190.2. Definitions.

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

*Act 13*—The act of February 14, 2012 (P. L. 87, No. 13).

*At-risk industry sector*—Industry sectors defined by the Department of Labor and Industry as having experienced a 20% or more decline in Statewide employment between March 2002 and March 2011 and additional industry

sectors that the Department determines, in consultation with the Department of Labor and Industry, to show evidence of economic decline.

*Commercial establishment*—A place including the rooms, buildings and interior or exterior places where commodities or services are exchanged, bought or sold.

*Commercial site*—The location of a commercial establishment.

*Department*—The Department of Transportation of the Commonwealth.

*Develop*—The processes associated with conventional and unconventional oil and gas development.

*Extract*—The processes associated with gathering or removal of minerals, wind and other natural resources from the air, surface or subsurface, including, but not limited to, coal, stone, water and related site preparation, construction and onsite stockpiling.

*Harvest*—The processes associated with the cutting, gathering, stacking or removal of timber and other similar natural resources for future use, whether cultivated or wild, including, but not limited to, site excavation, grading and construction activities.

*Industry sector*—A sector included in the North American Industry Classification System.

*Natural resource*—

(i) Material from nature having potential economic value including, but not limited to, timber, minerals, oil, gas, wind and water.

(ii) The term does not include trees grown specifically for use in landscaping or as Christmas trees, or food crops, animals or animal products intended for human or animal consumption such as corn, wheat and milk.

*Permanent coal reprocessing or preparation plant*—

(i) One or more permanent facilities located adjacently on a single roadway where coal is delivered directly from the natural resource extraction site and is subjected to chemical or physical processing or cleaning, concentrating, or other processing or preparation. Stockpile or storage facilities located on the same posted highway as the processing facility may be included.

(ii) The term does not include ancillary facilities located separately from the initial processing facility site or at the coal extraction site.

*Permanent forest product processing mill*—

(i) One or more permanent facilities located adjacently on a single roadway where logs, pulpwood, wood chips or other forest products are delivered directly from the natural resource harvest site to undergo processing. Processing includes bark removal, sawing, resawing, slicing, chipping, pelletizing, edging, trimming, planing or machining.

(ii) The term includes log stockpile facilities.

(iii) The term does not include log landing sites or portable sawmills unless the portable sawmill has become permanently affixed to the real estate.

*Unconventional oil and gas development*—

(i) The activities associated with unconventional oil or gas well construction including site preparation and reclamation, drilling, completion and pipeline construction on oil and gas gathering pipelines, not including transmission and distribution pipelines.

(ii) The term shall be read consistently with “unconventional formation” and “unconventional gas well” as defined in Act 13.

(iii) The terms “gathering,” “transmission” and “distribution pipelines” shall be read consistently with the definitions of those terms in the Federal pipeline safety regulations of the United States Department of Transportation, Pipeline and Hazardous Materials Safety Administration in 49 CFR 192.3 (relating to definitions).

### § 190.3. Local traffic and Letters of Local Determination.

(a) *Self certification as local traffic.* A hauling activity, but not hauling activity related to natural resource development, harvesting or extraction, going to or coming from a site, may be self-certified as local traffic if it meets the definition of “local traffic” in § 189.2 (relating to definitions), the provisions of § 189.3(c) (relating to local traffic) or as specifically provided in 75 Pa.C.S. § 4902 (relating to restrictions on use of highways and bridges).

(1) An application to the Department or Letter of Local Determination is not necessary.

(2) If a completed application for a Letter of Local Determination is submitted by the hauler, the Department may, at its discretion, issue a Letter of Local Determination.

(3) Timber and coal local traffic routes are limited to only delivery or pickup of:

(i) Logs and other forest products on one or more posted highways required to travel to or from a permanent forest product processing mill to or from the nearest nonposted highway by the most direct route possible.

(ii) Coal on those posted roads required to travel to or from a permanent coal reprocessing and preparation plant to or from the nearest nonposted highway by the most direct route possible. Hauling in excess of a posted weight limit related to delivery or pickup of coal to or from permanent coal reprocessing and preparation plants may qualify as local only when the permanent coal reprocessing and preparation plant is not on the same posted highway as a site at which coal is extracted.

(b) *Criteria for local determination.* A hauling activity may qualify for a Letter of Local Determination under the following circumstances:

(1) *At-risk industry sector.*

(i) Hauling in excess of a posted weight limit related to an at-risk industry as defined in Act 13 will qualify as local:

(A) On highways bonded by unconventional oil and gas development companies.

(B) Upon submission of a completed application for a Letter of Local Determination.

(C) Provided that existing excess maintenance agreements and permits held by the requesting hauler for the requested highways are closed out in accordance with the terms of the excess maintenance agreement. The excess maintenance agreement and permits will not be closed out until repairs and final inspections are completed.

(ii) Hauling in excess of a posted weight limit related to an at-risk industry as defined in Act 13 which is not for highways bonded by unconventional oil and gas development companies may, at the Department’s discretion, qualify as local upon the submission and review of a completed application for a Letter of Local Determination in accordance with subsection (d).

(2) *De minimis operations.* Hauling activity may qualify as local if all of the following apply:

- (i) It cannot be self-certified under subsection (a).
- (ii) It is not related to an at-risk industry as defined in Act 13.
- (iii) The Department, upon the submission and review of a completed application for a Letter of Local Determination, determines the scale of hauling activity and nature of the business is not likely to cause damage to the highway requested in the application based on all of the following:

- (A) The type and amount of hauling activity.
- (B) The structure of the requested highway.
- (C) The availability and suitability of alternate highways in the region.

(3) *Unconventional oil and gas industry.*

(i) Hauling related to unconventional oil and gas development as defined in this chapter does not qualify for a Letter of Local Determination.

(ii) Hauling related to unconventional oil and gas industries may qualify for a Letter of Local Determination if, upon the submission and review of a completed application, the Department determines that:

- (A) The hauling is not related to unconventional oil and gas development.
- (B) The scale of the hauling activity is not likely to cause damage to the highway specified in the application based on the structure of the requested highway and the availability and suitability of alternate highways in the region.

(c) *Application for Letter of Local Determination.* A completed application for a Letter of Local Determination must contain the following information:

- (1) The type of business and industry sector code.
- (2) The type and weight of vehicle.
- (3) A list of the roads (State highways by segments and offsets or intersecting roads) to be used on the hauling highway.
- (4) The number and frequency of trips per day, week and month.
- (5) The time of year and dates and duration of expected hauling.
- (6) Other evidence showing that the hauler is engaged in hauling for an at-risk industry for the duration of the hauling.
- (7) Other information the Department may require.

(d) *Review of application for Letter of Local Determination.*

(1) In reviewing an application for a Letter of Local Determination, the Department may consider various factors including the following:

(i) Protection of the integrity of the Commonwealth's highways.

(ii) The existing pavement strength, including the condition, thickness and age.

(iii) The existing average daily truck traffic.

(iv) The number and type of expected additional over-posted-weight vehicles.

(v) The impact of the freeze-thaw cycle, including whether hauling activities are planned during the calendar period between approximately February 15th and April 15th during which times the temperature results in changes (weakening) to the structural strength of the road surface.

(vi) The total expected loading and historical roadway performance.

(2) The Department will determine and acknowledge receipt of the application as administratively complete if it contains the necessary information and documents. If the application is not administratively complete, the Department will return it to the applicant along with a written statement of the specific information or documents required for administrative completeness. Returned applications will be deemed denied if not resubmitted within 15 days.

(3) The Department will only evaluate the hauler's proposed highways based on the available State highway network. Weight-restricted municipal highways will not be evaluated by the Department. If the hauler's proposed highway includes a weight-restricted municipal highway, the hauler shall contact the proper local authority for permission to utilize that weight-restricted highway.

(e) *Issuance of a Letter of Local Determination.*

(1) The scope of a Letter of Local Determination will be based on the vehicles, highways and uses identified in the application.

(2) The Department may restrict the operation of vehicles and hauling for which a Letter of Local Determination is issued by time of day, date, location or use. Restrictions will be specified in the Letter of Local Determination.

(3) The term of a Letter of Local Determination will not be longer than 12 months from the date of issuance.

(4) Existing bonded permits held by the requesting hauler for the requested highway must be closed out in accordance with the terms of the excess maintenance agreement. The bonded permits will not be closed out until repairs and final inspections are completed. Letters of Local Determination are not valid during the freeze-thaw period. If desired, an excess maintenance agreement and or a security bond may be retained for issuance of a bonded permit during freeze-thaw periods or other restriction period.

[Pa.B. Doc. No. 15-2130. Filed for public inspection December 4, 2015, 9:00 a.m.]



# NOTICES

## DEPARTMENT OF AGRICULTURE

### Addendum to the Order of Quarantine; Spotted Lanternfly

#### Recitals

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

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

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

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

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

#### Order

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

#### 1. Establishment of Quarantine.

A quarantine is hereby established with respect to Douglass Township and Amity Township, Berks County.

This is in addition to, and does not replace, any townships and areas already subject to the Spotted Lanternfly Quarantine Order published at 44 Pa.B. 6947 issued Saturday, November 1, 2014, and any previous Addendums to that Quarantine Order.

#### 2. All Provisions Apply.

All of the provisions established in the Spotted Lanternfly Quarantine Order published at 44 Pa.B. 6947 issued Saturday, November 1, 2014, are hereby incorporated herein and made a part hereof this Addendum as if fully set forth herein and shall hereby be made applicable to Douglass Township and Amity Township, Berks County.

RUSSELL C. REDDING,  
Secretary

[Pa.B. Doc. No. 15-2131. Filed for public inspection December 4, 2015, 9:00 a.m.]

## DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

### Availability of the Commonwealth's Draft Analysis of Impediments to Fair Housing Choice and Summary of Recommendations; Public Hearing

The Department of Community and Economic Development (Department) is requesting public comment on the proposed Commonwealth's Analysis of Impediments to Fair Housing Choice (AI) with emphasis on the regions of this Commonwealth not receiving direct Federal funding from the United States Department of Housing and Urban Development (HUD) through the Community Development Block Grant (CDBG) or Federal Home Investment Partnership (HOME) programs.

This summary is designed to provide an opportunity for citizens, stakeholders, local governmental officials and interested organizations of this Commonwealth to comment about the AI and the recommendation to eradicate these impediments.

As a condition of receiving Federal funding from HUD, municipalities and states must certify that they are affirmatively furthering fairness and equal opportunity in housing for individuals and groups protected by the Federal Fair Housing Act of 1968 (42 U.S.C.A. §§ 3601—3631) and its amendments. Jurisdictions must meet this obligation by performing an AI as part of their consolidated planning process for housing and community development programs under 24 CFR Part 91 (relating to consolidated submissions for community planning and development programs). The AI is used to identify barriers to fair housing and to develop and implement strategies and actions to overcome these impediments.

The Department, as the Commonwealth's recipient HOME, Emergency Solutions Grant and CDBG program funds, has been designated as the Department responsible for the preparation of the AI.

### Content

This AI broadly analyzes actions and conditions that may have the effect of restricting housing choice for people protected under State and Federal fair housing laws. The AI not only identifies impediments to fair housing choice, but also makes recommendations to overcome the effects of those impediments and shall serve as the basis for fair housing planning, providing essential information to staff, policy makers, housing providers, lenders and fair housing advocates and assisting with garnering community support for fair housing efforts.

To address impediments identified in the study, the report offers a set of recommendations for consideration.

#### *Recommendation #1: Increase Public Awareness of Fair Housing Rights*

The Commonwealth could strengthen efforts to make the public aware of fair housing rights and further emphasize how reporting fair housing violations can have positive outcomes. This would include providing communities information on fair housing laws and policies, model zoning ordinances and advice from other communities that have succeeded in overcoming regulatory impediments to fair housing choice.

#### *Recommendation #2: Improve and Better Utilize Financial Assistance for Housing*

High housing costs and cost burdens to both buyers and renters can be reduced through financial assistance programs. The variety and volume of programs available to low/moderate-income persons is large. Realtors, lenders and rental property owners often do not know what is available and what the qualifications are for the various programs. All could benefit from more information on the availability of home financing and rental subsidy programs. In addition, Federally-supported programs could be better designed and targeted. The Commonwealth could provide more information and realign its housing finance policies to more directly confront housing affordability issues.

#### *Recommendation #3: Increase Access to Special Needs Housing*

The Commonwealth should gather more information of this emerging impediment and determine to the extent to which the available supply of supportive housing is limited. Further investigation may also be necessary of potential discriminatory practices reported in recent complaints. Promoting best practices for alternative types of special needs/elderly housing and considering policy changes may be in order. Shaping community attitudes as described in the first recommendation may also be necessary to confront this barrier.

#### *Recommendation #4: Strengthen Linkages between Transportation and Jobs*

As stated in the findings, inadequate access to and from employment centers and the availability of job opportunities where people live remains a barrier to fair housing. To address this impediment to fair housing choice, the Commonwealth can strengthen linkages between transportation and jobs. This would first entail examining linkages between transportation, jobs and housing. Incentives for transit oriented housing development in this Commonwealth have resulted in better linkages between transportation and jobs. Various State agencies could examine similar incentives that connect to jobs as well. Efforts could be made to link all three elements using those same incentives, jobs transportation and housing. The State government could also explore

and identify regional development opportunities that locate and provide access to jobs near where people live then share success stories with local governments.

#### *Recommendation #5: Strengthen Local Zoning Ordinances*

The Commonwealth could provide assistance to local governments to strengthen zoning ordinances to further fair housing. This could include help to identify and remove regulatory impediments, to promote fair share principles articulated in the Pennsylvania Municipalities Planning Code (53 P.S. §§ 10101—11202) and in case law, and to enact regulatory best practices that further fair housing such as inclusionary zoning provisions. Also, the Commonwealth could consider amendments to the Municipalities Planning Code to provide authority, currently lacking, for enactment of mandatory inclusionary zoning provisions.

#### *Public Review*

The Commonwealth's Draft AI is available on the Internet for public comment through January 6, 2016. The AI can be viewed at <http://community.newpa.com/library/>. Scroll to the bottom of the page for a quick link. The final plan will be made available again at these same locations following HUD approval. CD copies of the AI can be obtained by calling (717) 720-7404.

#### *Written Comments*

Comments may be electronically submitted to RA-DCEDcdbg&homequestions@pa.gov. Use "2015 AI Comments" as the subject line. Written comments should be submitted to Megan L. Snyder, Center for Community Financing, Department of Community and Economic Development, 400 North Street, 4th Floor, Commonwealth Keystone Building, Harrisburg, PA 17120-0225. Written comments must be received by close of business at 4 p.m. on January 6, 2016, to be included as testimony in the AI.

#### *Public Hearing*

A public hearing is scheduled for December 22, 2015, from 1:30 p.m. to 2:30 p.m. The public hearing will be conducted electronically by means of the Internet. The format will be more accessible in that persons who wish to make a comment may participate directly from their phone, personal computer or from any computer location that has Internet access, such as their public library.

Any individual or organization may give testimony or comments by means of the Internet. Comments will be accepted about topics related to the AI. The Commonwealth encourages public participation in this process.

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

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

DENNIS M. DAVIN,  
Secretary

[Pa.B. Doc. No. 15-2132. Filed for public inspection December 4, 2015, 9:00 a.m.]

# DEPARTMENT OF ENVIRONMENTAL PROTECTION

## Applications, Actions and Special Notices

### APPLICATIONS

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

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

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

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

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

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

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

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

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

#### I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0063428 (Sewage)	Tuthill Corporation Blue Mountain Ski Area 1660 Blue Mtn Drive Palmerton, PA 18071	Carbon County Lower Towamensing Township	Aquashicola Creek (2-B)	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 &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0209481 (Sewage)	DHH Properties LLC 342 Voyzey Road Philpsburg, PA 16866-0683	Clearfield County Decatur Township	Shimel Run (8-D)	Y
PA0228095 (Industrial Wastewater)	Tulpehocken Spring Water Co. 750 Point Township Drive Northumberland, PA 17857-8789	Northumberland County Point Township	Unnamed Stream (5-E)	Y
PA0045969 (Industrial Waste)	Sunoco Partners Marketing & Terminals L.P. 1314 Point Township Drive Northumberland, PA 17857	Northumberland County Point Township	Unnamed Tributary of Susquehanna River (5-E)	Y
PA0228320 (Sewage)	Davidson Township Municipal Authority Wastewater Treatment Plant 32 Michelle Road Sonestown, PA 17758-5358	Sullivan County Davidson Township	Muncy Creek (10-D)	Y
PA0041131 (Sewage)	Columbia Montour Area Vocational Technical School 5050 Sweppenheiser Drive Bloomsburg, PA 17815-8920	Columbia County South Centre Township	Unnamed Tributary to Susquehanna River (5-D)	Y
PA0112747 (Sewage)	Mahaffey Borough Municipal Authority Wastewater Treatment Plant SR 219 Mahaffey, PA 15757	Clearfield County Mahaffey Borough	West Branch Susquehanna River (8-B)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0093033 (Sewage)	Elderton STP Cemetery Road Elderton, PA 15736-0262	Armstrong County Elderton Borough	Unnamed Tributary of Crooked Creek (17-E)	Y
PA0217573 (MIIW1)	Penn Avenue Place 501—515 Penn Avenue Pittsburgh, PA 15222	Allegheny County Pittsburgh City	Allegheny River (18-A)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0221848 (Sewage)	Willow Bay Recreation Area STP Route 346 Bradford, PA 16701	McKean County Corydon Township	Willow Creek (16-B)	Y
PA0100676 (Sewage)	Temple Grove Campground 347 Hamburg Road Transfer, PA 16154	Mercer County Delaware Township	Shenango River (20-A)	Y
PA0101702 (Sewage)	Rocky Ridge Village MHP Oak Grove Road Franklin, PA 16323	Venango County Sandycreek Township	Unnamed Tributary to Ditzenberger Run (16-G)	Y
PA0263788 (sewage)	James Hitchcock SFTF 5844 US 62 Tionesta, PA 16253	Venango County President Township	Unnamed Tributary to Allegheny River (16-E)	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*

**PA0058769**, SIC Code 5999, **Laura Biordi**, 538 South New Middletown Road, Media, PA 19063. Facility Name: Former Wawa Food Market No. 133 GWCU. This existing facility is located in Middletown Township, **Delaware County**.

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

The receiving stream, Unnamed Tributary to Rocky Run, is located in State Water Plan watershed 3-G 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 limits for Monitoring Point 101 are based on a design flow of 0.003 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Instant. Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
pH (S.U.) Influent	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids Influent	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	10	20	25
Oil and Grease Influent	XXX	XXX	XXX	ND	ND	ND
Dissolved Iron Influent	XXX	XXX	XXX	Report	XXX	XXX
Dissolved Iron	XXX	XXX	XXX	0.23	0.35	0.46
Ethylbenzene (µg/L) Influent	XXX	XXX	XXX	ND	ND	ND
Benzene (µg/L) Influent	XXX	XXX	XXX	Report	XXX	XXX
Benzene (µg/L)	XXX	XXX	XXX	ND	ND	ND
Total BTEX (µg/L) Influent	XXX	XXX	XXX	Report	XXX	XXX
Tetrachloroethylene (µg/L) Influent	XXX	XXX	XXX	Report	XXX	XXX
Tetrachloroethylene (µg/L)	XXX	XXX	XXX	ND	ND	ND
Toluene (µg/L) Influent	XXX	XXX	XXX	Report	XXX	XXX
Toluene (µg/L)	XXX	XXX	XXX	ND	ND	ND
Trichloroethylene (µg/L) Influent	XXX	XXX	XXX	Report	XXX	XXX
Trichloroethylene (µg/L)	XXX	XXX	XXX	ND	ND	ND
Total Xylenes (µg/L) Influent	XXX	XXX	XXX	Report	XXX	XXX
Total Xylenes (µg/L)	XXX	XXX	XXX	ND	ND	ND
MTBE (µg/L) Influent	XXX	XXX	XXX	Report	XXX	XXX
MTBE (µg/L)	XXX	XXX	XXX	ND	ND	ND

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

- A. Acquire Necessary Property Rights
- B. Proper Sludge Disposal
- C. WQM Permit Requirement
- D. ELG Reopener
- E. Influent Sampling
- F. TMDL/WLA Analysis
- G. Non Detectable Effluent Limits

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.

**PA0055697**, Sewage, SIC Code 6515, **TAD Facilities Limited**, 628 Telegraph Road, Coatesville, PA 19320-1034. Facility Name: Spring Run Estates. This existing facility is located in 628 Telegraph Road, Coatesville, PA 19320 in West Caln Township, **Chester 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), West Branch Brandywine Creek, is located in State Water Plan watershed 3-H and is classified for High Quality—Trout Stocking Fishes (HQ-TSF), aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Instant. Minimum	Instant. Minimum	Average Monthly	Instant. Maximum
Flow (MGD)	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX
CBOD <sub>5</sub>	10.2	XXX	XXX	25	50
Total Suspended Solids	12.2	XXX	XXX	30	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	1,000
UV Transmittance (%)	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	Report
Total Nitrogen	4.0	XXX	XXX	10	20
Ammonia-Nitrogen					
May 1 - Oct 31	0.62	XXX	XXX	1.5	3.0
Nov 1 - Apr 30	1.86	XXX	XXX	4.5	9.0
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	Report
Total Phosphorus	0.82	XXX	XXX	2.0	4.0

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

- I. Other Conditions
  - A. No Stormwater
  - B. Acquire Necessary Property Rights
  - C. Proper Sludge Disposal
  - D. Abandon STP when Municipal Sewers Available
  - E. Notification of Designation of Operator
  - F. Remedial Measures if Unsatisfactory Effluent
  - G. Instantaneous Maximum Limitations
  - H. Twice per Month Sampling

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.

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

**PA0255025**, **Cole Kenneth**, 3630 Gibsonia Road, Gibsonia, PA 15044. Facility Name: Kenneth Cole SRSTP. This proposed facility is located in Richland Township, **Allegheny County**.

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

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

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

Parameters	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Minimum	Minimum	Average Monthly	Instant. Maximum
Flow (MGD)	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	Report	Report
CBOD <sub>5</sub>	XXX	XXX	XXX	10	20
Total Suspended Solids	XXX	XXX	XXX	10	20
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	200
				Geo Mean	Geo Mean

The EPA Waiver is in effect.

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

**PA0264148**, Sewage, SIC Code 8800, **Pamela Forsyth**, 4551 Greenlee Road, McKean, PA 16426. Facility Name: Pamela Forsyth SRSTP. This proposed facility is located in McKean Township, **Erie County**.

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

The receiving stream(s), Unnamed Tributary to Lamson Run, is located in State Water Plan watershed 15-A and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>		<i>Minimum</i>	<i>Average Monthly</i>		
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	Report	XXX	XXX
BOD <sub>5</sub>	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		

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

The EPA Waiver is in effect.

**PA0264067**, Sewage, SIC Code 8800, **Richard E. Clark**, 214 West 5th Avenue, Warren, PA 16365. Facility Name: East Lake Road SFTF. This proposed facility is located in North East Township, **Erie County**.

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

The receiving stream, Lake Erie, is located in State Water Plan watershed 15-A, and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0008 MGD.

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

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

The EPA Waiver is in effect.

**PA0264156**, Sewage, SIC Code 8800, **Covatto Thomas G**, 8121 Route 99, Erie, PA 16509. Facility Name: Thomas Covatto SRSTP. This proposed facility is located in Summit Township, **Erie County**.

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

The receiving stream, an unnamed tributary to Walnut Creek, is located in State Water Plan watershed 15 and is classified for cold water and migratory fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>		<i>Minimum</i>	<i>Average Monthly</i>		
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	Report	XXX	XXX
BOD <sub>5</sub>	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	XXX
				Geo Mean		

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

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

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

The EPA Waiver is in effect.

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

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

**WQM Permit No. 4615407**, Sewage, **Borough of Conshohocken Authority**, 601 East Elm Street, Conshohocken, PA 19428.

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

Description of Action/Activity: Odor Control System.

**WQM Permit No. WQG02151511**, Sewage, **London Grove Township Municipal Authority**, 372 Rose Hill Road, Suite 300, West Grove, PA 19311.

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

Description of Action/Activity: Sanitary sewer pumping station to serve a 45-lot residential development.

**WQM Permit No. 4615409**, Sewage, **Whitemarsh Township Authority**, P.O. Box 447, Lafayette Hill, PA 19444.

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

Description of Action/Activity: Replacement of 8 inch gravity sewers with 10 & 12 inch sewers for increased flows.

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

**WQM Permit No. 1315401**, Sewage, **Jim Thorpe Borough Carbon County**, 101 East Tenth St, Jim Thorpe, PA 18229-1427.

This proposed facility is located in Jim Thorpe Borough, **Carbon County**.

Description of Proposed Action/Activity: Plant upgrade project for the existing Jim Thorpe Wastewater Treatment Plant.

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

**WQM Permit No. 2294412, Amendment No. 1**, Sewerage, **Hershey Conewago Recreaground, LLC**, PO Box 449, Hershey, PA 17033.

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

Description of Proposed Action/Activity: Seeking permit approval for the removal and replacement of wastewater treatment plant components that are nearing the end of their useful life. These components include the headworks, and equalization tank, two extended aeration treatment units, the intermittent sand filter dosing tank, and the chlorine contact tank. Existing components that will be rehabilitated and reused as part of this project include the intermittent sand filter beds and miscellaneous equipment. The wastewater treatment plant capacity of the new facility will not change as part of this project.

*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.

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

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

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



**WQM Permit No. 0285406 A-2**, Sewage, **Pleasant Hills Authority Allegheny County**, 610 Old Clairton Rd., Pittsburgh, PA 15236.

This existing facility is located in Pleasant Hills Borough, **Allegheny County**.

Description of Proposed Action/Activity: Modifications to the Pleasant Hills Sewage Treatment Plant to enable the facility to treat a peak wet weather flow of 25 MGD.

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 sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

**WQM Permit No. 0275217 A-3**, Industrial Waste, **Shenango Inc.**, 200 Neville Rd., Pittsburgh, PA 15225-1690.

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

Description of Proposed Action/Activity: Installation of an oil skimmer system.

**WQM Permit No. 0215418**, Sewage, **Kenneth Cole**, 3630 Gibsonia Rd., Gibsonia, PA 15044.

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

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant to replace existing treatment system.

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

**WQM Permit No. 6215410**, Sewage, **Robert K McClain**, 1310 Thompson Hill Road, Russell, PA 16345.

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

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

**WQM Permit No. 6215411**, Sewage, **Peggy A Pollock**, 6048 Route 666, Sheffield, PA 16347.

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

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

**WQM Permit No. 6215412**, Sewage, **Jodi Holland**, 61 Venango Street, Johnstown, PA 15905.

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

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

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

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI024815011	Marc Kranson 523 Walnut Street Allentown, PA 18101	Northampton	Moore Township	East Branch Monocacy Creek (HQ-CWF, MF)

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

Permit #	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI032915003	New Enterprise Stone & Lime Co., Inc. PO Box J Chambersburg, PA 17202	Fulton	Brush Creek Township	Little Brush Creek via UNT  Designated Use of Water HQ-CWF  Existing Use of Water None Shown

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

*Clinton County Conservation District: 45 Cooperation Lane, Mill Hall, PA 17751, (570) 726-3798*

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI041810002(1)R	Donald Dunkle 95 Cedar Heights Mill Hall, PA 17751	Clinton	Lamar Township	UNT Fishing Creek HQ-CWF

Clinton County Conservation District: 45 Cooperation Lane, Mill Hall, PA 17751, (570) 726-3798

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI 041815002	Brian Wynn 1847 East Valley Road Loganton, PA 17747	Clinton	Greene Township	Mill Creek HQ

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

PAG-12 CAFOs

### CAFO Notices of Intent Received

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

**NPDES Permit No. PAG124852**, CAFO, **Country View Family Farms, LLC**, 1301 Fulling Mill Road, Suite 3000, Middletown, PA 17057.

This proposed facility is located in Deerfield Township, **Tioga County**.

Description of size and scope of proposed operation/activity: The facility is comprised of approximately 5,387 Sows, 960 Sows with litters, 15 Boars, and 2,360 Gilts. There are a total of 2,978.55 AEU's.

The receiving streams, Unnamed Tributary to Yarnell Brook and Unnamed Tributary to Cowanesque River, are in watershed 4-A and classified for: Warm Water Fishes.

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

## PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

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

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

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

## SAFE DRINKING WATER

### Applications Received Under the Pennsylvania Safe Drinking Water Act

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

<b>Permit No. WA-09-1009</b> , Public Water Supply	
Applicant	<b>Warminster Municipal Authority</b>
Township	Warminster
County	<b>Bucks</b>
Responsible Official	Warminster Municipal Authority 415 Gibson Avenue Warminster, PA 18974
Type of Facility	PWS
Consulting Engineer	CKS Engineering, Inc. 88 South Main Street Doylestown, PA 18901
Application Received Date	October 13, 2015
Description of Action	Subsidiary water allocation to supply water from North Wales Water Authority to Warminster Municipal Authority.

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

<b>Permit No. 2515505</b> , Public Water Supply	
Applicant	<b>Erie City Water Authority</b>
Township or Borough	Millcreek Township
County	<b>Erie</b>
Responsible Official	Craig H. Palmer, P.E.



Type of Facility	Public Water Supply	Consulting Engineer	Harry E. Garman, P.E. Barry Isett & Associates 85 South Route 100 Allentown, PA 18106
Consulting Engineer	Chad J. Ellsworth, P.E. Erie Water Works 240 West 12th Street Erie, PA 16501	Application Received Date	11/12/2015
Application Received Date	November 10, 2015	Description of Action	Application submittal includes the installation of chlorine contact piping and a Groundwater Rule Demonstration Study to achieve 4-log inactivation of viruses per the Groundwater Rule.
Description of Action	Permitting of Asbury Tanks Booster Station and associated bulk sodium hypochlorite feed system, permitting of Caughey Booster Station, permitting of Grubb Road Booster Station, additional information for Henderson Booster Station, additional information for Lancaster Booster Station and permitting of Peach Street Booster Station.	<b>Application No. 6615502MA</b> , Public Water Supply.	

#### MINOR AMENDMENT

#### Applications Received Under the Pennsylvania Safe Drinking Water Act

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

#### Application No. 4515510MA, Minor Amendment.

Applicant	<b>Brodhead Creek Regional Authority</b> 410 Mill Creek Rd. East Stroudsburg, PA 18301
[Township or Borough]	Stroud Township, <b>Monroe County</b>
Responsible Official	Ken Brown, Manager Brodhead Creek Regional Authority 410 Mill Creek Rd. East Stroudsburg, PA 18301
Type of Facility	Public Water Supply
Consulting Engineer	Harry Bingaman, P.E. Glace Associates, Inc. 3705 Trindle Rd. Camp Hill, PA 17011
Application Received Date	11/09/2015
Description of Action	Replacement of chemical metering pumps for soda ash addition.

#### Application No. 1315503MA, Minor Amendment.

Applicant	<b>Blue Mountain Ski Resort</b> P.O. Box 16 1660 Blue Mountain Drive Palmerton, PA 18071
[Township or Borough]	Lower Towamensing Township, <b>Carbon County</b>
Responsible Official	James Dailey, General Manager Blue Mountain Ski Resort P.O. Box 16 1660 Blue Mountain Drive Palmerton, PA 18071
Type of Facility	Public Water Supply

Applicant	<b>Tunkhannock Hospital Company LLC</b>
[Township or Borough]	Tunkhannock Township, <b>Wyoming County</b>
Responsible Official	Diane Ljungquist Tunkhannock Hospital Company LLC 5950 S.R. 6 Tunkhannock, PA 18657 570-836-4569
Type of Facility	PWS
Consulting Engineer	Francis Mark Voyack Quad Three Group, Inc. 37 North Washington Street Wilkes-Barre, PA 18701
Application Received Date	11/12/2015
Description of Action	Addition of three connections to the 70,000 gallon tank for fire pump, fire hydrant and emergency fill line.

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

#### Application No. 0214505MA-1, Minor Amendment.

Applicant	<b>Pennsylvania American Water Company</b> 800 West Hersheypark Drive Hershey, PA 17033
[Township or Borough]	North Strabane Township
Responsible Official	David R. Kaufman, Vice-President of Engineering Pennsylvania American Water Company 800 West Hersheypark Drive Hershey, PA 17033
Type of Facility	Water system
Consulting Engineer	Bankson Engineers, Inc. 267 Blue Run Road Suite 200 Cheswick, PA 15024
Application Received Date	November 12, 2015
Description of Action	Installation of approximately 889 feet of waterline along Cheslock Road.

**Application No. 0214517MA-1, Minor Amendment.**

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

[Township or Borough] Chartiers Township

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

Type of Facility Water system

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

Application Received Date November 12, 2015

Description of Action Installation of approximately  
2,550 feet of waterline along  
Gretna Road.

**Application No. 0214515MA-1, Minor Amendment.**

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

[Township or Borough] Chartiers Township

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

Type of Facility Water system

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

Application Received Date November 12, 2015

Description of Action Installation of approximately 200  
feet of waterline along Cain  
Road.

**Application No. 0214512MA-1, Minor Amendment.**

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

[Township or Borough] Chartiers Township

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

Type of Facility Water system

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

Application Received Date November 12, 2015

Description of Action Installation of approximately  
1,345 feet of waterline along  
McConnells Mills Road.

**Application No. 0214518MA-1, Minor Amendment.**

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

[Township or Borough] Chartiers and Mount Pleasant  
Townships

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

Type of Facility Water system

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

Application Received Date November 12, 2015

Description of Action Installation of approximately 736  
feet of waterline along  
Washington Avenue.

**LAND RECYCLING AND  
ENVIRONMENTAL REMEDIATION  
UNDER ACT 2, 1995  
PREAMBLE 1**

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

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

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

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

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

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

**Lee Knepp Residence**, 10 Bird Haven Place, McVeytown, Oliver Township, **Mifflin County**. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of State Farm Insurance, PA Fire Claims, PO Box 106110, Atlanta, GA 30348-6110; Lee Knepp, 10 Bird Haven Place, McVeytown; and Barbara and Thomas Sollers, 15 Bird Haven Place, PO Box 68, McVeytown, PA 17051, submitted a Notice of Intent to Remediate site soils contaminated with fuel oil. The site will be remediated to the Residential Statewide Health Standard, and will remain residential. The Notice of Intent to Remediate was published in *The Sentinel* on October 29, 2015.

*Southwest Region: Environmental Cleanup & Brownfield Development Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

**Monro Muffler Brake, Inc. (formerly) and a.k.a. Cumberland Farms & Speedy Muffler King**, 5531 Penn Avenue, City of Pittsburgh, **Allegheny County**. Elliott Engineering Solutions, 540 Packetts Landing, Fairport, NY 14450 on behalf of LG Realty Advisors, Inc., 535 Smithfield Street, Suite 900, Pittsburgh, PA 15222 has submitted a Notice of Intent to Remediate to meet a combination of residential/non-residential Statewide Health and Site Specific standards for site soil contaminated with tetrachloroethene (PCE) and arsenic and site groundwater contaminated with PCE. Intended future use of the property is residential/non-residential. Notice of the NIR was published in the *Pittsburgh Post-Gazette* on November 4, 2015.

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

**George Woodward Company**, 6500 Wissahickon Avenue, City of Philadelphia, **Philadelphia County**. Andy Meadows, J&J Environmental Inc., P.O. Box 370, Blue Bell, PA 19422 on behalf of Barbara Baumbach, George Woodward Company, 6500 Wissahickon Avenue, Philadelphia, PA 19119-3722 has submitted a Notice of Intent to Remediate. Soil the site has been impacted with the release of no. 4 fuel oil. The future use will remain as an apartment building. The Notice of Intent to Remediate was published in *The Review* on September 9, 2015. PF805632.

**Montague Residence**, 442 Brookside Avenue, Lower Gwynedd, **Montgomery County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Ed Applegate, State Farm Insurance, PA Fire Claims, P.O. Box 10611, Atlanta, GA 30348-6110 on behalf of Scot Montague, 422 Brookside Avenue, Ambler, TX 19002 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of no. 2 fuel oil. The intended future use of the site is residential. The Notice of Intent to Remediate was published in *The Ambler Gazette* on October 21, 2015. PF805852.

**Moliettiere Residence**, 3 South Ester Drive, Richland Township, **Bucks County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Katy DiPasquale, Liberty Mutual, 100 Liberty Way, Dover, NH 03820, Frank Lynch, EnviroLink, Inc., 165 Daleville Road, Cochranville, PA 19330, on behalf of Mr. Dave and Mrs. Pauline Moliettiere, 3 South Ester Drive, Quakertown, PA 18951, Melody Lakes Mobile Home Park, Melody Lakes Management LLC, Ellen Schray, 1045 North West End Blvd, Lot 600, Quakertown, PA 18951 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The current use and proposed future use of the property is residential. The Notice of Intent to Remediate was published in *The Bucks County Courier Times* on August 28, 2015. PF805861.

**Brookhaven Shopping Center**, 3304—3700 Edgmont Avenue, Brookhaven Borough, **Delaware County**. Thomas Petrecz, Penn E&R, Inc., 2755 Bergey Road, Hatfield, PA 19440, Darryl D. Borrelli, Manko, Gold, Katcher, & Fox, LLP, 401 City Avenue, Suite 901, Bala Cynwyd, PA 19004 on behalf of John Segal, Luis Fine, Jane Segal, Merrill Sporkin and Odette Steinberg, t/a Brookhaven Shopping Center, 390 Street, Charles Way, York, PA 17402 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of chlorinated vocs. The proposed future use of the property will be non-residential for its continued use as a shopping center. The Notice of Intent to Remediate was published in *The Delaware County Daily Times* on October 13, 2015. PF805633.

**Henkel**, 300 Brookside Avenue, Lower Gwynedd Township, **Montgomery County**. John M. (Jay) Ash, P.G., AMO Environmental Decisions, 4327 Point Pleasant Pike, P.O. Box 410, Danboro, PA 18916 on behalf of Edward Vanyo, BASF Corporation, 100 Park Avenue, Florham Park, NJ 07932 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of other organics. The intended use of the parcel is non-residential. The Notice of Intent to Remediate was published in *The Ambler Gazette* on October 20, 2015. PF618527.

**111 East Lancaster Avenue**, 111 East Lancaster Avenue, Downingtown Borough, **Chester County**. Staci Cottone, J&J Environmental Inc., P.O. Box 370, Blue



Bell, PA 19422 on behalf of Robert Bruce Balbirnie, Downingtown Investment Associational, 1330 North Avignon Drive, Gladwyne, PA 19035 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 heating oil. The property will be residential/commercial. The Notice of Intent to Remediate was published in the *Daily Local News* on November 3, 2015. PF775536.

**Flint Property**, 730 Wheatland Street, Borough of Phoenixville, **Chester County**. Alexander Ulmer, Barry Isett & Associates, 1003 Egypt Road, Phoenixville, PA 19460 on behalf of Steve Kambivc, Petra Community Housing, 201 Main Street, Spring City, PA 19475 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of other organics. The proposed future use of the property will be both residential and non-residential for community accessible housing. The Notice of Intent to Remediate was published in the *Phoenix Reporter & Item* on November 8, 2015. PF806062.

**Corona Corporation**, 820 Main Street, Red Hill Borough, **Montgomery County**. Andrew Markoski, Patriot Environmental Management, LLC, P. O. Box 629, Douglassville, PA 19518, Harriet Litz, Esq., Corona Corporation, 598 Main Street, P. O. Box 24, Red Hill, PA 18076 on behalf of Betty Lou Gerlach, 820 Main Street, P. O. Box 24, Red Hill, PA 18076 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of unleaded gasoline. The future use of the property will remain the same. A Notice of Intent to Remediate was published in the *Mercury Digital* on October 19, 2015. PF805973.

**Coventry House Inc.** 7301 Coventry Avenue, Cheltenham Township, **Montgomery County**. Brian Evan, B&B Diversified Enterprises, Inc., P. O. Box 70, Barto, PA 19504 on behalf of Judah Labovitz, Coventry House, Inc., 7301 Coventry Avenue, Melrose Park, PA 19027 has submitted a Notice of Intent to Remediate. Groundwater at the site has been impacted with the release of no. 2 fuel oil. The proposed future use of the property will be residential. The Notice of Intent to remediate was published in the *Times Chronicle/Glenside News* on June 14, 2015. PF 700807.

**709—719 South 50th Street**, 709—719 South 50th Street, City of Philadelphia, **Philadelphia County**. David Schantz, PG, Aquaterra Technologies, Inc., 122 South Church Street, West Chester, PA 19382 on behalf of George Korein, RKP B, LLC, 340 Central Park South, Unit 2D, NY, NY 10019 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of unleaded gasoline. The future use of the property will be non-residential, though some residential use is possible. The Notice of Intent to remediate was published in the *Metro* on November 3, 2015. PF805863.

**Wawa Food Market No. 265**, 1038 Darby Road (aka 100 Darby Road & Manoa Road), Haverford Township, **Delaware County**. Will Avery, Leggett, Brashears & Graham, Inc., 901 South Bolmar Street, Suite B, West Chester, PA 19382, Matt Stebbins, Leggett, Brashears & Graham, Inc., 901 South Bolmar Street, Suite B, West Chester, PA 19382 on behalf of Joseph Standen, Wawa, Inc., 260 West Baltimore Pike, Wawa, PA 19063 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of unleaded gasoline. The future use of the site will remain Wawa food store (no fuel storage). The Notice

of Intent to Remediate was published in the *Daily Times* on October 27, 2015. PF805157.

**Brigadoon Tract**, Calcon Hook Road, Darby Township, **Delaware County**. Robert Goldman, TRC Environmental Corporation, 1601 Market Street, Suite 2555, Philadelphia, PA, 19103, Michael Edelman, TRC Environmental Corporation, 1601 Market Street, Suite 2555, Philadelphia, PA 19103 on behalf of Brain W. Coyle, Brigaloon, Inc., 112 Chesley Drive, Suite 200, Media, PA has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of gasoline constituents. The proposed future use of the property will be for industrial or commercial purposes. The Notice of Intent to Remediate was published in the *Delaware County Daily Times* on October 24, 2015. PF689145.

#### RESIDUAL WASTE GENERAL PERMITS

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

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

**General Permit Application No. WMGR152. Keystone Holdings, LLC**, 185 Devonshire Street, Unit 503, Boston, MA 02110; Site: 2850 Appleton Street, Suite E, Camp Hill, PA 17011-8036. The application proposes processing of crude glycerin from biodiesel production facilities to reclaim methanol, glycerin and free fatty acids. The application was determined to be administratively complete by Central Office on July 28, 2015.

Written comments concerning the application should be directed to Scott E. Walters, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Comments may also be submitted via e-mail at ra-epbenuseall@pa.gov. When submitting comment via e-mail, place "Comments on WMGR152" in the subject line. Faxed comments will not be accepted. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

#### DETERMINATION FOR APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

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

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

**General Permit No. WMGR111SW001. Champion Processing, Inc.**, P.O. Box 1073 Coraopolis, PA 15108. The General Permit for the beneficial use of stabilized FGD-gypsum material for mine reclamation by placement

at active or abandoned mine sites in Robinson Township, **Washington County**. The application for determination of applicability was deemed administratively complete by the Southwest Regional Office on November 17, 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.

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

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

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

**36-05076A: Lancaster General Hospital** (555 North Duke Street, Lancaster, PA 17604) for the installation of a 3.5 MW Solar Turbines Centaur 40-4700S natural gas fired combustion turbine and two (2) 2,937 bhp Caterpillar 3526C diesel fired emergency engines in the City of Lancaster, **Lancaster County**. The turbine will be equipped with a heat recovery steam generator (HRSG), low NO<sub>x</sub> option mode (SoLoNO<sub>x</sub>) and a BASF Corporation CAMET oxidation catalyst. Potential emissions from the project are estimated to be 14.0 tpy CO, 30.1 tpy NO<sub>x</sub>, 3.7 tpy PM<sub>10</sub>/PM<sub>2.5</sub>, 0.7 tpy SO<sub>x</sub>, 7.8 tpy VOC, 1.1 tpy of a single HAP (formaldehyde), and 1.3 tpy of combined HAPs. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 123.13, 123.21, 127.1 and 127.12, 40 CFR 60, Subpart KKKK—Standards of Performance for Stationary Combustion Turbines and 40 CFR 60, Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines. Based on these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval will be incorporated into an operating permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

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

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

**59-00032A: Niles Valley Energy, LLC** (6051 Wallace Road Extension, Suite 100, Wexford, PA 15090) for the construction of three (3) 9,708 bhp (7.2 MWs) 4 stroke, lean burn Rolls Royce Bergen B-35:40-V16AG-2 natural gas-fired engine/generator sets, each equipped with both catalytic oxidation and selective catalytic reduction (SCR),



at the proposed electric generating station located in Charleston Township, **Tioga County**. The facility will also include one (1) 0.64 MMBtu/hour natural gas-fired natural gas line heater; three (3) storage tanks ranging in size from 2,600 gallons to 6,000 gallons; one (1) desiccant dehydration system; various fugitive emissions. The Department of Environmental Protection's (Department) review of the information submitted by Niles Valley Energy, LLC indicates that the air contamination sources to be constructed will comply with all regulatory requirements, including monitoring, recordkeeping, and reporting requirements, and pertaining to air contamination sources and the emission of air contaminants including the National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, 40 CFR Sections 63.6580—63.6675, the Standards of Performance for Stationary Spark Ignition Internal Combustion Engines, 40 CFR Sections 60.4230—60.4248, the Mandatory Greenhouse Gas Reporting Rule, 40 CFR Part 98, 25 Pa. Code Chapter 123 and the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction.

The emissions from each proposed engine included in this project will not exceed the following limits: 0.058 g/bhp-hr and 5.44 TPY NO<sub>x</sub>, 0.114 g/bhp-hr and 10.69 TPY CO, 0.037 g/bhp-hr and 3.47 TPY VOCs, 0.0006 lb/MMBtu and 0.13 TPY SO<sub>x</sub>, 0.050 g/bhp-hr and 4.67 TPY PM/PM<sub>10</sub>/PM<sub>2.5</sub>, 0.0009 g/bhp-hr and 0.84 TPY formaldehyde, 10 ppmvd at 15% O<sub>2</sub> ammonia; no visible emissions equal to or greater than 10% for a period or periods aggregating more than three minutes in any 1 hour and equal to or greater than 30% at any time. In addition to the emission limitations, the following is a brief description of the types of conditions the Department intends to place in the plan approval in order to ensure compliance with all applicable air quality regulatory requirements: performance testing requirement for all engines to verify compliance with the emissions limitations; establish a facility-wide leak detection and repair (LDAR) program to account for fugitive emissions from high pressure connections; restrict the engines to natural gas firing only; in addition to performance testing, establish follow-up portable analyzer testing for NO<sub>x</sub> and CO for all engines every 2,500 hours of operation.

The facility is a State Only facility. If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 59-00032A, the applicant will subsequently apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

**08-00054A: Wolf Run Energy, LLC** (6051 Wallace Road Extension, Suite 100, Wexford, PA 15090) for the construction of three (3) 9,708 bhp (7.2 MWs) 4 stroke, lean burn Rolls Royce Bergen B-35:40-V16AG-2 natural gas-fired engine/generator sets, each equipped with both catalytic oxidation and selective catalytic reduction (SCR), at the proposed electric generating station located in Wilmot Township, **Bradford County**. The facility will also include one (1) 0.64 MMBtu/hour natural gas-fired natural gas line heater; three (3) storage tanks ranging in size from 2,600 gallons to 6,000 gallons; one (1) desiccant

dehydration system; various fugitive emissions. The Department of Environmental Protection's (Department) review of the information submitted by Wolf Run Energy, LLC indicates that the air contamination sources to be constructed will comply with all regulatory requirements, including monitoring, recordkeeping, and reporting requirements, and pertaining to air contamination sources and the emission of air contaminants including the National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, 40 CFR Sections 63.6580—63.6675, the Standards of Performance for Stationary Spark Ignition Internal Combustion Engines, 40 CFR Sections 60.4230—60.4248, the Mandatory Greenhouse Gas Reporting Rule, 40 CFR Part 98, 25 Pa. Code Chapter 123 and the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction.

The emissions from each proposed engine included in this project will not exceed the following limits: 0.058 g/bhp-hr and 5.44 TPY NO<sub>x</sub>, 0.114 g/bhp-hr and 10.69 TPY CO, 0.037 g/bhp-hr and 3.47 TPY VOCs, 0.0006 lb/MMBtu and 0.13 TPY SO<sub>x</sub>, 0.050 g/bhp-hr and 4.67 TPY PM/PM<sub>10</sub>/PM<sub>2.5</sub>, 0.0009 g/bhp-hr and 0.84 TPY formaldehyde, 10 ppmvd at 15% O<sub>2</sub> ammonia; no visible emissions equal to or greater than 10% for a period or periods aggregating more than three minutes in any 1 hour and equal to or greater than 30% at any time. In addition to the emission limitations, the following is a brief description of the types of conditions the Department intends to place in the plan approval in order to ensure compliance with all applicable air quality regulatory requirements: performance testing requirement for all engines to verify compliance with the emissions limitations; establish a facility-wide leak detection and repair (LDAR) program to account for fugitive emissions from high pressure connections; restrict the engines to natural gas firing only; in addition to performance testing, establish follow-up portable analyzer testing for NO<sub>x</sub> and CO for all engines every 2,500 hours of operation.

The facility is a State Only facility. If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 08-00054A, the applicant will subsequently apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

**08-00055A: Mill Creek Energy, LLC** (6051 Wallace Road Extension, Suite 100, Wexford, PA 15090) for the construction of three (3) 9,708 bhp (7.2 MWs) 4 stroke, lean burn Rolls Royce Bergen B-35:40-V16AG-2 natural gas-fired engine/generator sets, each equipped with both catalytic oxidation and selective catalytic reduction (SCR), at the proposed electric generating station located in Granville Township, **Bradford County**. The facility will also include one (1) 0.64 MMBtu/hour natural gas-fired natural gas line heater; three (3) storage tanks ranging in size from 2,600 gallons to 6,000 gallons; one (1) desiccant dehydration system; various fugitive emissions. The Department of Environmental Protection's (Department) review of the information submitted by Mill Creek Energy, LLC indicates that the air contamination sources to be constructed will comply with all regulatory requirements,

including monitoring, recordkeeping, and reporting requirements, and pertaining to air contamination sources and the emission of air contaminants including the National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, 40 CFR Sections 63.6580—63.6675, the Standards of Performance for Stationary Spark Ignition Internal Combustion Engines, 40 CFR Sections 60.4230—60.4248, the Mandatory Greenhouse Gas Reporting Rule, 40 CFR Part 98, 25 Pa. Code Chapter 123 and the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction.

The emissions from each proposed engine included in this project will not exceed the following limits: 0.058 g/bhp-hr and 5.44 TPY NO<sub>x</sub>, 0.114 g/bhp-hr and 10.69 TPY CO, 0.037 g/bhp-hr and 3.47 TPY VOCs, 0.0006 lb/MMBtu and 0.13 TPY SO<sub>x</sub>, 0.050 g/bhp-hr and 4.67 TPY PM/PM<sub>10</sub>/PM<sub>2.5</sub>, 0.0009 g/bhp-hr and 0.84 TPY formaldehyde, 10 ppmvd at 15% O<sub>2</sub> ammonia; no visible emissions equal to or greater than 10% for a period or periods aggregating more than three minutes in any 1 hour and equal to or greater than 30% at any time. In addition to the emission limitations, the following is a brief description of the types of conditions the Department intends to place in the plan approval in order to ensure compliance with all applicable air quality regulatory requirements: performance testing requirement for all engines to verify compliance with the emissions limitations; establish a facility-wide leak detection and repair (LDAR) program to account for fugitive emissions from high pressure connections; restrict the engines to natural gas firing only; in addition to performance testing, establish follow-up portable analyzer testing for NO<sub>x</sub> and CO for all engines every 2,500 hours of operation.

The facility is a State Only facility. If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 08-00055A, the applicant will subsequently apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

**08-00056A: Litchfield Energy, LLC** (6051 Wallace Road Extension, Suite 100, Wexford, PA 15090) for the construction of three (3) 9,708 bhp (7.2 MWs) 4 stroke, lean burn Rolls Royce Bergen B-35:40-V16AG-2 natural gas-fired engine/generator sets, each equipped with both catalytic oxidation and selective catalytic reduction (SCR), at the proposed electric generating station located in Litchfield Township, **Bradford County**. The facility will also include one (1) 0.64 MMBtu/hour natural gas-fired natural gas line heater; three (3) storage tanks ranging in size from 2,600 gallons to 6,000 gallons; one (1) desiccant dehydration system; various fugitive emissions.

The Department of Environmental Protection's (Department) review of the information submitted by Litchfield Energy, LLC indicates that the air contamination sources to be constructed will comply with all regulatory requirements, including monitoring, recordkeeping, and reporting requirements, and pertaining to air contamination sources and the emission of air contaminants including

the National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, 40 CFR Sections 63.6580—63.6675, the Standards of Performance for Stationary Spark Ignition Internal Combustion Engines, 40 CFR Sections 60.4230—60.4248, the Mandatory Greenhouse Gas Reporting Rule, 40 CFR Part 98, 25 Pa. Code Chapter 123 and the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction.

The emissions from each proposed engine included in this project will not exceed the following limits: 0.058 g/bhp-hr and 5.44 TPY NO<sub>x</sub>, 0.114 g/bhp-hr and 10.69 TPY CO, 0.037 g/bhp-hr and 3.47 TPY VOCs, 0.0006 lb/MMBtu and 0.13 TPY SO<sub>x</sub>, 0.050 g/bhp-hr and 4.67 TPY PM/PM<sub>10</sub>/PM<sub>2.5</sub>, 0.0009 g/bhp-hr and 0.84 TPY formaldehyde, 10 ppmvd at 15% O<sub>2</sub> ammonia; no visible emissions equal to or greater than 10% for a period or periods aggregating more than three minutes in any 1 hour and equal to or greater than 30% at any time. In addition to the emission limitations, the following is a brief description of the types of conditions the Department intends to place in the plan approval in order to ensure compliance with all applicable air quality regulatory requirements: performance testing requirement for all engines to verify compliance with the emissions limitations; establish a facility-wide leak detection and repair (LDAR) program to account for fugitive emissions from high pressure connections; restrict the engines to natural gas firing only; in addition to performance testing, establish follow-up portable analyzer testing for NO<sub>x</sub> and CO for all engines every 2,500 hours of operation.

The facility is a State Only facility. If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 08-00056A, the applicant will subsequently apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

**41-00047A: Wildwood Cemetery Co.** (1151 Cemetery St. Williamsport, PA 17701-1605) for the construction of a crematory unit at the Wildwood Cemetery facility located in Loyalsock Township, **Lycoming County**. The Department of Environmental Protection's (Department) review of the information submitted by Wildwood Cemetery Co. indicates that the air contamination source to be constructed will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction.

The emission from the proposed source included in this project will not exceed the following limits: particulate matter emissions from the crematory shall not exceed 0.08 grain per dry standard cubic foot of exhaust, corrected to 7% oxygen and 0.98 tpy, 0.98 tpy of particulate matter less than 10 microns, 0.35 tpy of sulfur oxides, 1.40 tpy of carbon monoxide, 0.42 tpy of nitrogen oxides, and 0.42 tpy of volatile organic compounds. In addition to the emission limitations, Best available technology (BAT)



for the proposed crematory includes being operated and maintained at all times in a manner consistent with good operating practice, maintenance, and air pollution control practices. The authorization is subject to State regulations including 25 Pa. Code §§ 123.1, 123.2, 123.21, 123.31, and 123.41. Plan Approval has been conditioned to ensure compliance with all applicable rules. This includes testing, work practice, monitoring, recordkeeping, and reporting conditions.

The facility is a State Only facility. If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for Plan Approval 41-00047A, the requirements established in the plan approval will be incorporated into State Only Operating Permit 41-00047 pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

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

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

**65-00596A: St. Clair Cemetery Association** (944 St. Clair Way, Greensburg, PA 15601) Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection (Department) intends to issue Air Quality Plan Approval 65-00596A to allow the installation and initial temporary operation of an additional human crematory at the existing St. Clair Cemetery located in Hempfield Township, **Westmoreland County**.

Potential emissions from the project are not expected to exceed 1.0 ton of nitrogen oxides (NO<sub>x</sub>), 2.0 tons of carbon monoxide (CO), 1.0 ton of particulate matter (PM), 1.0 ton of particulate matter less than 10 microns in diameter (PM<sub>10</sub>), 0.5 ton of sulfur dioxide (SO<sub>2</sub>), 0.5 ton of volatile organic compounds (VOC), and 0.1 ton of total hazardous air pollutants (HAPs). Best available technology (BAT) for the proposed crematory includes being operated and maintained at all times in a manner consistent with good operating practice, maintenance, and air pollution control practices. The authorization is subject to State regulations including 25 Pa. Code §§ 123.1, 123.2, 123.21, 123.31, and 123.41. Plan Approval has been conditioned to ensure compliance with all applicable rules. This includes testing, work practice, monitoring, recordkeeping, and reporting conditions. Once compliance with the Plan Approval is demonstrated, the applicant will subsequently amend their State Only Operating Permit in accordance with 25 Pa. Code Subchapter F.

The plan approval application, the Department's review memorandum, the proposed plan approval, and other relevant information are available for review by any interested party at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review, please contact Phil Bouse at 412.442.4000.

A person may oppose the proposed plan approval by filing a written protest with the Department through Alexander Sandy, Pennsylvania Department of Environ-

mental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222; asandy@pa.gov; or fax 412.442.4194. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-65-00596A), and concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based. All comments must be received prior to the close of business 30 days after the date of this publication.

The Department may, in its discretion, hold a fact finding conference or hearing at which the petitioner, and any person who has properly filed a protest as described above, may appear and give testimony; provided, however, that in no event will the Department be required to hold such a conference or hearing.

## OPERATING PERMITS

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

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

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

**39-00006: American Craft Brewery LLC, Breinigsville** (7880 Penn Drive, Breinigsville, PA 18031-1508) for manufacture of malt beverages in Upper Macungie Township, **Lehigh County**. This is a renewal of the Title V Operating Permit. As a major source, the facility is subject to the Title V permitting requirements of the Clean Air Act Amendments as adopted by the Commonwealth under 25 Pa. Code, Chapter 127, Subchapter G.

The sources consist of boilers, emergency generators, silos, filling lines, and ink coders. The sources are controlled by cyclones and baghouses. The Title V Operating Permit includes emission restrictions, work practice standards and testing, monitoring, recordkeeping, and reporting requirements to ensure compliance with all applicable Federal and State air quality regulations.

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

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

**67-05041: DLA Installation Support at Susquehanna** ("S" Avenue & 3rd Street, Bldg 750, New Cumberland, PA 17070) to issue a Title V Operating Permit for the Defense Logistics Agency located in Fairview Township, **York County**. The actual 2014 emissions from the facility were NO<sub>x</sub> 11.7 tons, SO<sub>x</sub> 9.3 tons, CO 7.5 tons, VOC 0.26 ton, and PM<sub>10</sub> of 2.5 tons. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions for Sources derived from 25 Pa. Code Chapters 123 and 127 for restrictions, monitoring, recordkeeping, and reporting. Also, the boilers, engines, and gasoline dispensing are subject to Federal regulations NSPS Subparts Dc and IIII, and NESHAP Subparts JJJJJJ and CCCCCC.

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

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

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

**48-00104: Kranos Corporation** (710 Industrial Drive, Litchfield, IL 62056) for the operation of a sports and athletic reconditioning facility in Palmer Township, **Northampton County**. The sources consist of four (4) manual spray booths and five (5) automated spray booths. The particulate emissions are controlled by nine (9) nine dry filters. This is a new State-Only Operating Permit. The State-Only operating permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

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

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

**07-05021: Albemarle Corporation** (2858 Back Vail Road, Tyrone, PA 16686-8100) to issue a renewal of a State Only Operating Permit for their specialty chemical manufacturing facility located in Tyrone Township, **Blair County**. The 2014 actual emissions from the operation of the facility is 2.9 tons of NO<sub>x</sub>, 4.8 tons of carbon monoxide (CO), 6.5 tons volatile organic compounds (VOC) and 6.2 tons of hazardous air pollutants (HAPs). The Operating Permit includes emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure that the facility complies with all the applicable air quality regulations. The permit includes provisions derived from 40 CFR Part 63, Subpart VVVVVV—National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Source and 40 CFR Part 60, Subpart Dc for Small Industrial, Commercial, Institutional Steam Generating Units and 40 CFR Part 60, Subpart JJJJ for Stationary Spark Ignition IC Engines.

**22-03028: Linda B Corson** (885 Allegheny Street, Dauphin, PA 17018-9758) to issue a renewal of a State Only Operating Permit for a veterinary cremation unit at the facility located in Middle Paxton Township, **Dauphin County**. The subject facility's cremation unit will be controlled by an internal secondary combustion chamber. The facility's actual emissions for VOCs, SO<sub>x</sub>, NO<sub>x</sub>, CO and PM are expected to be <2 tpy for each pollutant. 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.

**22-05050: Dauphin Meadows Inc.—Waste Management** (425 Perinton Parkway, Fairport, NY 14450) to issue a renewal of a State Only Operating Permit for landfill gas collection and control equipment at the closed landfill facility in Washington Township, **Dauphin County**. The maximum controlled emission rates for PM, SO<sub>x</sub>, CO, NO<sub>x</sub>, VOC and HAPs are estimated at 1.8, 3.1, 38.6, 7.1, 0.2 and 0.8 tpy, respectively. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and re-

porting requirements to ensure the facility complies with the applicable air quality regulations.

**06-05153: Evergreen Community Power, LLC** (720 Laurel Street, Reading, PA 19602) for a separate State-Only Operating Permit for the on-site power plant in the City of Reading, **Berks County**. The power plant is located at the same site as the roll stock paper manufacturing facility owned by United Corrstack, LLC. The power plant is presently included in the United Corrstack State-Only Operating Permit 06-05079. Actual emissions from the power plant in 2014 were estimated at 2.8 tpy CO, 46.4 tpy NO<sub>x</sub>, 44.7 tpy PM<sub>10</sub>, 32.3 tpy PM<sub>2.5</sub>, 12.1 tpy SO<sub>x</sub>, 2.3 tpy VOC, 5.4 tpy of a single hazardous air pollutant (HAP) (hydrochloric acid), and 6.0 tpy of combined HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code § 129.63, 40 CFR 60, Subpart Db—Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units, 40 CFR 63, Subpart JJJJJJ—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources, and 40 CFR 60, Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines.

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

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

**59-00018: Hanson Aggregates Pennsylvania LLC** (7660 Imperial Way, Allentown, PA 18195) to issue a renewal state only "synthetic minor" operating permit for their Blossburg Quarry located in Liberty Township, **Tioga County**. The facility is currently operating under State Only Operating Permit 59-00018. The significant emissions sources at the Blossburg Quarry are the crushing and screening operations as well as three diesel-fired generators at the facility. The facility has potential emissions of 8.5 tons per year of carbon monoxide, 41.5 tons per year of nitrogen oxides, 4.3 tons per year of sulfur oxides, 30.7 tons per year of particulate matter, 11.6 tons per year of particulate matter less than 10 microns in diameter, 4.5 tons per year of volatile organic compounds, 1.0 ton per year of total Hazardous Air Pollutants, and 2,442 tons per year of carbon dioxide equivalents (greenhouse gases). The emission limits, throughput limitations and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145 as well as 40 CFR Parts 60 and 63. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

## **COAL AND NONCOAL MINING ACTIVITY APPLICATIONS**

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35

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

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

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

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

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

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

*Coal Applications Received*

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

**Permit No. 11100101 and NPDES No. PA0262986, Rampside Collieries, Inc.**, 527 Slate Hill Road, Berlin, PA 15530, permit renewal for the continued operation and restoration of a bituminous surface mine in Richland Township, **Cambria County**, affecting 14.0 acres. Receiving streams: unnamed tributaries to/and Solomon Run classified for the following use: warm water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: August 4, 2015.

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

**63743702 and NPDES No. PA0214248. Eighty Four Mining Company**, (46226 National Road, St. Clairsville, OH 43950). To renew the permit for the Mine 84 Refuse Area in Somerset Township, **Washington County** and related NPDES permit. No additional discharges. The application was considered administratively complete on November 17, 2015. Application received June 29, 2015.

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

**16050106 and NPDES Permit No. PA0242675. Timothy A. Keck** (93 Carrier Street, Summerville, PA 15864) Renewal of an existing bituminous surface mine and associated NPDES permit in Redbank Township, **Clarion County**, affecting 224.0 acres. Receiving streams: Unnamed tributaries to Pine Creek, classified for the following uses: CWF. The first downstream potable surface water supply intake is Hawthorne Area Municipal Authority. Application received: November 18, 2015.

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

**Permit No. 49850701R6. Reading Anthracite Company**, (PO Box 1200, Pottsville, PA 17901), renewal of an existing anthracite coal refuse disposal operation in Coal Township, **Northumberland County** affecting 35.4 acres, receiving stream: Carbon Run, classified for the following use: cold water fishes. Application received: November 10, 2015.

*Coal Applications Withdrawn*

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

**Permit No. 11100101 and NPDES No. PA0262986, Hoffman Mining, Inc.**, P.O. Box 130, 118 Runway Road, Friedens, PA 15541, permit renewal for the continued operation and restoration of a bituminous surface mine in Richland Township, **Cambria County**, affecting 14.0 acres. Receiving streams: unnamed tributaries to/and Solomon Run classified for the following use: warm water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: August 4, 2015. Application Withdrawn: November 16, 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. 64050801. Glenna Novak & Joan Decker**, (177 Sherman Road, Susquehanna, PA 18847), Stage I & II bond release of a quarry operation in Scott Township, **Wayne County** affecting 1.0 acre on property owned by Glenna & Bruce Novak and Joan Decker. Application received: November 16, 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. PA0262811 (Mining Permit No. 32090102), Rosebud Mining Company**, 301 Market Street, Kittanning, PA 16201, renewal of an NPDES permit for a reclamation only surface coal mine operation in Brush Valley Township, **Indiana County**, affecting 274.0 acres. Receiving streams: Three (3) unnamed tributaries to/and Yellow Creek, classified for the following use: cold water fishes. This receiving stream is included in the Kiskiminetas Conemaugh River TMDL. Application received: May 12, 2014.

The outfalls listed below discharge to three (3) unnamed tributaries to/and Yellow Creek.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
007—Sediment Pond A	N
008—Sediment Pond B	N
009—Sediment Pond C	N
010—Sediment Pond D	N
011—Sediment Pond E	N

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

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

**NPDES No. PA0278122 (Mining permit no. 65140101), Ligonier Stone & Lime Co., Inc.**, 117 Marcia Street, Latrobe, PA 15650, new NPDES permit for a bituminous surface mine in Derry Township, **Westmoreland County**, affecting 77.8 acres. Receiving stream: unnamed tributaries to Stony Run, classified for the following use: CWF. Application received: April 20, 2015.

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

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

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
01	Y	Sediment Pond
02	Y	Treatment Pond

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

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

## 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 Common-

wealth to certify that the involved projects will not violate the sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA, the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment shall submit comments,



suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before an application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between 8 a.m. and 4 p.m. on working days at the office noted before the application.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E51-271. City of Philadelphia**, Parks and Recreation, One Parkway 1515 Arch Street, 10th Floor, Philadelphia, PA 19102, City of Philadelphia, **Philadelphia County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities within the Schuylkill River (WWF-MF) associated with the connection of the Schuylkill River Trail to an abandoned swing bridge which will be replaced and provide access across the river:

1) To remove the existing Grays Ferry swing bridge deck structure and replace and maintain in its place, an approximate 318 feet proposed pedestrian bridge mimicking the existing historic look. The new swing bridge will be approximately 10 feet wide with 26 feet clearance above the main high water mark to maintain current navigation standards.

2) To replace the existing Grays Ferry bridge fender system and construct and maintain in its place a similar fender system in the same position subject to the contractor detail design.

3) To modify the grading at the abutments of the proposed pedestrian bridge in the floodway to facilitate the new bridge design.

4) To construct and maintain electrical conduits for power supply operations of the proposed swing pedestrian bridge over the river, to be located along the Grays Ferry bridge pier and attached to the proposed fender system on the new bridge.

The project will impact approximately 260 linear feet of stream (0.15 acre square area). The center of the project site is located approximately in middle of the Schuylkill River approximately 175 feet south of the Grays Ferry

Bridge and runs almost parallel to the bridge over the river in the City of Philadelphia, Philadelphia County (Philadelphia USGS Quadrangle, Longitude 75° 12' 06" Latitude 39° 56' 24").

**E15-865. West Pikeland Township**, 1645 Art School Road, Chester Springs, PA 19425, West Pikeland Township, **Chester County**, ACOE Philadelphia District.

To remove the existing bridge structure and to construct and maintain at the same location, 3 open bottom culverts with 24-foot span by 5-foot (rise) by 27-foot long, across Pickering Creek (HQ, TSF) associated with the existing Horseshoe Trail system.

The site is located near the intersection of Chantilly Lane and Horseshoe Trail (Downingtown, PA USGS map, Lat: 40.0892; Long: -75.63).

**E46-1129. Lower Frederick Township**, 53 Spring Mount Road, Zieglerville, PA 19494, Lower Frederick Township, **Montgomery County**, ACOE Philadelphia District.

To remove the existing raw sewage pumping station, aeration tanks No. 1 & 2, sludge thickening tank, chemical feed tank, and chlorine contact tank, and to install two new 12" diameter sanitary sewer lines in the 100-year floodplain of Perkiomen Creek (WWF, MF) associated with Lower Frederick Township Sewer Treatment Plant Improvement Project. The site is located at 125 Spring Mount Road (Perkiomenville, PA USGS map; Lat: 40.2719; Long: -75.459).

**E09-994. Bucks County Water & Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976, Plumstead Township, **Bucks County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities associated with the channelizing of the North Branch of Neshaminy Creek (WWF-MF) to protect a Bucks County Water and Sewer Authority (BCWSA) sanitary manhole 65:

1) To stabilize, redirect the stream, fill and maintain an approximate 700 feet segment of the streambanks with rock deflector, jute matting with Live stacks, and stone toe protection to facilitate the protection of BCWSA sanitary manhole No. 65 from stream erosion and aligning the stream closer to its original path.

2) To construct and maintain scour protection at the pier of Old Eastern Road Bridge over the North Branch of the Neshaminy Creek to accommodate the adjacent proposed Streambanks protection upstream.

The project will impact approximately 750 linear feet of stream (3,280 square feet of streambanks). The project site is located directly adjacent to Old Eastern Road Bridge crossing over the North Branch of the Neshaminy Creek in the Northeastern corner, in Plumstead Township, Bucks County (Doylestown PA USGS Quadrangle, Longitude 75° 08' 36" Latitude 40° 21' 33").

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

**E40-774. Bernie Banas**, 1207 Stonegate Road, Hummelstown, PA 17036, in Harveys Lake Borough, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain a 389.2 sq. ft. addition to an existing 468 sq. ft. 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' 54.1"; Longitude: -76° 2' 59.8").

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

**E41-668. Pennsylvania Housing Finance Agency**, 211 Front Street, Harrisburg, PA 17101-1406. Residential House located at 5601 Bloomingrove Road, Cogan Station, PA 17728 along UNT to Mill Creek in Hepburn Township, **Lycoming County**, ACOE Baltimore District (Cogan Station, PA Quadrangle Lat: 41° 18' 51.6"; Long: -77° 01' 34.1").

To construct, operate and maintain an existing single family home in Hepburn Township—Lycoming County, which is located within the floodway UNT to Mill Creek. The project proposes to replace an existing septic system.

The project will have approximately 2,400 cubic feet of cut and 1,946 cubic feet of fill. Excavated material from construction operations will be disposed out of the floodway. The proposed project and calculations show approximately 454 cubic feet of net gained flood storage capacity.

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

**E02-14025-A1, Lane Construction Corp.**, 300 Bilmar Drive, Suite 150, Pittsburgh, PA 15205, McKees Rocks Borough, **Allegheny County**, ACOE Pittsburgh District.

The applicant is proposing to:

- 1.) Operate and maintain a 40' x 20' barge with no spud
- 2.) Operate and maintain a 100' x 18' barge with a 2' diameter spud
- 3.) Replace an existing 135' x 35' barge with a 2' diameter spud with a 185' x 35' barge with a 2' diameter spud.
- 4.) Operate and maintain a mooring area of 76,050 sq. ft.

For the purpose of storing offloaded aggregate from barges as it is being processed. The project is located near Mile Marker 3.0, at the existing Lane Construction barge facility, near the intersection of Robb Street and Shingiss Road (Pittsburgh West, PA USGS Topographic Quadrangle; Latitude: 40° 28' 19.73"; Longitude: -80° 02' 55.10"; Sub-basin: 20G; Chapter 93 Type: WWF), in McKees Rocks, Allegheny County. The project will permanently impact 585 linear feet of the Ohio River.

**E63-475-A1, Missionary Partners Ltd**, 859 Missionary Drive, Pittsburgh, PA 15236, Union Township, **Washington County**, ACOE Pittsburgh District.

The applicant is proposing to:

Operate and maintain an approximately 374 feet, 54 inch reinforced concrete pipe culvert in an unnamed tributary to Peters Creek (TSF), and fill within 0.56 acre of wetlands, for the purpose of correcting slope failures along the aforementioned tributary and providing access to a business building, located approximately 600 feet southwest from the intersection of Route 88, Finley Avenue and Boyka Drive (Hackett, PA Quadrangle N: 21.5 inches; W; 0.5 inches) in Union Township, Washington County.

To compensate for these impacts the applicant previously paid a \$500 contribution to the PA Wetland Replacement Fund, and proposes to:

- 1.) construct and maintain 0.65 acre of replacement wetlands;
- 2.) enhance 674 linear feet of stream, with structures, at two (2) locations, within Peters Creek (TSF);
- 3.) plant vegetation along 400 feet of stream bank, in Peters Creek.

The mitigation site is located off of Peters Creek Road, near the intersection of Peters Creek Road and Waterman Road (Glassport, PA Quad N: 40° 16' 56.24", W: -79° 56' 41.59") in the Borough of Jefferson Hills, Allegheny County, Pennsylvania. This application will replace permit number E63-475.

**E63-672, MV Affordable Housing LLC**, 9349 Waterstone Boulevard, Cincinnati, OH 45249, North Strabane Township, **Washington County**, ACOE Pittsburgh District.

The applicant is proposing to:

1. Remove an existing 20' long, 14" diameter CMP culvert in an unnamed tributary (UNT) to Chartiers Creek (WWF) (aka Stream 001) and to construct and maintain a replacement 60" diameter x 45' long CMP culvert, which will also impact a de minimus amount (0.007 ac) of PEM/PSS wetland (aka Wetland 001);
2. Construct and maintain an 8" DIP sanitary utility line crossing within an approximately 30' right-of-way, and a temporary road crossing, across another UNT to Chartiers Creek (aka Stream 002);
3. Place and maintain fill within 115 linear feet of another UNT (aka Stream 003), along with a stormwater utility line crossing;
4. Place and maintain fill within a de minimus amount (0.002 ac) of PEM wetland (aka Wetland 002);

For the purpose of constructing an affordable housing development, consisting of two (2) apartment buildings with associated parking lots, garages, a community clubhouse, greenspace and utilities. The project is located at the terminus of Burkett Lane (Washington East, PA USGS topographic quadrangle; Latitude: 40° 12' 40.31"; Longitude: -80° 11' 27.24"; Sub-basin: 20F; Pittsburgh Corps District), in North Strabane Township and South Strabane Township, Washington County.

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

**E25-775, PA DOT District 1-0**, 255 Elm Str., Oil City, PA 16301. SR 4016 Millfair Road, in Millcreek and Fairview Townships, **Erie County**, ACOE Pittsburgh District (Swanville, PA Quadrangle N: 41°, 4', 3"; W: -80°, 12', 4").

To realign and elevate SR 4016 in order to span two existing at-grade railroad crossings in order to address safety concerns with vehicular traffic. The project proposes to permanently impact 0.91 acre of wetlands, temporarily impact 0.09 acre of wetlands and permanently impact 0.05 acre of open water in the Lake Erie watershed in Millcreek and Fairview Townships, Erie County. The applicant proposes to debit 1.28 acre of PEM wetland credits from PennDOT's Houghton Wetland Mitigation Bank.

## 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

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0081744— IW	York County Solid Waste & Refuse Authority—York County Sanitary Landfill 2700 Blackbridge Road York, PA 17406-7901	York County/ Hopewell Township	UNT Ebaughs Creek & UNT Rambo Run/7-I	Y
PA0084212— SEW	Leacock Township Sewer Authority 3545 West Newport Road PO Box 558 Intercourse, PA 17534	Lancaster County/ Leacock Township	Muddy Run/7-J	Y
PA0085197— SEW	Kampel Enterprises, Inc. 8930 Carlisle Road Wellsville, PA 17365	York County/ Warrington Township	UNT North Branch Bermudian Creek/7-F	Y



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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0263737 (sewage)	Eric R & Katy J Hess SRSTP 260 Railway Lane Clarendon, PA 16313	Warren County Cherry Grove Township	Unnamed Tributary of Minister Creek (16-F)	Y

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

*Southeast Region: Water Management Program Manager, 2 East Main Street, Norristown, PA 19401*

**NPDES Permit No. PA0011568**, Industrial Waste, **ArcelorMittal Plate, LLC**, 139 Modena Road, Coatesville, PA 19320-4036.

This proposed facility is located in the City of Coatesville, **Chester County**.

Description of Action/Activity: Approval for a renewal of NPDES permit for discharge of treated industrial wastewater and stormwater.

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

**NPDES Permit No. PA0100277**, Sewage, SIC Code 4952, **North & South Shenango Township Joint Municipal Authority Crawford County**, 3104 Water Trail Drive, Jamestown, PA 16134-4403.

This existing facility is located in South Shenango Township, **Crawford County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated Sewage.

**NPDES Permit No. PA0025534**, Sewage, SIC Code 7033, **USDA Forest Service**, 4 Farm Colony Drive, Warren, PA 16365.

This existing facility is located in Hamilton Township, **McKean County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated Sewage. The TSS limit is a year round limit. The winter limit was removed from the draft bulletin notice.

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

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

**WQM Permit No. 1597409**, Sewage, Transfer, **Kathleen P. Mann**, 209 Compass Road, Parkesburg, PA 19365.

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

Description of Action/Activity: Permit transferred from Eric Barton to Kathleen Mann.

**WQM Permit No. 0915405**, Sewage, **Bucks County Water & Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976.

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

Description of Action/Activity: Replacement of 8 inch sewers with 10 inch sewers for future flow capacity.

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

**WQM Permit No. 3111202, Amendment No. 1**, CAFO, **Evergreen Farms Inc.**, 3102 Evergreen Lane, Spruce Creek, PA 16683.

This proposed facility is located in Franklin Township, **Huntingdon County**.

Description of Proposed Action/Activity: Permit approval for the construction/operation of manure storage facilities consisting of: the construction of a 40-foot diameter, 14-foot deep circular steel reinforced concrete in-ground storage structure with 10-inch thick concrete, steel reinforced walls and a 5-inch thick concrete steel reinforced floor at 4,000 psi. This storage has an 112,804 gallon capacity at a 24" freeboard. Design includes an underdrain and leak detection system.

**WQM Permit No. 0799404, Amendment No. 2**, Sewerage, **Freedom Township Water & Sewer Authority**, 131 Municipal Street, East Freedom, PA 16637-8158.

This proposed facility is located in Blair Township, **Blair County**.

Description of Proposed Action/Activity: Permit approval for the construction/operation of a new outfall 001 to replace existing damaged outfall.

*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.

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

**WQM Permit No. WQG018806, Amendment No. 1**, SIC Code 8800, **Alan A Tomczak**, 11290 Lake Pleasant Road, Union City, PA 16438.

This existing facility is located in Greene Township, **Erie County**.

Description of Proposed Action/Activity: Amendment to the original treatment plant design.

**WQM Permit No. WQG01331502**, Sewage, **Varischetti & Sons Inc.**, 1228 Main Street, Brockway, PA 15824-1634.

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

Description of Proposed Action/Activity: Upgrade of existing small flow treatment facility.

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

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*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 &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI015114016-2	Wexford Development, LLC 3535 Market Street, Suite 1230 Philadelphia, PA 19104	Philadelphia	City of Philadelphia	Schuylkill River WWF-MF
PAI015114011-6	Liberty Property Limited Partnership 1628 John F. Kennedy Boulevard Philadelphia, PA 19103	Philadelphia	City of Philadelphia	Delaware River WWF-MF
PAI011515005	John P. Stewart 347 North Pottstown Pike Exton, PA 19341	Chester	West Caln Township	Birch Run HQ-CWF
PAI010909007(R)	H.M.H. Limited Partners 374 Easton Road Warrington, PA 18976	Bucks	Springfield Township	Cobbs Creek EV-MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024804004R(1)	Forks Village, L.P. c/o Mr. Santino Calantoni 6065 William Penn Highway Easton, PA 18045	Northampton	Forks Village	UNT to Bushkill Creek (HQ-CWF, MF)
PAI024510012(2)	CB H20, LP PO Box 168 Tannersville, PA 18372	Monroe	Pocono Township	UNT to Pocono Creek (HQ-CWF, MF)
PAI023915009	Above and Beyond, Inc. 514 North 22nd Street Allentown, PA 18104	Lehigh County	Upper Macungie Township	Little Lehigh Creek (HQ-CWF, MF)
PAI023915020	Mack Trucks, Inc. 7000 Alburdis Road Macungie, PA 18062	Lehigh	Lower Macungie Township	Swabia Creek (HQ-CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI052615002	National Road Heritage Corridor 65 West Main Street Uniontown, PA 15401	Fayette County	Point Marion Borough	Monongahela River (WWF)



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


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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).

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**List of NPDES and/or Other General Permit Types**


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

*General Permit Type—PAG-02*

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

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Palmer Township Northampton County	PAG02004815015	Triple Net Investments, XXI, LP 171 State Route 173, Suite 201 Asbury, NJ 08802	Schoeneck Creek (WWF, MF)	Northampton County Conservation District 610-746-1971
West Brunswick Township Schuylkill County	PAG02005415003	John Smith 555 Mountain Home Road Sinking Spring, PA 19608	Mahannon Creek (CWF, MF) Pine Creek (CWF, MF)	Schuylkill County Conservation District 570-622-3742
Wayne Township Schuylkill County	PAG02005415007	Green Hills Land Development & Building LLC Attn: Kurt Greenawalt 13 Greenawalt Lane Schuylkill Haven, PA 17972	UNT to Long Run (CWF, MF)	Schuylkill County Conservation District 570-622-3742

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

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Oxford Township Adams County	PAG02000115026 Issued	Beverley A. Neiderer 1745 Storms Store Road New Oxford, PA 17350	UNT to South Branch Conewago Creek/WWF	Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325 717-334-0636

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

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Bradford County Wyalusing Township	PAG02000815009	Frank Nackley Appalachian Realty Holdings, Inc. 13 Windy Drive Shavertown, PA 18708	Susquehanna River, WWF	Bradford County Conservation District Stoll Natural Resource Ctr 200 Lake Rd Ste E Towanda, PA 18848 (570) 265-5539, X 6
Bradford County Wysox Township	PAG02000815010	Kenneth R Bevely TKC CXCIV, LLC 5935 Carnegie Blvd Suite 200 Charlotte, NC 28209	Susquehanna River, WWF	Bradford County Conservation District Stoll Natural Resource Ctr 200 Lake Rd Ste E Towanda, PA 18848 (570) 265-5539, X 6
Clearfield County Pike Township	PAG02001715015	Allegheny Mountain Chapter of Trout Unlimited P. O. Box 541 Dubois, PA 15801		Clearfield County Conservation District 511 Spruce St Ste 6 Clearfield, PA 16830 (814) 765-2629
Lycoming County Fairfield & Muncy Townships	PAG0200412029(4)	Aubrey Alexander Blaise Alexander Family LP 10 Alexander Drive Muncy, PA 17756	UNT to Twin Run, WWF Twin Run, WWF Turkey Run, WWF	Lycoming County Conservation District 542 County Farm Rd Ste 202 Montoursville, PA 17754 (570) 433-3003
Northumberland County Ralpho Township	PAG02004915011	Stadium Dirt Designs, Inc 160 Shoch Road Elysburg, PA 17824	Shamokin Creek, WWF, MF	Northumberland County Conservation District 441 Plum Creek Rd Sunbury, PA 17801 (570) 286-7114 ext. 4
Banks Township, Carbon County Hazle Township, Luzerne County	PAG02-1113-15-003	PA DEP Bureau of Abandoned Mine Reclamation 2 Public Square Fifth Floor Wilkes-Barre, PA 18701-0790	Susquehanna River (CWF)	PA DEP Bureau of Abandoned Mine Reclamation 2 Public Square Fifth Floor Wilkes-Barre, PA 18701-0790 (570) 826-2371

*General Permit Type—PAG-03*

<i>Facility Location Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Muncy Creek Township Lycoming County	PAR214821 A-1	Keystone Filler & Manufacturing Co. PO Box 120 214 Railroad Street Muncy, PA 17756-0120	Unnamed Tributary of 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
Clymer Township Tioga County	PAG034830	Dominion Transmission, Inc. 5000 Dominion Boulevard Glen Allen, VA 23060-3308	Mill Creek—4-A	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.0530

<i>Facility Location Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Bradford Township Clearfield County	PAG034829	Samuel J. Lansberry, Inc. PO Box 58 507 Shawville Highway Woodland, PA 16881-8405	Roaring Run—8-C	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.0530
Rural Valley Borough Armstrong County	PAR606133	Rankin Auto Wrecking Inc. 216 North Jefferson Street Rural Valley, PA 16249	Unnamed Tributary to North Branch Plum Creek—17-E CWF	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

*General Permit Type—PAG-4*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Washington Township Jefferson County	PAG041195	Varischetti & Sons Inc. 1228 Main Street Brockway, PA 15824-1634	Unnamed Tributary of Wolf Run—17-C	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street, Meadville, PA 16335-3481 814.332.6942

*General Permit Type—PAG-5*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Oakland Township Butler County	PAG108333	ETC Northeast Pipeline LLC 7000 Stonewood Drive Suite 351 Wexford, PA 15090-7376	Unnamed Tributary to Pine Run—20-C	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street, Meadville, PA 16335-3481 814.332.6942

**STATE CONSERVATION COMMISSION****NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs**

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

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

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

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

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Franklin Family Farms Hord Family Farms, LLC 8815 Dry Run Rd. Mercersburg, PA 17236	Franklin	96.0 0 avail. for manure	1,756.45	Swine	NA	Approved
Hillandale Gettysburg, LP—Bailey Farms, Site 1 & 2 2820 Daron Road Spring Grove, PA 17362	York	282.1	10,280.64	Poultry—Layers	NA	Approved
Sloat/Crane Farm 170 Daugherty Road York, PA 17404	York	110	643.64	Poultry	NA	Approved

**PUBLIC WATER SUPPLY PERMITS**

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

**SAFE DRINKING WATER**

**Actions taken under the Pennsylvania Safe Drinking Water Act**

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

**Permit No. 0915520, Minor Amendment.** Public Water Supply.

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

Township Lower Makefield  
County **Bucks**  
Type of Facility PWS  
Consulting Engineer Pennsylvania American Water Company  
800 West Hershey Park Drive  
Hershey, PA 17033

Permit to Operate Issued November 17, 2015

**Permit No. 0915521,** Public Water Supply.

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

Township Lower Makefield  
County **Bucks**  
Type of Facility PWS  
Consulting Engineer Pennsylvania American Water Company  
800 West Hershey Park Drive  
Hershey, PA 17033

Permit to Construct Issued November 17, 2015

**Permit No. 1515541,** Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**  
762 West Lancaster Avenue  
Bryn Mawr, PA 19010

Township East Goshen  
County **Chester**

Type of Facility PWS  
Consulting Engineer GHD  
1250 North Mountain Road  
Harrisburg, PA 17112

Permit to Construct Issued November 17, 2015

**Permit No. 4615518,** Public Water Supply.

Applicant **Audubon Water Company**  
2650 Eisenhower Drive  
Norristown, PA 19403

Township Lower Providence

County **Montgomery**  
 Type of Facility PWS  
 Consulting Engineer Evans Mill Environmental, LLC  
 P. O. Box 735  
 Uwchland, PA 19480  
 Permit to Construct Issued November 17, 2015

**Operations Permit #1515518** issued to: **Borough of Kennett Square**, 120 Broad Street, Kennett Square, PA 19349, [(PWSID)] [Borough of Kennett Square], **Chester County** on November 9, 2015 for the rehabilitation of the 750,000 Gallon Pedisphere Marple Street Tank facilities approved under construction permit #1515518.

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

**Permit No. 3480049, Operation Permit**, Public Water Supply.

Applicant **East Bangor Municipal Authority**  
 555 West Central Avenue  
 East Bangor, PA 18013  
 Municipality Upper Mount Bethel Township  
 County **Northampton**  
 Type of Facility PWS  
 Consulting Engineer Mark A. Bahnick, P.E.  
 Van Cleef Engineering Associates  
 520 North New Street  
 Bethlehem, PA 18018  
 Permit to Operate Issued November 18, 2015

**Permit No. 3540069, Operation Permit**, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**  
 (The Pines Water System)  
 1 Aqua Way  
 White Haven, PA 18661  
 Municipality Deer Lake Borough and West Brunswick Township  
 County **Schuylkill**  
 Type of Facility PWS  
 Consulting Engineer Jonathan W. Morris, P.E.  
 GHD  
 1240 North Mountain Road  
 Harrisburg, PA 17112  
 Permit to Operate Issued November 18, 2015

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

**Permit No. 1415504—Operation—Public Water Supply.**

Applicant **Penns Valley Medical Center**  
 Township/Borough Penn Township  
 County **Centre**  
 Responsible Official Mr. John Alan Ilgen  
 Vice-President-Board of Directors  
 Penns Valley Medical Center  
 P. O. Box 302  
 Millheim, PA 16854

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  
 Permit Issued November 17, 2015  
 Description of Action Operation of the new nitrate reduction system along with the more compatible water softener in your Well #1 water treatment system.

*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 November 10, 2015  
 Issued

**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 November 10, 2015  
 Issued

**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 November 12, 2015  
 Issued

**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 November 12, 2015  
 Issued

**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 November 12, 2015  
 Issued

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

**Permit No., 6109503-MA1** Public Water Supply

Applicant **Aqua Pennsylvania, Inc.**  
 Township or Borough Emlenton Borough  
 County **Venango**  
 Type of Facility Public Water Supply  
 Consulting Engineer Robert L. Horvat, P.E.  
 KLH Engineers, Inc.  
 5173 Campbells Run Road  
 Pittsburgh, PA 15205  
 Permit to Construct November 17, 2015  
 Issued

#### SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Greene Township	9333 Tate Road Erie, PA 16509	Erie

*Plan Description:* The approved plan provides for the construction of a 1,300 equivalent dwelling units (EDUs) sewage collection system to collect and convey all wastewater from the planning area within Greene Township to the Millcreek Township Sewer Authority sanitary sewer system and ultimately to the City of Erie wastewater treatment plant. The plan provides for initially serving 982 EDUs. This plan re-evaluated the two alternatives contained within a previous plan and concluded with selecting the alternative that does not require a new

Greene Township wastewater treatment plant. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Letterkenny Township	4924 Orrstown Road, Orrstown, PA 17244	Franklin

*Plan Description:* Approval of a revision to the official plan of Letterkenny Township, Franklin County. The project is known as Delvin Zullinger. The plan provides for a small flow treatment facility to serve one new single family residence. The proposed development is located on Park Road. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-28910-120-3S and the APS Id is 879376. Any permits must be obtained in the name of the property owner.

#### SEWAGE FACILITIES ACT PLAN DISAPPROVAL

#### Plan Disapprovals Under the Pennsylvania Sewage Facilities Act

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Franklin Township	150 Century Lane, Dillsburg, PA 17019	York

*Plan Description:* The private request to revise the Official Plan of Franklin Township, York County for the Lexington Fields Subdivision, made by the Bennington Investment Group LLC, DEP Code No. A3-67923-300-3, consisting of a 344-unit residential subdivision on 62.58 acres to be served by a 144,000 gpd private package treatment plant with discharge to an unnamed tributary to the North Branch of Bermudian Creek is denied. The proposal also includes eight lots for stormwater management, open space/recreation, sewage facilities, and non-building. The project is located north of Franklintown Borough on the west side of Route 194, south of the Franklin Township border with Carroll Township in York County. The private request is denied because: 1) The private request failed to document that the Official Plan of Franklin Township is not being implemented or is inadequate to meet the sewage disposal needs of the property as required by Section 5(b) of the Act and Chapter 71, Section 71.14(a); and 2) Franklin Township's Official Act 537 Plan designates this area as a sewer service area to be served by the Dillsburg Area Authority, of which Franklin Township is a member. Pursuant to Franklin Township Ordinance 3-1999 the Dillsburg Area Authority is the exclusive agent of the Township to provide public water and sewer service within its service area.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 2

**The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907).**

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

*Northcentral Region: Environmental Cleanup & Brownfields Program Manager, 208 West Third Street, Williamsport, PA 17701*

**Santander Bank, N.A. (formerly Sovereign Bank and Core States Bank)**, 448 Bellefonte Avenue, City of Lock Haven, **Clinton County**. BAI Group, Inc., 341 10th Avenue, Suite 103, Royersford, PA 19468, on behalf of Sovereign Bank, 75 State Street, Boston, MA 02109 submitted a Remedial Investigation/Risk Assessment/Final Report concerning remediation of site soils and groundwater contaminated with Benzene, Toluene, Ethyl Benzene, Isopropylbenzene, Methyl Tert-Butyl Ether, Naphthalene, 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene, Fluorene, Phenanthrene, benzo(a)anthracene, and Benzo(a)pyrene. The report is intended to document remediation of the site to meet the Statewide Health and Site-Specific Standards.

**Weis Markets**, 238 Chestnut Street, Mifflinburg Borough, **Union County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16602, on behalf of Weis Markets, 1000 South Second Street, Sunbury, PA 17801 submitted a Remedial Investigation Report concerning remediation of soil and groundwater contaminated with 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene, Benzene, 1,2-Dichloroethane, Ethylbenzene, and Naphthalene. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Wolfe's General Store**, Rt. 414, Brown Twp., **Lycoming County**. ECC Horizon, One Emery Avenue, Randolph, NJ 07869, on behalf of Hiller's Inc., 1323 Cemetery Street, Jersey Shore, PA 17740 submitted a Remedial Investigation/Cleanup Plan concerning remediation of site soil contaminated with fuel oil and kerosene. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Berger Sanitation Services**, 111 Exchange Road, Muncy Township, **Lycoming County**. Northridge Group, Inc., P. O. Box 231, Northumberland, PA 17857 on behalf of Berger Sanitation, 815 Berger Road, Muncy, PA 17756 submitted a Final Report concerning remediation of site soil contaminated with Diesel Fuel, Motor Oil, Antifreeze, and Transmission Oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Esther Furnace Tack Shop**, 229 Montour Blvd., Montour Township, **Columbia County**. Black Rock Environmental, LLC, P. O. Box 288, Nazareth, PA 18064, on behalf of Esther Furnace Tack Shop, 229 Montour Boulevard, Bloomsburg, PA 17815 submitted a Final Report concerning remediation of site soils contaminated with gasoline. The report is intended to document remediation of the site to meet the Site-Specific Standard.

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

**Brickyard Road Site**, 615 Brickyard Road, New Oxford, PA 17350, Oxford Township, **Adams County**. BL Companies, 4242 Carlisle Pike, Camp Hill, PA 17011, on behalf of Royal Building, Inc., 160 Ram Drive, Hanover, PA 17301, submitted a combined Remedial Investigation and Final Report concerning remediation of soils and groundwater contaminated with gasoline from a buried, out-of-service Sunoco pipeline. The site is to be remediated to the Site Specific Standard.

**Former Waynesboro Pipe Manufacturing Facility**, 315—317 Hamilton Avenue, Borough of Waynesboro, **Franklin County**. CB & I Environmental & Infrastructure, Inc., 500 Penn Center Boulevard, Suite 1000, Pittsburgh, PA 15235, on behalf of Waynesboro Pipe Products, c/o Invensys LLC, 70 Mechanic Street, C41-32, Foxboro, MA 02035, submitted a Final Report concerning remediation of site soils and groundwater contaminated with Arsenic and PCBs. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

*Southwest Region: Environmental Cleanup & Brownfield Development Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

**South Side Works, South Water Street—Parcels F14 & F15** further subdivided into Parcel A & lots 2, 3, 4, 5, 6, & 7-R (Former LTV South Side Works), City of Pittsburgh, **Allegheny County**. Civil & Environmental Consultants, 333 Baldwin Road, Pittsburgh, PA 15205 on

behalf of Rivertech Associates, L.P., 3700 South Water Street, Suite 100, Pittsburgh, PA 15204 has submitted a Final Report concerning remediation of site soils contaminated with volatile and semi-volatile organic compounds (VOCs & SVOCs), cyanide, PCB's and metals. The Final Report is intended to document remediation of the site to meet the Site Specific standard for soils. Notice of the Final Report was published October 23, 2015 in the *Pittsburgh Post-Gazette*.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 3

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**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).**

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Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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



The Department has received the following plans and reports:

*Northcentral Region: Environmental Cleanup & Brownfields Program Manager, 208 West Third Street, Williamsport, PA 17701*

**Former Knight-Celotex Facility**, 1400 Susquehanna Avenue, City of Sunbury, **Northumberland County**. Apex Companies, LLC, 20 Valley Stream Parkway, Suite 270, Malvern, PA 19355, on behalf of Northumberland County Commissioners, 399 South Fifth Street, Sunbury, PA 17801, submitted a Remedial Investigation Report concerning the remediation at a historical manufacturing facility contaminated with benzo (a) pyrene, benzo (b) fluorathene, arsenic, cadmium and lead. 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.

**Metso Minerals Industries, Inc.**, 350 Railroad Street, Danville, **Montour County**. ELM Energy, LLC, 60 State Street, Suite 201, Peoria, IL on behalf of Metso Minerals Industries, Inc., 350 Railroad Street, Danville, PA 17821 submitted a Cleanup Plan concerning the remediation of site soil & groundwater contaminated with Petroleum Hydrocarbons & Volatile Organic Compounds. The Cleanup Plan was approved by the Department on October 15, 2015.

**Santander Bank, N.A. formerly Sovereign Bank and Core States Bank**, 448 Bellefonte Avenue, City of Lock Haven, **Clinton County**. BAI Group, Inc., 341 10th Avenue, Suite 103, Royersford, PA 19468, on behalf of Sovereign Bank, 75 State Street, Boston, MA 02109 submitted a Remedial Investigation/Risk Assessment/Final Report concerning the remediation of site soils and groundwater contaminated with Benzene, Toluene, Ethyl Benzene, Isopropylbenzene, Methyl Tert-Butyl Ether, Naphthalene, 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene, Fluorene, Phenanthrene, benzo(a)anthracene, and Benzo(a)pyrene. The Final Report demonstrated attainment of a combination of the Site-specific and Statewide Health Standard, and was approved by the Department on November 2, 2015.

**Sheau Property**, 245 Upland Road, City of Williamsport, **Lycoming County**. Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382 on behalf of Nittany Oil, 321 North Front Street, Philipsburg, PA 16866 submitted a Final Report concerning the remediation of a release of heating oil from an aboveground storage tank onto the basement floor. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on November 6, 2015.

**Wolfe's General Store**, Rt. 414, Brown Twp., **Lycoming County**. ECC Horizon, One Emery Avenue, Randolph, NJ 07869, on behalf of Hiller's Inc., 1323 Cemetery Street, Jersey Shore, PA 17740 submitted a Remedial Investigation/Cleanup Plan concerning the remediation of site soil and groundwater contaminated with fuel oil and kerosene. The Remedial Investigation/Cleanup Plan was approved by the Department on September 28, 2015.

**Berger Sanitation Services**, 111 Exchange Road, Muncy Township, **Lycoming County**. Northridge Group, Inc., P. O. Box 231, Northumberland, PA 17857 on behalf of Berger Sanitation, 815 Berger Road, Muncy, PA 17756,

submitted a Final Report concerning the remediation of site soil contaminated with Diesel Fuel, Motor Oil, Anti-freeze, and Transmission Oil. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on November 2, 2015.

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

**Brickyard Road Site**, 615 Brickyard Road, New Oxford, PA 17350, Oxford Township, **Adams County**. BL Companies, 4242 Carlisle Pike, Camp Hill, PA 17011, on behalf of Royal Building, Inc., 160 Ram Drive, Hanover, PA 17301, submitted a combined Remedial Investigation and Final Report concerning remediation of groundwater contaminated with gasoline released from a buried pipeline. The site is to be remediated to the Site Specific Standard. The combined Report was administratively incomplete and was disapproved by the Department on November 16, 2015.

**Dolores Dowd Residence**, 1857 and 1859 Rockvale Road, Lancaster, PA 17602, West Lampeter Township, **Lancaster County**. Liberty Environmental, Inc., 50 North Fifth Street, 5th Floor, Reading, PA 19601, on behalf of Dolores Dowd, 1859 Rockvale Road, Lancaster, PA 17602; Amr A. Shafshak, 154 Grant Avenue, Brooklyn, NY 11208-1804 and Paul Davis Restoration and Remodeling, 1704 Hempstead Road, Lancaster, PA 17061, submitted a Final Report for site soils contaminated with No. 2 fuel oil. The Final Report did not demonstrate attainment of the Residential Statewide Health Standard, and was disapproved by the Department on November 16, 2015.

*Southwest Region: Environmental Cleanup & Brownfield Development Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

**Former Defense Logistics Agency—Strategic Materials Stockpile Site**, Peters Creek Road, Jefferson Hills Borough, **Allegheny County**. PARS Environmental, Inc., 500 Horizon Drive, Suite 540, Robbinsville, NJ 08691 on behalf of Defense Logistics Agency—Strategic Materials, 8725 John J. Kingman Road, Fort Belvoir, VA 22060-6221 submitted a Risk Assessment Report/Cleanup Plan/Final Report (RA/CP/FR) concerning the remediation of site soils and groundwater contaminated with arsenic, chromium, manganese, lead and selenium. The RA/CP/FR demonstrated attainment of the nonresidential Statewide Health Standard for soil and groundwater for the above named constituents with the exception of manganese in groundwater which attained Site-Specific standard, and was approved by the Department on November 16, 2015.

**Larimer/East Liberty Phase II Development (formerly known as East Liberty Gardens)**, Intersection of Larimer Avenue and Broad Street, City of Pittsburgh, **Allegheny County**. K.U. Resources, Inc., 22 South Linden Street, Duquesne, PA 15110 on behalf of Housing Authority of the City of Pittsburgh, 200 Ross Street, Pittsburgh, PA 15219 submitted a Remedial Investigation/Risk Assessment Report and Cleanup Plan (RIR/RA/CP) concerning site soils contaminated with semi-volatile organic compounds and metals, and groundwater contaminated with volatile organic compounds and metals. The RIR/RA/CP was approved by the Department on November 16, 2015.



## HAZARDOUS WASTE TRANSPORTER LICENSE

### Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to transport hazardous waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, PO Box 69170, Harrisburg, PA 17106-9170

#### Hazardous Waste Transporter License Reissued

**AERC.com, Inc.**, 2591 Mitchell Avenue, Allentown, PA 18103. License No. PA-AH 0687. Effective Nov 09, 2015.

**Environmental Services, Inc.**, 90 Brookfield Street, South Windsor, CT 06074. License No. PA-AH 0725. Effective Nov 09, 2015.

#### Renewal Applications Received

**Environmental Services, Inc.**, 90 Brookfield Street, South Windsor, CT 06074-1262. License No. PA-AH 0725. Effective Nov 09, 2015.

**Frank's Vacuum Truck Service, Inc.**, 1717 New Road, Niagara Falls, NY 14304. License No. PA-AH 0331. Effective Nov 09, 2015.

## OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

### Permit(s) issued under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

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

**Permit ID No. 300720. NRG Power Midwest LP**, 121 Champion Way, Suite 300, Canonsburg, PA 15317, for Cheswick Ash Disposal Site, Lefever Road (SR 1016), Cheswick, PA 15024. A ten year permit renewal for the residual waste disposal facility located in Indiana Township, **Allegheny County** and name change of permittee from GenOn Power Midwest LP to NRG Power Midwest LP, was issued in the Regional Office on November 19, 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 Elmerston Avenue, Harrisburg, PA 17110

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

**GP14-67-03900: Panebaker Funeral Home, Inc.** (311 Broadway, Hanover, PA 17331-2505) on November 13, 2015, for an existing animal crematory, under GP14,

at their facility located in Heidelberg Township, **York County**. The general permit authorization has been renewed.

**GP1-06-05019B: Hofmann Ind., Inc.** (3145 Shillington Road, Sinking Spring, PA 19608) on November 12, 2015, for three existing natural gas-fired boilers, under GP1, at the steel tubing manufacturing facility in Sinking Spring Borough, **Berks County**.

**GP4-06-05019B: Hofmann Ind., Inc.** (3145 Shillington Road, Sinking Spring, PA 19608) on November 12, 2015, for one existing natural gas-fired burnoff oven, under GP4, at the steel tubing manufacturing facility in Sinking Spring Borough, **Berks County**.

**GP3-21-03121: Union Quarries, Inc.** (102 Bonny Brook Road, Carlisle, PA 17013) on November 13, 2015, for portable nonmetallic mineral processing equipment, under GP3, at the Trade Center 44 site in Dickinson Township, **Cumberland County**.

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

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

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

**ER-05-05007A: Texas Eastern Transmission, LP** (PO Box 1642, 5400 Westheimer Court, Houston, TX 77251-1642) on November 16, 2015, for an Air Quality Emission Reduction Credit (ERC) approval of the following emission reductions from the permanent shutdown of the following sources at the Bedford natural gas transmission station in Bedford Township, **Bedford County**: IC Engines 031-039: NO<sub>x</sub>: 164.46 tpy; CO: 32.45 tpy; VOC: 34.3 tpy; PM<sub>10</sub>: 4.37 tpy; PM<sub>2.5</sub>: 4.37 tpy; SO<sub>x</sub>: 0.054 tpy.

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

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

**32-00055I: Homer City Generation, L.P.** (1750 Power Plant Road, Homer City, PA 15748) on November 10, 2015, to allow alternative short term SO<sub>2</sub> emission limits for Units 1, 2, & 3 at Homer City Generating Station located in Black Lick and Center Townships, **Indiana County**. Alternative short term limits are allowed during Unit 1 or Unit 2 startup and/or module transitions within the Novel Integrated Desulfurization dry scrubber systems.

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

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

**42-158P: Georgia Pacific Panel Products** (147 Temple Drive, Mt Jewett, PA 16740) on November 12, 2015, has issued a plan approval for the increase in permitted annual hours of operation from 7,600 to 8,760 and for various changes in source mapping and operational restrictions in Sergeant Township, **McKean County**. This is a Title V Facility.

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**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.**

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*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*

**36-05107D: Pepperidge Farm, Inc.** (2195 North Reading Road, Denver, PA 17517) on November 17, 2015, for the installation of a new Catalytic Oxidizer 5 to control Cracker Oven 8 and re-routing the exhaust so only Cracker Oven 7 exhausts to Catalytic Oxidizer 4 at the Pepperidge Farm bakery located in East Cocalico Township, **Berks County**. The plan approval was extended.

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

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*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*

**36-05017: Conestoga Wood Specialties Corp.** (245 Reading Road, East Earl, PA 17519-0158) on November 13, 2015, for the wood cabinet manufacturing facility located in East Earl Township, **Lancaster County**. The Title V permit was renewed.

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**Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.**

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

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

**40-00035: QG, LLC**, (594 Can-Do Expressway, Hazleton, PA 18202) The Department issued a State Only (Synthetic Minor) operating permit on November 17, 2015, for a commercial printing facility in Hazle Township, **Luzerne County**.

**45-00009: Vertellus Specialties, Inc.**, (231 Main Street (State Route 611), Delaware Water Gap, PA 18327) The Department issued a State Only operating permit on November 17, 2015, for a basic organic chemical products manufacturer in Delaware Water Gap, **Monroe 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*

**01-05025: New Enterprise Stone & Lime Co., Inc.** (PO Box J, Chambersburg, PA 17201-0809) on November 16, 2015, for the stone crushing and asphalt production operations at the Gettysburg Quarry located in Cumberland Township, **Adams County**. The State-only permit was renewed.

**06-03011: Giles & Yeckley Funeral Home & Crematorium, Inc.** (21 Chestnut Street, Mohnton, PA 19540-1926) on November 16, 2015, for the two (2) human crematories at the funeral home located in Mohnton Borough, **Berks County**. The State-only permit was renewed.

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**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.**

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*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*

**34-03007: Dominion Transmission, Inc.** (5000 Dominion Blvd., Glen Allen, VA 23060) on November 10, 2015, for the Perulack natural gas compressor station located in Lack Township, **Juniata County**. The State-only permit was administratively amended in order to reflect a change of permit contact information.

**28-05003: Columbia Gas Transmission, LLC** (1700 MacCorkle Avenue SE, Charleston, WV 25314) on November 17, 2015, for the Greencastle natural gas compressor station located in Montgomery Township, **Franklin County**. The Title V permit was administratively amended in order to incorporate the requirements of Plan Approval No. 28-05003B and to change the permit contact.

**01-05003: Columbia Gas Transmission, LLC** (1700 MacCorkle Avenue SE, Charleston, WV 25314) on November 17, 2015, for the Gettysburg natural gas compressor station located in Straban Township, **Adams County**. The Title V permit was administratively amended in order to incorporate the requirements of Plan Approval No. 01-05003B and to change the permit contact.

**01-03012: TIN, Inc.** (136 E. York Street, PO Box 808, Biglerville, PA 17307) on November 17, 2015, for the corrugated cardboard manufacturing facility located in Biglerville Borough, **Adams County**. The State-only permit was administratively amended in order to reflect a change of ownership.

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

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

**10-00028: Armstrong Cement & Supply Corporation** (100 Clearfield Road, Cabot, PA 16023-9531) on November 13, 2015 the Department issued a minor modification to the Title V Operating Permit for the facility located in Winfield Township, **Butler County**. The revised permit incorporates a one year compliance extension for the National Emission Standards for Hazardous Air Pollutants for the Portland Cement Manufacturing Industry (Cement MACT) under 40 CFR Part 63 Subpart LLL in the Title V Operating Permit. An extension was granted to the facility in a letter from the Department dated May 26, 2015. The Department also previously issued plan approval 10-028J on September 5, 2014. The plan approval authorized the baghouse and carbon injection installation.



**25-00090: Zurn Industries LLC** (1801 Pittsburgh Avenue, Erie, PA 16502-1916). On November 13, 2015 issued an administrative amendment to the State Operating Permit to incorporate the plan approval 24-090E requirements for the facility located in Erie City, Erie County.

## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a).** The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P. S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1002).

### *Coal Permits Issued*

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

**Permit No. 11140101 and NPDES No. PA0269450. Laurel Sand & Stone Inc.**, 210 E. Main St., P. O. Box 556, Ligonier, PA 15658, commencement, operation and restoration of a bituminous surface mine in Jackson Township, **Cambria County** affecting 204.5 acres. Receiving streams: unnamed tributaries to/and Bracken Run and unnamed tributaries to/and South Branch Blacklick Creek classified for the following use: cold water fishes. The first downstream potable water supply intake from the point of discharge is Buffalo Township Municipal Authority of Freeport, PA on Allegheny River. Application received: July 1, 2015. Permit Issued: November 16, 2015.

The permit includes stream encroachments to two unnamed tributaries to Bracken Run. The first encroachment is to use an existing stream crossing. The crossing is located approximately 7,200 feet upstream of the point at which Bracken Run crosses Plank Road and encroaches on the unnamed tributary for a distance of approximately 205 feet. The second encroachment is a stream crossing located approximately 7,500 feet upstream of the point where Bracken run crosses Plane Road and encroaches on an unnamed tributary for approximately 300 feet. These two encroachment areas were previously permitted under surface mining permit No. 11110102.

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

**Permit No. 54901302R4 and NPDES Permit No. PA0594792. Carline Coal Co., Inc.**, (PO Box 188, Sacramento, PA 17968), renewal of an existing anthracite underground mine operation and NPDES Permit for discharge of treated mine drainage in Hegins Township, **Schuylkill County** affecting 5.0 acres, receiving stream:

West Branch Rausch Creek. Application received: December 7, 2011. Renewal issued: November 16, 2015.

**Permit No. 54860107R5. Reading Anthracite Company**, (PO Box 1200, Pottsville, PA 17901), renewal of an existing anthracite surface mine, coal refuse reprocessing and refuse disposal operation in Cass Township, **Schuylkill County** affecting 786.0 acres, receiving stream: West Branch Schuylkill River. Application received: March 26, 2014. Renewal issued: November 17, 2015.

**Permit No. 54860107GP104R. Reading Anthracite Company**, (PO Box 1200, Pottsville, PA 17901), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54860107 in Cass Township, **Schuylkill County**, receiving stream: West Branch Schuylkill River. Application received: March 26, 2014. Renewal issued: November 17, 2015.

**Permit No. 54-305-034GP12. Reading Anthracite Company**, (PO Box 1200, Pottsville, PA 17901), general operating permit to operate a coal preparation plant on Surface Mining Permit No. 54860107 in Cass Township, **Schuylkill County**. Application received: May 1, 2015. Permit issued: November 17, 2015.

**Permit No. 40763206R6. Heavy Media, Inc.**, (PO Box 27, Nanticoke, PA 18634), renewal of an existing anthracite coal refuse reprocessing operation in Larksville Borough, **Luzerne County** affecting 77.2 acres, receiving stream: Susquehanna River. Application received: August 11, 2015. Renewal issued: November 18, 2015.

**Permit No. 40763206GP104. Heavy Media, Inc.**, (PO Box 27, Nanticoke, PA 18634), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 40763206 in Larksville Borough, **Luzerne County**, receiving stream: Susquehanna River. Application received: August 11, 2015. Permit issued: November 18, 2015.

**Permit No. 40-305-011GP12R. Heavy Media, Inc.**, (PO Box 27, Nanticoke, PA 18634), general operating permit to operate a coal preparation plant on Surface Mining Permit No. 40763206 in Larksville Borough, **Luzerne County**. Application received: August 11, 2015. Renewal issued: November 18, 2015.

## ACTIONS ON BLASTING ACTIVITY APPLICATIONS

**Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.**

### *Blasting Permits Issued*

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

**Permit No. 35154107. Explosive Service, Inc.**, (7 Pine Street, Bethany, PA 18431), construction blasting for Valley View Bus Park in Jessup and Archbald Boroughs, **Lackawanna County** with an expiration date of November 16, 2016. Permit issued: November 17, 2015.

**Permit No. 36154149. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Jay Zimmerman Chicken House in Clay Township, **Lancaster County** with an expiration date of January 30, 2016. Permit issued: November 17, 2015.

**Permit No. 39154109. Douglas Explosives, Inc.,** (PO Box 77, Philipsburg, PA 16866), construction blasting for Advance Stores Company, Inc. Warehouse in Weisenberg Township, **Lehigh County** with an expiration date of June 30, 2016. Permit issued: November 17, 2015.

**Permit No. 40154111. Maurer & Scott Sales, Inc.,** (122 Thomas Street, Coopersburg, PA 18036), construction blasting for Moxie Freedom Generation Plant in Salem Township, **Luzerne County** with an expiration date of November 1, 2016. Permit issued: November 17, 2015.

**Permit No. 40154112. Maine Drilling & Blasting, Inc.,** (PO Box 1140, Gardiner, ME 04345), construction blasting for Wilkes-Barre Materials Gas Service in Plains Township, **Luzerne County** with an expiration date of July 1, 2016. Permit issued: November 17, 2015.

**Permit No. 46154113. American Rock Mechanics, Inc.,** (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Northgate Phase 5a in Upper Hanover Township, **Montgomery County** with an expiration date of November 11, 2016. Permit issued: November 17, 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.

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**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.**

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*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E15-838. French Creek Acquisition, LP,** 3815 West Chester Pike, Newtown Square, Phoenixville Borough, **Chester County.** ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities associated with the construction of six multistory buildings and auxiliary structures on the former Phoenix Iron and Steel Company site, now a 20.60-acre Brownfield Property (Act 2) situated within the floodway and floodplain of French Creek (WWF). Specific water obstructions and encroachment are:

1. To construct and maintain a 12-foot-wide trail and utilities within the floodway of the stream.
2. To conduct grading activities within the floodway to facilitate the finish grades for the overall project with net fill being 129 cubic yards.
3. To excavate and remove approximately 956 linear feet of sanitary sewer and relocate them outside of the floodway to facilitate the construction of three stormwater bioretention basins.
4. To construct two stormwater basins and associated outfall structures, discharging to the stream as part of the site's stormwater management system.
5. To fill three marginal, man-induced wetlands totaling 0.741 acre to facilitate the implementation of Act 2 proposed soil cap, construction of overburden buildings, parking facilities, and sidewalks on the site.
6. The fill approximately 0.14 acre of marginal, man-induced open body of waters situated in abandoned building foundations to facilitate the overall purpose of the project.
7. To construct and maintain, or facilitate the maintenance by Phoenixville Borough Public Works, approximately 795 linear feet of 36-inch diameter HDPE pipe specifically for the offsite stormwater bypass conveyance system and outfall as indicated on plans revised on September 10, 2015, and found acceptable by Phoenixville Borough on October 20, 2015.

The project is located on the east side of the intersection of North Main and Vanderslice Streets (Phoenixville, PA, USGS Quadrangle N:2.06 inches, W:1.91 inches).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

**E23-451. Corinthian Yacht Club of Philadelphia,** P. O. Box 366, Essington, PA 19029-0366, Tinicum Township, **Delaware County,** ACOE Philadelphia District.



To construct and maintain the following Water Obstruction and Encroachment activities along the Delaware River (WWF/MF) associated with the proposed marina improvements at the Corinthian Yacht Club of Philadelphia:

1. To remove portions of the existing upriver deteriorated solid fill crib structures.

2. To construct and maintain the proposed upriver pier, extending approximately 400 feet from the shoreline. The pier is 25 feet wide, which widens out to 123 feet at the tee-head. The proposed 352-foot long pier will be supported by H-pile bents placed at 25-foot center to center. Two boat hoists will be installed at each end of the tee-head. The proposed upriver pier will include:

- a. Two (2) new 8' x 100' floating docks.
- b. Two (2) new 20' x 32' ramp platforms.
- c. Fourteen (14) new 10' x 30' boat slips.
- d. Two (2) new 15' x 30' boat slips.
- e. Two (2) new 8' x 40' landing docks.

3. To construct and maintain the proposed 78-foot long 15-foot wide downriver fixed pier. The timber pile bents will be supported at 10 feet center to center. The proposed downriver pier will include:

- a. One (1) 8' x 60' floating dock.
- b. One (1) 8' x 80' floating dock.
- c. One (1) 8' x 100' floating dock.
- d. One (1) 4' x 15' pedestrian ramp.
- e. Thirteen (13) 16' x 20' dingy docks.
- f. Two (2) 15' x 20' boat slips.
- g. One (1) 13' x 25' boat slip.
- h. Three (3) 9' x 25' boat slips.

4. To construct and maintain an approximately 60-foot long 20-foot wide boat ramp.

5. To remove approximately 154 feet of seawall and replace with riprap bank stabilization and includes the installation of an upland gravel walkway.

6. To install approximately 134 linear feet of new plastic sheeting on the upriver pier.

7. To remove approximately 153 feet of riprap on the downriver shoreline and to install 153 feet of new riprap that will be 8 feet wide at a 2:1 slope.

8. Eleven (11) floating mooring buoys will be removed to make room for the new floating docks and six (6) new mooring buoys will be anchored adjacent to the existing mooring field.

9. To remove 1,898 S.F. of pile supported dock and replace with 1,326 S.F. of pile supported dock.

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

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

**E02-1709, Municipality of Mount Lebanon**, 710 Washington Road, Pittsburgh, PA 15228, Mount Lebanon Township, **Allegheny County**, ACOE Pittsburgh District.

Has been given consent to construct and maintain a retaining wall approximately 112' long and 10.5' high

along the right descending bank of an unnamed tributary to Painters Run (WWF) for the purpose of protecting and stabilizing the right stream bank and to prevent further erosion along Lindendale Drive located near the intersection of Lindendale Drive and Cedar Boulevard (Bridgeville, PA USGS topographic quadrangle; Latitude: 40° 22' 4.57"; Longitude: -80° 3' 42.07"; Pittsburgh District U.S. Army Corps of Engineers), in the Municipality of Mount Lebanon, Allegheny County. Riprap protection will be installed within said stream along the base of the proposed retaining wall. In addition, fill will be placed and maintained within the floodway, behind the proposed retaining wall. The project will also include placing and maintaining approximately 60' of grouted riprap placement on the left descending bank to protect a proposed manhole, modifications to existing utilities and outfall structures (removal of existing gas pipeline, encase an existing sanitary sewer line and extend an existing 4-inch diameter outfall structure) and will temporarily impact an additional 150' of watercourse.

**E02-1710, All Crane Rental of PA, LLC**, Route 837, PO Box 505, West Elizabeth, PA 15088, Jefferson Hills Borough, **Allegheny County**, ACOE Pittsburgh District.

Has been given consent to remove the existing structure and to construct and maintain a new single span reinforced concrete box beam bridge having a span of 60.0 feet with an underclearance of 21.2 feet at a slightly different location and skew across the channel of Lobbs Run (WWF) with an impact of approximately 50' of Lobbs Run. The project is located approximately 1,091.0 feet NE of the intersection of SR 837 and Walton Road (Glassport, PA USGS topographic quadrangle; Latitude: 40° 15' 39.45"; Longitude: -79° 54' 43.63"; U.S. Army Corps of Engineers Pittsburgh District), in Jefferson Hills Borough, Allegheny County.

#### ENVIRONMENTAL ASSESSMENTS

*Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 3, 400 Market Street, P. O. Box 8460, Harrisburg, PA 17105-8460*

**D26-045EA. Mr. Foster Shaffer**, Pennsylvania Game Commission, Bureau of Wildlife Habitat Management, Division of Engineering and Contract Management, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797. Dunbar Township, **Fayette County**, USACOE Pittsburgh District.

Project proposes to remove the breached remains of Number 4 Dam on State Game Lands #51 for the purpose of eliminating a threat to public safety and restoring the stream channel to a free-flowing condition. The project is located across Dunbar Creek (HQ-CWF) (South Connelville, PA Quadrangle, Latitude: 39.9465; Longitude: -79.5792).

#### 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 &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
ESG0012515002	Sunoco Pipeline, L. P. 525 Fritztown Road Sinking Spring, PA 19608	Washington County	Independence Township; Hopewell Township; Mount Pleasant Township; Chartiers Township	Camp Run (HQ-WWF); Brashears Run (HQ-WWF); UNT to Indian Camp Run (HQ-WWF); Indian Camp Run (HQ-WWF); Sugarcamp Run (HQ-WWF); UNT to Sugarcamp Run (HQ-WWF); UNT to Hanan Run (HQ-WWF), Hanan Run (HQ-WWF); Opossum Hollow (HQ-WWF), UNT to Dunkle Run (HQ-WWF); Dunkle Run (HQ-WWF); UNT to Cross Creek (HQ-WWF); UNT to Brush Run (HQ-WWF); Cross Creek (HQ-WWF); UNT to Cross Creek (HQ-WWF); UNT to Georges Run (WWF); UNT to Chartiers Run (WWF); Chartiers Run (WWF)

*Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335*

ESCGP-2 #ESG15-019-0043—Hydra Waterline Phase 1  
Applicant EM Energy Pennsylvania, LLC  
Contact Mr. Hugh Caperton  
Address 1800 Main Street Suite 220  
City Canonsburg State PA Zip Code 15317  
County Butler Township(s) Oakland  
Receiving Stream(s) and Classification(s) Lake Oneida/  
Connoquenessing Creek Trib 35297 to Pine Run/  
Connoquenessing Creek

ESCGP-2 #ESG15-019-0044—Broerman Well Pad  
Applicant XTO Energy Inc.  
Contact Ms. Melissa Breitenbach  
Address 190 horn Hill Road  
City Warrendale State PA Zip Code 15086  
County Butler Township(s) Donegal  
Receiving Stream(s) and Classification(s) Tributary 42737  
to Buffalo Creek (HQ-TSF) Buffalo Run (HQ-CWF)  
Buffalo Creek Watershed

ESCGP-2 #ESG15-019-0048—Shield Well Pad  
Applicant R.E. Gas Development LLC  
Contact Michael Endler  
Address 600 Cranberry Woods Dr. Suite 250  
City Cranberry Township State PA Zip Code 16066  
County Butler Township(s) Oakland  
Receiving Stream(s) and Classification(s) Thorn Creek &  
Trib. 35263 to Thorn Creek—HQ/WWF

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

ESCGP-2 # ESX10-115-0003(01)  
Applicant Name Chesapeake Appalachia, LLC  
Contact Person Eric Haskins  
Address 14 Chesapeake Lane  
City, State, Zip Sayre, PA 18840  
County Susquehanna  
Township(s) Auburn Twp  
Receiving Stream(s) and Classification(s) Benninger  
Creek (CWF)/Transue Creek (CWF)  
Secondary—Tuscarora Creek (CWF)

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## SPECIAL NOTICES

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### Minor State Only Operating Permit

*Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA. 19104-4543, Contact: Edward Wiener, Chief, Source Registration at 215-685-9426.*

The City of Philadelphia, Air Management Services (AMS) amended a Minor State Only Operating Permit for the following facility:

**S11-002: SunGard Availability Services** (401 North Broad Street, Philadelphia, PA 19108) for the operation of a computer facilities management facility in the City of Philadelphia, **Philadelphia County**. The operating permit was administratively amended to reflect the change in permit contact, and facility contact.

### Drinking Water State Revolving Fund Special Notice

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

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

#### *Project Location:*

<i>Applicant</i>	<i>Applicant Address</i>	<i>County</i>
Indiana County Municipal Services Authority	602 Kolter Drive Indiana, PA 15701	Indiana

#### *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. (Project ID #32081091509-CW).

The proposed project will consist of approximately 83,039 l.f. of 8" pipe; 1,310 l.f. of 2" pipe; 3,200 l.f. of 6" pipe; 44 hydrants; 97 valves, approx. 309 service connections, approx. 300 meters, a 250,000 gallon potable water storage tank, and renovations to the Heilwood Water Treatment Plant. The Department hereby approves the Environmental Assessment.

#### *Project Location:*

<i>Applicant</i>	<i>Applicant Address</i>	<i>County</i>
Rayburn Township Joint Municipal Authority	PO Box 776 Kittanning, PA 16201	Armstrong

#### *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. (Project ID #03099031510-CW).

The proposed project will consist of the construction of a 200,000 gallon water storage tank; a booster pump station; a meter vault; approximately 47,000 feet of 8-inch PVC waterline, and an interconnection with the Manor Township Joint Municipal Authority. The Department hereby approves the Environmental Assessment.

#### *Project Location:*

<i>Applicant</i>	<i>Applicant Address</i>	<i>County</i>
Central Indiana County Water Authority	30 East Wiley Street Homer City, PA 15748	Indiana

#### *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. (Project ID #32030101510-CW).

The proposed project will consist of the construction of the 220,000 gallon Circle Drive water storage tank and mixing system, various water line installation and replacement and a chlorine booster at the existing route 119 water pump station. The Department hereby approves the Environmental Assessment.

[Pa.B. Doc. No. 15-2133. Filed for public inspection December 4, 2015, 9:00 a.m.]

### Agricultural Advisory Board Meeting Location Change

The Agricultural Advisory Board meeting scheduled for December 16, 2015, has been moved to a new location. This meeting will begin at 9 a.m. in the Department of Environmental Protection, Bureau of Laboratories, 2575 Interstate Drive, Harrisburg, PA 17110-9332.

Questions concerning the December 16, 2015, meeting should be directed to Tom Juengst, Bureau of Conservation and Restoration, (717) 772-5646, [tjuengst@pa.gov](mailto:tjuengst@pa.gov). The agenda and materials for the meeting will be available through the Department of Environmental Protection's (Department) web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Public Participation," then "Advisory Committees," then "Water Advisory Committees," then "Agricultural Advisory Board").

Persons in need of accommodations as provided in the Americans with Disabilities Act of 1990 should contact the Department at (717) 787-7019 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JOHN QUIGLEY,  
*Secretary*

[Pa.B. Doc. No. 15-2134. Filed for public inspection December 4, 2015, 9:00 a.m.]

### Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) web site at [www.elibrary.dep.state.pa.us](http://www.elibrary.dep.state.pa.us). The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final technical guidance documents are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft technical guidance documents.

#### *Ordering Paper Copies of Department Technical Guidance*

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications.



Check with the appropriate bureau for more information about the availability of a particular document as a publication.

#### *Changes to Technical Guidance Documents*

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

#### *Draft Technical Guidance Documents: Substantive Revision*

**DEP ID:** 563-2112-218. **Title:** Permit Transfers. **Description:** This guidance explains the requirements for permit transfers and establishes guidelines for processing permit transfer applications for coal and noncoal operators. This update includes information on the application fee for permit transfers, requirements for a National Pollution Discharge Elimination System permit and corrections to bureaus and document names and references.

**Written Comments:** Interested persons may submit written comments on this draft technical guidance document by January 4, 2016. Comments submitted by facsimile will not be accepted. Comments, including comments submitted by e-mail, must include the originator's name and address. Commentators are urged to submit comments using the Department's online eComment tool at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment). Written comments should be submitted to the Technical Guidance Coordinator, Department of Environmental Protection, Policy Office, Rachel Carson State Office Building, P. O. Box 2063, Harrisburg, PA 17105-2063, [ecomment@pa.gov](mailto:ecomment@pa.gov).

**Contact:** Questions regarding this technical guidance document should be directed to Greg Greenfield, (717) 787-3174, [grgreenfie@pa.gov](mailto:grgreenfie@pa.gov).

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

JOHN QUIGLEY,  
Secretary

[Pa.B. Doc. No. 15-2135. Filed for public inspection December 4, 2015, 9:00 a.m.]

### Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) web site at [www.elibrary.dep.state.pa.us](http://www.elibrary.dep.state.pa.us). The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final technical guidance documents are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft technical guidance documents.

#### *Ordering Paper Copies of Department Technical Guidance*

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

#### *Changes to Technical Guidance Documents*

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

#### *Final Technical Guidance Document*

**DEP ID:** 563-2112-115. **Title:** Developing National Pollutant Discharge Elimination System (NPDES) Permits for Mining Activities. **Description:** The purpose of this guidance is to provide direction establishing effluent limits for NPDES permits associated with mining activities to ensure timely and compliant point source permitting. Appendix A: Mining Effluent Characterization Table of this guidance was revised to remove the "small business exemption" not applicable to the Table IV column and to clarify submittal differences between coal and noncoal permit requirements in the Table III column. Changes were prompted through communication with the United States Environmental Protection Agency. There were no changes made to the document based on public comments.

**Contact:** Questions regarding this technical guidance document should be directed to Sharon Hill, (717) 787-6842, [shill@pa.gov](mailto:shill@pa.gov).

**Effective Date:** December 5, 2015

JOHN QUIGLEY,  
Secretary

[Pa.B. Doc. No. 15-2136. Filed for public inspection December 4, 2015, 9:00 a.m.]

### Cleanup Standards Scientific Advisory Board Meeting Cancellation

The December 16, 2015, meeting of the Cleanup Standards Scientific Advisory Board (Board) has been cancelled. The next Board meeting will be scheduled for early 2016.

Questions should be directed to Troy Conrad, (717) 783-9480, [tconrad@pa.gov](mailto:tconrad@pa.gov). The agenda and meeting materials for the next Board meeting will be available on the Board webpage on the Department of Environmental Protection's (Department) web site at [www.dep.pa.gov](http://www.dep.pa.gov) (DEP Keyword: Cleanup Standards Scientific Advisory Board).

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 772-3429 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JOHN QUIGLEY,  
Secretary

[Pa.B. Doc. No. 15-2137. Filed for public inspection December 4, 2015, 9:00 a.m.]

### Pipeline Infrastructure Task Force Additional Meeting

The Pipeline Infrastructure Task Force (Task Force) meeting will be held on December 16, 2015, from 1 p.m. to 4 p.m. in Susquehanna Conference Rooms A and B of the Department of Environmental Protection's



Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110. The Task Force will develop policies, guidelines and tools to assist in pipeline development (including planning, permitting and construction) as well as long-term operation and maintenance.

The purpose and goals of the Task Force are to define a series of best practices to:

- Plan, site and route pipelines in ways that avoid or reduce environmental and community impacts of pipeline development.
- Amplify and engage in meaningful public participation regarding pipeline development.
- Maximize opportunities for predictable and efficient permitting.
- Employ construction methods that reduce environmental and community impacts.
- Ensure pipeline safety and integrity during operation of the pipeline.

The Task Force will provide a final report to Governor Tom Wolf detailing the findings of the Task Force in February 2016.

Questions concerning the meeting can be directed to the Task Force at RA-EPPITF@pa.gov. The agenda for the meeting will be available through the Department of Environmental Protection (Department) web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (DEP Keyword: Pipeline Infrastructure Task Force).

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Task Force at (717) 772-1856 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

JOHN QUIGLEY,  
*Secretary*

[Pa.B. Doc. No. 15-2138. Filed for public inspection December 4, 2015, 9:00 a.m.]

### Stream Redesignation Evaluation of Laurel Run, Rapid Run, White Deer Hole Creek and Hyner Run; Water Quality Standards Review

Under 25 Pa. Code § 93.4d (relating to processing of petitions, evaluations and assessments to change a designated use), the Department of Environmental Protection (Department) gives notice that an evaluation will be conducted on the stream section listed to determine the proper aquatic life use designation in the Commonwealth's Water Quality Standards.

<i>Stream Name</i>	<i>County</i>	<i>Tributary To</i>
Laurel Run, Basin	Centre, Union	Penns Creek
Rapid Run, Basin	Centre, Union	Buffalo Creek
White Deer Hole Creek, Source to Circle J Road	Lycoming, Clinton, Union	West Branch Susquehanna River
Hyner Run, Basin	Clinton	West Branch Susquehanna River
Middle Creek, Source to Swamp Creek	Adams	Toms Creek
Swamp Creek, Basin	Adams	Middle Creek

Persons who have technical data concerning the water quality, instream habitat or biological condition of these stream sections are encouraged to make it available to the Department for consideration in the assessment. These assessments may lead to recommendations to the Environmental Quality Board for redesignation.

Data should be submitted to Mark Brickner, Division of Water Quality Standards, Bureau of Point and Non-Point Source Management, P. O. Box 8774, Harrisburg, PA 17105-8774, [mbrickner@pa.gov](mailto:mbrickner@pa.gov). Data should be submitted within 30 days of this notice. Questions concerning this evaluation can be directed to Mark Brickner at (717) 787-9637.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Mark Brickner at (717) 783-9719 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JOHN QUIGLEY,  
*Secretary*

[Pa.B. Doc. No. 15-2139. Filed for public inspection December 4, 2015, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### Lease Office Space to the Commonwealth Allegheny County or Butler County

Proposers are invited to provide a proposal to the Department of General Services for approximately 3,000 net usable square feet of office space for the Liquor

Control Board's Administrative Law Judge on Route 19 in Allegheny County or Butler County, on or before 3 p.m. on Friday, February 19, 2016. For more information on SFP No. 94780, visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or contact the Bureau of Real Estate at (717) 787-4394.

CURTIS M. TOPPER,  
*Secretary*

[Pa.B. Doc. No. 15-2140. Filed for public inspection December 4, 2015, 9:00 a.m.]

**Lease Retail Space to the Commonwealth  
Philadelphia County**

Proposers are invited to provide a proposal to the Department of General Services for 7,500 to 10,000 net usable square feet of retail space for the Liquor Control Board in Philadelphia, Philadelphia County, on or before 3 p.m. on Friday, January 22, 2016. For more information on SFP No. 94779, visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or contact the Bureau of Real Estate at (717) 787-4394.

CURTIS M. TOPPER,  
Secretary

[Pa.B. Doc. No. 15-2141. Filed for public inspection December 4, 2015, 9:00 a.m.]

**DEPARTMENT OF HEALTH**

**Amendments to Charges for Medical Records**

In the notice published at 44 Pa.B. 7617 (December 6, 2014), the Department of Health (Department) published the guidelines and fees that a health care provider or facility may charge in response to a request for production of medical charts or records. This notice updates the notice published at 44 Pa.B. 7617.

Under 42 Pa.C.S. §§ 6152, 6152.1 and 6155 (relating to subpoena of records; limit on charges; and rights of patients), a health care provider or facility is allowed to charge a fee in response to a request for medical charts or records. The Secretary of Health (Secretary), under 42 Pa.C.S. §§ 6152 and 6152.1, is directed to adjust annually the amounts which may be charged by the health care provider or facility.

The Secretary is directed to base these adjustments on the most recent changes in the Consumer Price Index reported annually by the Bureau of Labor Statistics of the United States Department of Labor. For the annual period of October 31, 2014, through October 31, 2015, the Consumer Price Index was 0.02%.

Accordingly, effective January 1, 2016, the following fees may be charged by a health care facility or health care provider in response to a request for production of medical charts or records:

	<i>Not to Exceed</i>
Amount charged per page for pages 1—20 . . . . .	\$ 1.46
Amount charged per page for pages 21—60 . . . . .	\$ 1.08
Amount charged per page for pages 61—end . . . . .	\$ 0.36
Amount charged per page for microfilm copies . . . . .	\$ 2.16
Flat fee for production of records to support any claim under Social Security or any Federal or State financial needs based program . . . . .	\$27.48
Flat fee for supplying records requested by a district attorney . . . . .	\$21.69
Search and retrieval of records . . . . .	\$21.69

The previously listed fees shall apply for paper copies or reproductions on electronic media whether the records are stored on paper or in electronic format.

In addition to the amounts listed previously, charges may also be assessed for the actual cost of postage, shipping and delivery of the requested records.

The Department is not authorized to enforce these charges.

The previous charges, however, are subject to the following exceptions:

(1) An insurer shall not be required to pay for copies of medical records required to validate medical services for which reimbursement is sought under an insurance contract, except as provided in: (a) the Workers' Compensation Act (77 P. S. §§ 1—1041.4 and 2501—2506) and the regulations promulgated thereunder; (b) 75 Pa.C.S. Chapter 17 (relating to Motor Vehicle Financial Responsibility Law) and the regulations promulgated thereunder; or (c) a contract between an insurer and any other party.

(2) The charges listed in this notice do not apply to an X-ray film or any other portion of a medical record which is not susceptible to photostatic reproduction.

(3) The charges for the production of medical records by a health care provider in response to a request made by either an individual who is the subject of the health information or the individual's personal representative is governed by the Health Insurance Portability and Accountability Act (HIPAA) and Federal regulations enacted under HIPAA, including 42 U.S.C.A. § 17935(e) and 45 CFR 164.524 (relating to access of individuals to protected health information), as follows:

a. *Electronic health record.* Under 42 U.S.C.A. § 17935(e), if a health care provider uses or maintains health records in an electronic format with respect to protected health information of an individual, the individual shall have a right to obtain from the health care provider a copy of the information in an electronic format. The individual also has a choice to direct the health care provider to transmit electronically a copy of the health record directly to an entity or person designated by the individual, provided that any choice is clear, conspicuous and specific. Any fee that the health care provider may impose for providing this information (or a summary or explanation of this information) in an electronic format shall not be greater than the labor costs in responding to the request. The Department of Health and Human Services has stated that the labor costs may not include costs associated with searching for and retrieving the requested information.

b. *Health record used or maintained in other types of format (for example, paper).* Under 45 CFR 164.524(c)(4), if the individual requests a copy of the protected health information or agrees to a summary or explanation of the information, the covered entity may impose a reasonable, cost-based fee, provided that the fee includes only the cost of: (i) labor for copying the protected health information requested by the individual, whether in paper or electronic form; (ii) supplies for creating the paper copy or electronic media if the individual requests that the electronic copy be provided on portable media; (iii) postage, when the individual has requested the copy, or the summary or explanation, be mailed; and (iv) preparing an explanation or summary of the protected health information, if the individual agrees in advance to a summary or explanation and the fees to be imposed, in accordance to 45 CFR 164.524(c)(2)(iii). Similarly, the labor costs under 45 CFR 164.524(c)(4) shall not include the cost attributable to search and retrieval of the records.

Inquiries for further clarification on this exception should be directed to the Office of Civil Rights, United States Department of Health and Human Services, 200 Independence Avenue, S.W., Room 509F, HHH Building, Washington, DC 20201, (866) 627-7748, <http://www.hhs.gov/ocr/office/about/contactus/index.html>.

Questions or inquiries concerning this notice should be sent to the Department of Health, Office of Legal Counsel, Room 825, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 783-2500.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotope, Braille) should contact the Department of Health, Office of Legal Counsel at the address or phone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

KAREN M. MURPHY, PhD, RN,  
*Secretary*

[Pa.B. Doc. No. 15-2142. Filed for public inspection December 4, 2015, 9:00 a.m.]

### Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 51.6(b) (relating to identification of personnel):

Juniper Village at Brookline—Rehabilitation and Skilled Care  
1950 Cliffside Drive  
State College, PA 16801  
FAC ID # 281302

This request is on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, [ra-paexcept@pa.gov](mailto:ra-paexcept@pa.gov).

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the address or phone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,  
*Secretary*

[Pa.B. Doc. No. 15-2143. Filed for public inspection December 4, 2015, 9:00 a.m.]

### Pennsylvania Achieving Better Care by Monitoring All Prescriptions Board Meeting Cancellation

The Pennsylvania Achieving Better Care by Monitoring All Prescriptions meeting scheduled for Tuesday, December 15, 2015, at 9:30 a.m. in Room 129, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120 has been cancelled. The next scheduled meeting will be held on Tuesday, January 19, 2016, from 9:30 a.m. to 10:30 a.m. in Room 129, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotope, Braille) should contact Kimberly Buffington, Department of Health, Health and Welfare Building, Room 129, 625 Forster Street, Harrisburg, PA 17120, (717) 787-9857, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT) for speech and/or hearing impaired persons.

KAREN M. MURPHY, PhD, RN,  
*Secretary*

[Pa.B. Doc. No. 15-2144. Filed for public inspection December 4, 2015, 9:00 a.m.]

### Special Supplemental Nutrition Program for Women, Infants and Children (WIC Program); Announcement of WIC Program Regarding Selection of Local Agencies

The Women, Infants and Children (WIC) Program, established by the Child Nutrition Act of 1966 (42 U.S.C.A. §§ 1771—1793) and administered in this Commonwealth by the Department of Health (Department) at the direction of the United States Department of Agriculture (USDA), serves income eligible pregnant, breastfeeding or postpartum women, and their infants and children up to 5 years of age, who are at nutritional risk because of medical problems or poor diets. The WIC Program provides participant-centered nutrition education, breastfeeding promotion and support, referrals to other health and social service programs, and supplemental foods in specific quantities to support adequate growth and development during critical stages. Federal WIC Program regulations are codified in 7 CFR 246.1—246.28 (relating to Special Supplemental Nutrition Program for Women, Infants, and Children). State WIC Program regulations are codified in 28 Pa. Code Chapters 1101—1113 (relating to Supplemental Nutrition Program for Women, Infants and Children (WIC Program)).

The Department administers the Pennsylvania WIC Program with the assistance of Local Agencies located throughout this Commonwealth. The Local Agencies are responsible for prescribing and providing benefits to WIC participants, in compliance with 7 CFR 246.3(f) (relating to administration). Per 7 CFR 246.5 (relating to selection of local agencies), the Department is authorized to select Local Agencies through a written application process. Accordingly, the Department through this notice announces its intent to select Local Agencies, through the Request for Applications (RFA) process, for the following 24 service areas:

Service Area 1:	Philadelphia County
Service Area 2:	Bucks County
Service Area 3:	Chester County
Service Area 4:	Delaware County



Service Area 5:	Lancaster County
Service Area 6:	Berks, Bradford, Carbon, Lackawanna, Lehigh, Luzerne, Monroe, Montgomery, Northampton, Pike, Schuylkill, Sullivan, Susquehanna, Tioga, Wayne and Wyoming Counties
Service Area 7:	Dauphin County
Service Area 8:	York County
Service Area 9:	Adams and Franklin Counties
Service Area 10:	Columbia, Cumberland, Juniata, Lebanon, Mifflin, Montour, Northumberland, Perry, Somerset, Snyder and Union Counties
Service Area 11:	Clinton and Lycoming Counties
Service Area 12:	Bedford, Fulton and Huntingdon Counties
Service Area 13:	Cambria County
Service Area 14:	Blair and Centre Counties
Service Area 15:	Cameron, Clearfield, Elk, Jefferson and Potter Counties
Service Area 16:	McKean County
Service Area 17:	Fayette County
Service Area 18:	Westmoreland County
Service Area 19:	Greene and Washington Counties
Service Area 20:	Allegheny County
Service Area 21:	Armstrong, Beaver, Butler, Indiana and Lawrence Counties
Service Area 22:	Clarion, Crawford and Warren Counties
Service Area 23:	Forest, Mercer and Venango Counties
Service Area 24:	Erie County

Within the next 2 months, the Department anticipates posting an RFA on [www.emarketplace.state.pa.us](http://www.emarketplace.state.pa.us). The RFA will seek applications from interested entities who wish to serve as a Local Agency and provide WIC services in one of the previous regions. The Department's evaluation of submitted applications will include consideration of the local agency priority system in 7 CFR 246.5(d)(1). Interested entities should monitor [www.emarketplace.state.pa.us](http://www.emarketplace.state.pa.us) for information about the RFA including the required content of the application, the deadline for submission of an application and the application evaluation criteria.

The WIC Program is funded by the USDA. The USDA is an equal opportunity provider and employer.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact Jay Mast, Department of Health, Bureau of Women, Infants and Children (WIC), 625 Forster Street, Health and Welfare Building, 7th Floor West, Harrisburg, PA 17120, (717) 783-1289. Speech and/or hearing impaired persons use V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,  
Secretary

[Pa.B. Doc. No. 15-2145. Filed for public inspection December 4, 2015, 9:00 a.m.]

## DEPARTMENT OF HUMAN SERVICES

### Availability of the Renewal of the Bureau of Autism Services' Adult Autism Waiver

The Department of Human Services (Department) is making available for public review and comment the Department's request for a renewal of the Adult Autism Waiver.

#### *Background*

Home and Community-Based Waivers permitted under section 1915(c) of the Social Security Act (42 U.S.C.A. § 1396n(c)) are approved by the Centers for Medicare and Medicaid Services (CMS) for a 5-year renewal period. The current Adult Autism Waiver expires on June 30, 2016; therefore, the proposed waiver renewal is to be submitted to CMS no later than March 15, 2016.

In the request for a renewal of the Adult Autism Waiver, the Department proposes to revise the Adult Autism Waiver as follows:

- Update terminology used throughout the Adult Autism Waiver.
- Revise several quality measures and reporting requirements.
- Increase the limitation on the number of participants served at any point in time from 518 to 568 and increase the number of unduplicated participants from 544 to 597.
- Add reserved capacity for ten individuals discharged from a State hospital and for three individuals transferring from the Adult Community Autism Program.
- Allow use of an interim service plan when an individual is enrolled in the Adult Autism Waiver using reserved capacity and has a protective services plan that specifies a need for long-term support.
- Revise the intake process for individuals 18 years of age or older but under 21 years of age.
- Revise provider qualifications.
- Remove occupational therapy as a service.
- Combine several services into new services.
- Revise the risk assessment and mitigation section.

#### *Fiscal Impact*

The Department will incur State costs of \$1.244 million in the first year of implementation in Fiscal Year 2016-2017.

#### *Public Comment*

The Department has made the proposed Adult Autism Waiver renewal available at <http://www.dhs.state.pa.us/learnaboutdhs/waiverinformation/adultautismwaiver/index.htm>.

Copies of this notice and the proposed waiver renewal are also available by contacting the Bureau of Autism Services as provided as follows.

Interested persons are invited to submit written comments regarding this notice and the proposed renewal to the Adult Autism Waiver. Comments should be addressed to Lea Sheffield, Department of Human Services, Bureau of Autism Services, Office of Developmental Programs, 625 Forster Street, Room 605, Harrisburg, PA 17120.



Comments may also be submitted to the Department at RA-odpautismwaiver@pa.gov. Comments must be submitted by January 11, 2016.

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 (TTD users) or (800) 654-5988 (voice users).

THEODORE DALLAS,  
Secretary

**Fiscal Note:** 14-NOT-983. (1) General Fund; (2) Implementing Year 2015-16 is \$0; (3) 1st Succeeding Year 2016-17 is \$1,244,000; 2nd Succeeding Year 2017-18 through 5th Succeeding Year 2020-21 are \$0; (4) 2014-15 Program—\$19,169,000; 2013-14 Program—\$16,487,000; 2012-13 Program—\$13,000,000; (7) Autism Intervention and Services; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 15-2146. Filed for public inspection December 4, 2015, 9:00 a.m.]

## Nursing Facility Assessment Program for Fiscal Year 2015-2016

This notice announces the amount of the assessment that the Department of Human Services (Department) is implementing for Fiscal Year (FY) 2015-2016, provides an explanation of the assessment methodology that the Department is using in FY 2015-2016 and identifies the estimated aggregate impact on nursing facilities which will be subject to the assessment.

### Background

Article VIII-A of the Public Welfare Code (code) (62 P. S. §§ 801-A—815-A) authorizes the Department to impose an annual monetary assessment on nursing facilities and county nursing facilities in this Commonwealth each fiscal year through FY 2015-2016. Under Article VIII-A of the code, the Department may impose the assessment only to the extent that the assessment revenues qualify as the State share of Medical Assistance (MA) Program expenditures eligible for Federal financial participation (FFP). See 62 P. S. § 803-A. To ensure receipt of FFP, Article VIII-A of the code requires the Department to seek a waiver from the Federal Centers for Medicare and Medicaid Services if necessary to implement the Assessment Program. See 62 P. S. § 812-A.

For each fiscal year that the Assessment Program is implemented, the code authorizes the Secretary of the Department (Secretary) to determine the aggregate amount of the assessment and the annual assessment rate in consultation with the Secretary of the Budget. See 62 P. S. § 804-A. The act specifies that annual assessment rates must be sufficient to generate at least \$50 million in additional revenue, but not more than the maximum aggregate assessment amount that qualifies for Federal matching funds. See 62 P. S. § 804-A.

The Secretary must publish a notice in the *Pennsylvania Bulletin* before imposing an annual assessment for a fiscal year. The notice must specify the amount of the assessment being proposed, explain the proposed assessment methodology, identify the estimated assessment amount and aggregate impact on nursing facilities subject to the assessment and provide interested persons a 30-day period to comment. See 62 P. S. § 805-A.

After consideration of any comments received during the 30-day comment period, the Secretary must publish a

second notice announcing the rate of assessment for the fiscal year. See 62 P. S. § 805-A. The annual aggregate assessment amount and assessment rate for the fiscal year must be approved by the Governor. See 62 P. S. § 804-A.

The Secretary published a notice at 45 Pa.B. 2796 (June 6, 2015) announcing the proposed assessment rates, the aggregate amount and the impact for FY 2015-2016. No comments were received by the Department in response to the proposed rates notice.

### Assessment Methodology and Rates for FY 2015-2016

The following nursing facilities will continue to be exempt from the Assessment Program in FY 2015-2016:

- (1) State owned and operated nursing facilities.
- (2) Veteran's Administration nursing facilities.
- (3) Nursing facilities that have not been licensed and operated by the current or previous owner for the full calendar quarter prior to the calendar quarter in which an assessment is collected.
- (4) Nursing facilities that provide nursing facility services free of charge to all residents.

The Department will assess nonexempt nursing facilities at two rates. One rate will apply to four categories of nursing facilities: county nursing facilities; nursing facilities that have 44 or fewer licensed beds; qualified nursing facilities affiliated with Continuing Care Retirement Communities (CCRC) (see 40 Pa.B. 7297 (December 18, 2010)); and nursing facilities with an MA occupancy rate of at least 94% based on the 4 most recently submitted assessment quarter reports for each nursing facility as of November 5, 2014. The other rate will apply to all other nonexempt facilities, including nursing facilities that began participation in a CCRC on or after July 1, 2010. Using the applicable rate, the Department will calculate each nonexempt facility's quarterly assessment amount by multiplying its assessment rate by the facility's non-Medicare resident days during the calendar quarter that immediately preceded the assessment quarter. This rate structure is essentially the same structure that was used in FY 2014-2015, but for an adjustment to the qualifications for the assessment rates.

Although the Department will maintain essentially the same basic rate structure for FY 2015-2016, the Department is increasing the assessment rate for nonexempt nursing facilities from the rates in FY 2014-2015. For FY 2015-2016, the assessment rates for nonexempt nursing facilities will be as follows:

- (1) For county nursing facilities, for nursing facilities that have 44 or fewer licensed beds, for qualified CCRC nursing facilities and nursing facilities with an MA occupancy rate of at least 94% based on the latest 4 assessment quarters for each nursing facility as of November 5, 2014, the assessment rate will be \$8.01 per non-Medicare resident day.
- (2) For all other nonexempt nursing facilities, the assessment rate will be \$30.06 per non-Medicare resident day.

Assessment payments are due the last day of the assessment quarter or 30 days after publication of this second notice, whichever is later.

The Assessment Program due dates, along with supplemental payment dates, will be available on the Department's web site at <http://www.dhs.state.pa.us/provider/doingbusinesswithdhs/longtermcarecasemixinformation/index.htm>.

*Aggregate Assessment Amounts and Fiscal Impact*

The Department estimates that the annual aggregate assessment fees for nonexempt nursing facilities will total \$485.035 million. The Department will use the State revenue derived from the assessment fees and any associated Federal matching funds to support payments to qualified MA nursing facility providers in accordance with applicable laws and regulations.

*Public Comment*

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Long-Term Living, Bureau of Policy and Regulatory Management, Attention: Marilyn Yocum, P. O. Box 8025, Harrisburg, PA 17105-8025. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

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-981. (1) General Fund; (2) Implementing Year 2015-16 is -\$485,035,000; (3) 1st Succeeding Year 2016-17 through 5th Succeeding Year 2020-21 are \$0; (4) 2014-15 Program—\$734,915,000; 2013-14 Program—\$820,409,000; 2012-13 Program—\$770,903,000; (7) Long-Term Care; (8) recommends adoption. This action will result in savings to the Commonwealth.

[Pa.B. Doc. No. 15-2147. Filed for public inspection December 4, 2015, 9:00 a.m.]

**DEPARTMENT OF  
TRANSPORTATION**

**Bureau of Maintenance and Operations; Access  
Route Approval**

Under 75 Pa.C.S. § 4908 (relating to operation of certain combinations on interstate and certain other highways), the Department of Transportation approved on November 16, 2015, the following access route for use by the types of truck combinations as indicated:

**INDEPENDENT REGULATORY REVIEW COMMISSION**

**2016 Public Meeting Schedule**

The Independent Regulatory Review Commission (Commission) will hold public meetings in 2016 as follows:

January 21, 2016	10 a.m.	14th Floor Conference Room 333 Market Street
February 18, 2016	10 a.m.	14th Floor Conference Room 333 Market Street
March 10, 2016	10 a.m.	14th Floor Conference Room 333 Market Street
March 31, 2016	10 a.m.	14th Floor Conference Room 333 Market Street
April 21, 2016	10 a.m.	14th Floor Conference Room 333 Market Street

1. (X) 96" wide twin trailers (28 1/2' maximum length of each trailer).
2. (X) 102" wide 53' long trailer.
3. (X) 102" wide 48' long trailer.
4. (X) 102" wide twin trailers (28 1/2' maximum length-each).
5. (X) 102" wide maxi-cubes.

The following municipality approved the access route within their jurisdiction: Dauphin County.

<i>Route Identification</i>	<i>Route Description</i>	<i>Length Miles</i>
Airport Drive	From Olmstead Drive to SR 0230	1.5

Questions should be directed to Matthew Hedge at (717) 772-5462.

LESLIE S. RICHARDS,  
*Secretary*

[Pa.B. Doc. No. 15-2148. Filed for public inspection December 4, 2015, 9:00 a.m.]

**ENVIRONMENTAL  
QUALITY BOARD**

**Meeting Cancellation**

The December 15, 2015, meeting of the Environmental Quality Board (Board) is cancelled. The next regular meeting of the Board is scheduled for Wednesday, February 3, 2016, at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

The agenda and meeting materials for the February 3, 2016, meeting will be available on the Department of Environmental Protection's web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Public Participation," then "Environmental Quality Board (EQB)," then "2016 Meetings").

Questions concerning the Board's next scheduled meeting may be directed to Laura Edinger, (717) 783-8727, [ledinger@pa.gov](mailto:ledinger@pa.gov).

JOHN QUIGLEY,  
*Chairperson*

[Pa.B. Doc. No. 15-2149. Filed for public inspection December 4, 2015, 9:00 a.m.]

May 19, 2016	10 a.m.	14th Floor Conference Room 333 Market Street
June 9, 2016	10 a.m.	14th Floor Conference Room 333 Market Street
June 30, 2016	10 a.m.	14th Floor Conference Room 333 Market Street
July 21, 2016	10 a.m.	14th Floor Conference Room 333 Market Street
August 18, 2016	10 a.m.	14th Floor Conference Room 333 Market Street
September 15, 2016	10 a.m.	14th Floor Conference Room 333 Market Street
October 20, 2016	10 a.m.	14th Floor Conference Room 333 Market Street
November 17, 2016	10 a.m.	14th Floor Conference Room 333 Market Street
December 15, 2016	10 a.m.	14th Floor Conference Room 333 Market Street

Individuals who are planning on attending or speaking at a public meeting should notify the Commission no later than 72 hours prior to the date of the meeting. For any changes to the meeting schedule, refer to the Commission web site at [www.irrc.state.pa.us](http://www.irrc.state.pa.us). If an executive session is deemed necessary, it shall be held immediately following the close of the public meeting in the 14th Floor Conference Room, 333 Market Street, Harrisburg, PA. Persons in need of special accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Cheryl Yohn at (717) 772-3455.

JOHN F. MIZNER, Esq.,  
*Chairperson*

[Pa.B. Doc. No. 15-2150. Filed for public inspection December 4, 2015, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Approval to Redomesticate from the Commonwealth of Pennsylvania by CSAA Affinity Insurance Company

CSAA Affinity Insurance Company, a domestic stock casualty insurance company, has filed for approval a plan of redomestication whereby the state of domicile would change from the Commonwealth of Pennsylvania to Arizona. The filing was made under section 357 of The Insurance Company Law of 1921 (40 P. S. § 477e).

Persons wishing to comment on the redomestication are invited to submit a written statement to the Insurance Department (Department) within 7 days of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Cressinda E. Bybee, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, [cbybee@pa.gov](mailto:cbybee@pa.gov).

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 15-2151. Filed for public inspection December 4, 2015, 9:00 a.m.]

### Application for Approval to Redomesticate from the Commonwealth of Pennsylvania by CSAA Mid-Atlantic Insurance Company

CSAA Mid-Atlantic Insurance Company, a domestic stock casualty insurance company, has filed for approval a plan of redomestication whereby the state of domicile would change from the Commonwealth of Pennsylvania to Arizona. The filing was made under section 357 of The Insurance Company Law of 1921 (40 P. S. § 477e).

Persons wishing to comment on the redomestication are invited to submit a written statement to the Insurance Department (Department) within 7 days of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Cressinda E. Bybee, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, [cbybee@pa.gov](mailto:cbybee@pa.gov).

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 15-2152. Filed for public inspection December 4, 2015, 9:00 a.m.]

### Children's Health Insurance Program; Children's Health Advisory Council Meeting

The Insurance Department has scheduled a meeting of the Children's Health Advisory Council (Council) on Wednesday, December 16, 2015, at 10:30 a.m. in the Honors Suite, 333 Market Street, Harrisburg, PA 17126. The Children's Health Care Act (40 P. S. §§ 991.2301—991.2362) charges the Council with the responsibilities of overseeing outreach activities and evaluating access and quality of service provided to children enrolled in the Children's Health Insurance Program. The public is in-

vited to attend. Persons who need accommodations due to a disability who wish to attend the meeting should contact Donna Beer, Insurance Department, 1300 Strawberry Square, Harrisburg, PA 17120, (717) 346-1363, at least 24 hours in advance so that arrangements can be made.

TERESA D. MILLER,  
Insurance Commissioner

[Pa.B. Doc. No. 15-2153. Filed for public inspection December 4, 2015, 9:00 a.m.]

## OFFICE OF THE BUDGET

### Statutory Cost of Living Increases for Salaries of State Officials and the Heads of Departments, Boards and Commissions

Section 3(e) of the Public Official Compensation Act, the act of September 30, 1983 (P. L. 160, No. 39) as amended by Section 2 of the act of October 19, 1995 (P. L. 324, No. 51) mandates that the salaries of the Governor, Lieutenant Governor, State Treasurer, Auditor General, Attorney General and the heads of the departments and members of boards and commissions shall be increased by applying the percentage change in the Consumer Price Index for All Urban Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and Maryland area for the most recent 12 month period for which figures have been officially reported by the United States Department of Labor, Bureau of Labor Statistics (BLS) immediately prior to the date adjustment is due to take effect.

As required by Section 3(e) of the Public Official Compensation Law, the Governor has determined, based on the change in the CPI-U (PA-DE-NJ-MD) over the past 12 months as reported by BLS on November 17, 2015, that the salaries covered by that law shall not change effective January 1, 2016. The following chart lists the position, the salary prior to the adjustment, the percentage decrease of the adjustment and the new salary:

#### COLA Adjustment for Elected and Appointed Officials Receiving Salaries Contained in Act 1995-51

Cola Adjustment is Based on the Percent Change in the CPI-U for PA-DE-NJ-MD, CMSA, for the 12-Month Period Ending October 2015

<i>Position</i>	<i>Salary Prior to 1/1/2016</i>	<i>Cola Adjustment<sup>1</sup></i>	<i>Salary Effective 1/1/2016</i>
Governor	\$190,823	-0.5%	\$190,823
Lieutenant Governor	\$160,289	-0.5%	\$160,289
State Treasurer	\$158,764	-0.5%	\$158,764
Auditor General	\$158,764	-0.5%	\$158,764
Attorney General	\$158,764	-0.5%	\$158,764
Large Agency Head	\$152,657	-0.5%	\$152,657
Secretary of Education			
Secretary of Environmental Protection			
Secretary of Health			
Secretary of Labor and Industry			
Secretary of Public Welfare			
Secretary of Transportation			
Secretary of Corrections			
Medium Agency Head	\$145,025	-0.5%	\$145,025
Secretary of Aging			
Secretary of Community & Economic Development			
Secretary of General Services			
Secretary of Revenue			
State Police Commissioner			
Secretary of Conservation & Natural Resources			
Small Agency Head	\$137,392	-0.5%	\$137,392
Adjutant General			
Secretary of Agriculture			
Secretary of Banking			
Secretary of the Commonwealth			
Insurance Commissioner			
Secretary of Drug and Alcohol Programs *****			



**NOTICES**

**6941**

<i>Position</i>	<i>Salary Prior to 1/1/2016</i>	<i>Cola Adjustment<sup>1</sup></i>	<i>Salary Effective 1/1/2016</i>
Liquor Control Board			
Chairman	\$77,548	-0.5%	\$77,548
Member	\$74,494	-0.5%	\$74,494
Civil Service Commission****			
Chairman	\$87,261	-0.5%	\$87,261
Member	\$83,904	-0.5%	\$83,904
State Tax Equalization Board			
Chairman	\$26,716	-0.5%	\$26,716
Member	\$24,807	-0.5%	\$24,807
Milk Marketing Board			
Chairman	\$24,807	-0.5%	\$24,807
Member	\$23,853	-0.5%	\$23,853
Securities Commission***			
Chairman	\$41,738	-0.5%	\$41,738
Member	\$38,079	-0.5%	\$38,079
Athletic Commission			
Chairman	\$20,039	-0.5%	\$20,039
Member	\$19,080	-0.5%	\$19,080
Board of Pardons			
Member	\$17,555	-0.5%	\$17,555
Public Utility Commission			
Chairman	\$147,525	**	\$147,525
Member	\$145,025	-0.5%	\$145,025
Environmental Hearing Board*			
Chairman	\$147,525	*	\$147,525
Member	\$145,025	*	\$145,025
Board of Claims*****			
Chairman	\$140,940	-0.5%	\$140,940
Member	\$133,520	-0.5%	\$133,520

\*: The Environmental Hearing Board is not listed in Act 1995-51, but separate legislation requires that the Board's members receive the same compensation as the PUC.

\*\* : Act 1995-51 requires that the PUC Chairman shall receive \$2,500/yr. more than PUC Members.

\*\*\*: Per Act 1998-51.

\*\*\*\*: Per Act 2002-140 effective November 27, 2002.

\*\*\*\*\*: Per Act 2002-118, effective October 2, 2002.

\*\*\*\*\*: The salary for the Secretary of Drug and Alcohol Programs has not yet been set by statute.

<sup>1</sup> Act 1995-51, Section 3(e) only provides for increases in the salaries of elected and appointed officials addressed by the act. Therefore, effective January 1, 2016, the salaries will not change.

RANDY ALBRIGHT,  
*Secretary*

[Pa.B. Doc. No. 15-2154. Filed for public inspection December 4, 2015, 9:00 a.m.]

**PATIENT SAFETY  
AUTHORITY**

**Public Meeting**

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. § 1303.303), announces a meeting of the Authority's Board to be held at the Conference Center, Central Penn College, 600

Valley Road, Summerdale, PA 17093 at 10 a.m. on Tuesday, December 8, 2015.

Individuals with questions regarding this meeting, which is open to the public, should contact the Authority at (717) 346-0469.

MICHAEL C. DOERING,  
*Executive Director*

[Pa.B. Doc. No. 15-2155. Filed for public inspection December 4, 2015, 9:00 a.m.]

# PENNSYLVANIA eHEALTH PARTNERSHIP AUTHORITY

## Financial Statements INDEPENDENT AUDITORS' REPORT

Board of Directors  
Pennsylvania eHealth Partnership Authority  
Harrisburg, Pennsylvania

We have audited the accompanying financial statements of the business-type activities of the PENNSYLVANIA eHEALTH PARTNERSHIP AUTHORITY ("The Authority"), a component unit of the Commonwealth of Pennsylvania, as of and for the year ended June 30, 2015, and the related notes to the financial statements, which collectively comprise the Authority's basic financial statements as listed in the table of contents.

### *Management's Responsibility for the Financial Statements*

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

### *Auditors' Responsibility*

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditors' judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

### *Opinion*

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the business-type activities of the Authority as of June 30, 2015, and the respective changes in financial position and cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

### *Adoption of Governmental Accounting Standards Board Statements*

As discussed in Note 1 to the financial statements, during the year ending June 30, 2015, The Authority adopted the provisions of Governmental Accounting Standards Board's Statement No. 68, "Accounting and Financial Reporting for Pensions—an amendment of GASB Statement No. 27", Statement No. 69, Government Combinations and Disposals of Government Operations", and Statement No. 71, "Pension Transition for Contributions Made Subsequent to the Measurement Date—an Amendment of GASB Statement No. 68". Our opinion is not modified with respect to these matters.

### *Other Matters*

### *Required Supplementary Information*

Accounting principles generally accepted in the United States of America require that the schedule of Authority's proportionate share of the net pension liability and the schedule of Authority's contributions on pages 19-20 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquires of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

*Omission of Management's Discussion and Analysis*

Management has omitted the management's discussion and analysis that accounting principles generally accepted in the United States of America require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. Our opinion on the basic financial statements is not affected by this missing information.

ZELENKOFKSKE AXELROD LLC

Harrisburg, Pennsylvania  
October 1, 2015

**STATEMENT OF NET POSITION****JUNE 30, 2015**

<b>ASSETS</b>	
Investments	\$ 3,893,086
Interest Receivable	636
Due from Primary Government	61
Grants Receivable	<u>145,033</u>
<b>TOTAL ASSETS</b>	<u><b>4,038,816</b></u>
<b>DEFERRED OUTFLOWS OF RESOURCES</b>	
Deferred Outflows of Resources from Pensions	<u>1,066,805</u>
<b>TOTAL DEFERRED OUTFLOWS OF RESOURCES</b>	<u><b>1,066,805</b></u>
<b>LIABILITIES</b>	
Current Liabilities:	
Accounts Payable	420,045
Due to Primary Government	12,106
Other Liabilities	4,020
Noncurrent Liabilities:	
Compensated Absences	87,895
Other Post Employment Benefits	54,597
Pension Liability	<u>2,267,052</u>
<b>TOTAL LIABILITIES</b>	<u><b>2,845,715</b></u>
<b>DEFERRED INFLOWS OF RESOURCES</b>	
Deferred Inflows of Resources from Pensions	<u>23,695</u>
<b>TOTAL DEFERRED INFLOWS OF RESOURCES</b>	<u><b>23,695</b></u>
<b>NET POSITION</b>	
Restricted	<u>2,236,211</u>
<b>TOTAL NET POSITION</b>	<u><u><b>\$ 2,236,211</b></u></u>

The accompanying notes are an integral part of the financial statements.

**STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION  
YEAR ENDED JUNE 30, 2015**

<b>Operating Revenues</b>	
Contributions:	
Private Sector	\$ 236,217
Commonwealth	1,850,000
Intergovernmental Revenue	<u>506,248</u>
<b>TOTAL OPERATING REVENUES</b>	<u><b>2,592,465</b></u>
<b>Operating Expenses</b>	
Personnel	1,747,227
Operations	<u>1,774,504</u>
<b>TOTAL OPERATING EXPENSES</b>	<u><b>3,521,731</b></u>
<b>OPERATING LOSS</b>	<u><b>(929,266)</b></u>

Operating Revenues	
Nonoperating Revenues	
Interest income	5,760
	<hr/>
NONOPERATING REVENUES	5,760
	<hr/>
Decrease in Net Position	(923,506)
NET POSITION, Beginning of Year, as Restated	3,159,717
	<hr/>
NET POSITION, End of Year	\$ 2,236,211
	<hr/> <hr/>

The accompanying notes are an integral part of the financial statements.

**STATEMENT OF CASH FLOWS  
YEAR ENDED JUNE 30, 2015**

Cash Flows from Operating Activities:	
Cash receipts from contributions	\$ 4,086,163
Cash receipts from intergovernmental revenues	8,928,495
Cash paid for personnel services	(1,297,009)
Cash paid for operating expenses	(10,052,209)
	<hr/>
Net cash provided by operating activities	1,665,440
Cash Flows from Investing Activities:	
Net investment activity	(1,670,867)
Interest on investments	5,427
	<hr/>
Net cash used in investing activities	(1,665,440)
Change in cash	—
Cash, Beginning of Year	—
	<hr/>
Cash, End of Year	\$ —
	<hr/> <hr/>
Reconciliation of Operating Loss to Cash Flows Provided by Operating Activities:	
Operating Loss	\$ (929,266)
Adjustments to reconcile operating loss to net cash provided by operating activities:	
Effects of changes in operating assets and liabilities:	
Grants receivable	8,422,247
Other Assets	(1,066,674)
Due from primary government	1,999,946
Accounts payable	275,421
Due to primary government	(8,554,658)
Compensated absences	36,419
Other post employment benefits	54,597
Other liabilities	1,427,408
	<hr/>
Net cash provided by operating activities	\$ 1,665,440
	<hr/> <hr/>

The accompanying notes are an integral part of the financial statements.

**NOTES TO FINANCIAL STATEMENTS YEAR  
ENDED JUNE 30, 2015**

**NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

*A. Organization*

The Pennsylvania eHealth Partnership Authority (the "Authority") was established by Act 121 of 2012 (effective July 5, 2012), as an independent agency of the Commonwealth of Pennsylvania (the "Commonwealth"). The Authority took over the work of its predecessor, the PA eHealth Collaborative, a separate fund of the Commonwealth. The purpose of the Authority is to improve healthcare delivery and healthcare outcomes in Pennsylvania by providing, as appropriate, leadership and strategic direction for public and private, federally-funded and state-funded investments in health information technology (HIT) initiatives, including electronic health information exchange (eHIE) capabilities and other related HIT initiatives.

The Authority's operations are administered by a board of directors consisting of fifteen members including the following: the Secretary of Health or a designee; the Secretary of Public Welfare, or a designee; seven members are appointed by the Governor; three members are appointed by the President pro tempore of the Senate, in consultation with the Majority and Minority Leaders of the Senate; and three members are appointed by the Speaker of the House of Representatives, in consultation with the Majority and the Minority Leaders of the House of Representatives.

The Authority is a component unit of the Commonwealth reporting entity due to the Commonwealth's ability to impose its will on the Authority. The Authority is presented as an enterprise fund on the accrual basis of accounting.



### *B. Measurement Focus and Basis of Accounting*

The Authority follows Generally Accepted Accounting Principles (GAAP). GAAP allows specialized accounting for government entities, which is governed by pronouncements set by the Government Accounting Standards Board (GASB).

The Authority is considered a special-purpose government since it is engaged solely in business-type activities under GASB Statement No. 34. The Authority's financial statements are prepared using the economic resources measurement focus and accrual basis of accounting. Under the accrual basis of accounting revenues are recorded when earned and expenses are recorded when they have been incurred. The statements are intended to report the Authority as an economic unit that includes all measurable assets and liabilities, financial and capital, of the institution.

All activities of the Authority are accounted for within a single proprietary (enterprise) fund. A proprietary fund is used to account for operations that are (a) financed and operated in a manner similar to private business enterprises where the intent of the governing body is that the costs (expenses, including depreciation) of providing goods or services to the general public on a continuing basis be financed or recovered primarily through user charges; or (b) where the governing body has decided that periodic determination of revenues earned, expenses incurred, and/or net income is appropriate for capital maintenance, public policy, management control, account ability, or other purpose.

The Authority follows the Government Accounting Standards Board (GASB) Statement No. 34, Basic Financial Statements and Management's Discussion and Analysis. Within the Statements of Revenues, Expenses and Changes in Net Position, Statement No. 34 requires operating income and expenses to be separated from non-operating income in order to show net operating income. Operating income and expenses are defined as those activities directly related to the Authority's primary business of providing employment through economic development lending. Non-operating revenues and expenses consist of those revenues and expenses that are related to financing and investing types of activities and result from non-exchange transactions, such as investment income/loss.

When an expense is incurred for purposes for which both restricted and unrestricted net positions are available, the Authority's policy is to apply restricted net position first, then unrestricted net position as they are needed.

### *C. Net Position*

*Restricted Net Position*—This category presents external restrictions imposed by creditors, grantors, contributors or laws and regulations of other governments and restrictions imposed by law through constitutional provisions or enabling legislation.

### *D. Investments*

The Authority values its investments at fair value. The fair value of the Authority's investments are based upon values provided by external investment managers and quoted market prices.

### *E. Use of Estimates*

The preparation of financial statements requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

### *F. Statement of Cash Flows*

The Authority considers all highly liquid investments with a maturity of three months or less at the time of purchase to be cash equivalents. Cash equivalents are stated at cost, which approximates fair value.

### *G. Pensions*

For purposes of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the Pennsylvania State Employees' Retirement System (SERS) and additions to/deductions from SERS' fiduciary net position have been determined on the same basis as they are reported by SERS. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

### *H. Deferred Outflows/Inflows of Resources*

In addition to assets, the statement of financial position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net position that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until then. The Authority has deferred outflows related to pensions that qualifies for reporting in this category.

In addition to liabilities, the statement of net position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net position that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time. The Authority has deferred inflows related to pensions that qualifies for reporting in this category.

### *I. Adoption of Governmental Accounting Standards Board Statements*

In June 2012, the GASB issued Statement No. 68, Accounting and Financial Reporting for Pensions—an amendment of GASB Statement No. 27. In November 2013, the GASB issued Statement No. 71, Pension Transition for Contributions Made Subsequent to the Measurement Date—an Amendment of GASB Statement No. 68. The principal objective of GASB Statement No. 68 is to improve the usefulness of information for decisions made by the various users of the general purpose external financial reports of governments whose employees, both active employees and inactive employees, are provided with pensions. The objective of GASB Statement No. 71 is to improve accounting and financial reporting by addressing an issue in Statement No. 68 concerning transition provisions related to certain pension contributions made to defined benefit pension plans prior to implementation of that Statement. The Authority adopted these statements for its fiscal year ended June 30, 2015. Net position as of July 1, 2014 was decreased by \$864,740.

The effect on beginning balances for fiscal year 2015 is as follows:

Description	June 30, 2014 as Previously Reported	Beginning Balance Restatement	July 1, 2014 as Restated
<b>Statement of Net Position</b>			
Deferred outflows of resources from pensions	\$ —	\$ 66,034	\$ 66,034
Net Pension Liability	—	(930,774)	(930,774)
Net position	4,024,457	(864,740)	3,159,717

See Note 3 for additional disclosures required by these statements.

In January 2013, the GASB issued Statement No. 69, Government Combinations and Disposals of Government Operations. The adoption of this statement had no effect on the previous reported amounts.

*J. Pending Changes in Accounting Principles*

In February 2015, the GASB issued Statement No. 72, Fair Value Measurement and Application. The Authority is required to adopt Statement No. 72 for its fiscal year 2016 financial statements.

In June 2015, the GASB issued Statement No. 73, Accounting and Financial Reporting for Pensions and Related Assets That Are Not within the Scope of GASB Statement 68, and Amendments to Certain Provisions of GASB Statements 67 and 68. The Authority is required to adopt Statement No. 73 for its fiscal year 2017 financial statements.

In June 2015, the GASB issued Statement No. 74, Financial Reporting for Postemployment Benefit Plans Other Than Pension Plans. The Authority is required to adopt Statement No. 74 for its fiscal year 2017 financial statements.

In June 2015, the GASB issued Statement No. 75, Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions. The Authority is required to adopt Statement No. 75 for its fiscal year 2018 financial statements.

In June 2015, the GASB issued Statement No. 76, The Hierarchy of Generally Accepted Accounting Principles for State and Local Governments. The Authority is required to adopt Statement No. 76 for its fiscal year 2016 financial statements.

In August 2015, the GASB issued Statement No. 77, Tax Abatement Disclosures. The Authority is required to adopt Statement No. 77 for its fiscal year 2017 financial statements.

The Authority has not yet performed analysis to determine the impact of these statements.

**NOTE 2: DEPOSIT AND INVESTMENT RISK**

The Commonwealth's fiscal code, as amended, authorizes the Authority to invest in obligations of the U.S. government and government-sponsored agencies and instrumentalities; certificates of deposits, fully insured or collateralized; certain commercial paper and repurchase agreements; highly rated bank promissory notes or investment funds or trusts; and "prudent man" investments as determined by the Authority's depository (i.e. Commonwealth Treasury Department).

All of the Authority's investments are invested in the Common Investment Pool of the Commonwealth which is managed by the Commonwealth's Treasury Department (the Treasury Department).

The deposit and investment policies of the Treasury Department are governed by Sections: 301, 301.1 and 505 of the Pennsylvania Fiscal Code (Act of 1929 P.L. 343), and Section 321.1 of the Pennsylvania Administrative Code (Act of 1929 P.L. 177. No. 175).

Treasury deposits must be held in insured depositories approved by the Board of Finance and Revenue and must be fully collateralized. The Fiscal Code grants the Treasury Department the authority to invest in any deposits and investments subject. This authority is subject, however, to the exercise of that degree of judgment and care under the circumstances then prevailing which persons of prudence, discretion and intelligence who are familiar with such matters exercise in the management of their own affairs not in regard to speculation but in regard to the permanent disposition of the funds considering the probable income to be derived therefrom as well as the probable safety of their capital. Treasury Department deposits and investments may include equity securities and mutual funds.

As of June 30, 2015, the Treasury Department manages the Commonwealth Investment Program (CIP). Treasury is required to exercise careful judgment in determining those investments that are appropriate for each Commonwealth fund based upon distinct investment criteria such as income needs, cash flow requirements, investment time horizons, and risk tolerance. All investments are made in accordance with the statutory authority described in the preceding paragraph. The CIP investment pool structure invests in both equity securities and fixed income securities to achieve the investment objectives of the funds of the Commonwealth Investment Program. Asset allocation targets among cash, equity securities, fixed income securities and alternative are established in order to meet these overall objectives.

Treasury has created two separate Pools within the Commonwealth Investment Program, each with its own distinct investment strategies, goals, and holdings that reflect the differing needs of Commonwealth funds for income, cash flows, and investment risk tolerance. A highly liquid vehicle, Pool 99, consists of short-term fixed income and cash and provides a high degree of liquidity and security but only modest returns. A less liquid vehicle, Pool 198, allows for investment in assets that offer potentially higher returns with commensurate risk.

As of June 30, 2015, the Authority's investments held in the Commonwealth Investment Pool was \$3,893,086.

## NOTE 3: RETIREMENT BENEFITS

**General Information about the Pension Plan***Plan Description*

All employees of the Authority participate in the Pennsylvania State Employees' Retirement System (SERS), a cost-sharing multiple-employer defined benefit pension plan established by the Commonwealth to provide pension benefits for employees of state government and certain independent agencies. Membership in SERS is mandatory for Authority (and other state) employees. Article II of the Commonwealth's constitution assigns the authority to establish and amend the benefit provision of the plan to the General Assembly. SERS issues a publicly available financial report that can be obtained at [www.sers.pa.gov](http://www.sers.pa.gov).

*Benefits Provided*

SERS provides retirement, death, and disability benefits. Member retirement benefits are determined by taking years of credited service, multiplied by final average salary, multiplied by 2%, multiplied by class of service multiplier. Authority employees participate in one of the following class of service categories: Class A, Class AA, Class A-3 or Class A-4. According to the State Employees' Retirement Code (SERC), all obligations of SERS will be assumed by the Commonwealth should SERS terminate.

*Contributions*

Section 5507 of the SERC (71 Pa.C.S. § 5507) requires the Commonwealth and other employers whose employees are SERS members to make contributions to the fund on behalf of all active members and annuitants necessary to fund the liabilities and provide the annuity reserves required to pay benefits. SERS funding policy, as set by the board, provides for periodic active member contributions at statutory rates. The SERS funding policy also provides for periodic employer contributions at actuarially determined rates based on SERS funding valuation, expressed as a percentage of annual retirement covered payroll, such that they, along with employee contributions and an actuarially determined rate of investment return, are adequate to accumulate assets to pay benefits when due. However, Act 2010-120 imposes rate increase collars (limits on annual rate increases) on employer contributions. The collar for Commonwealth fiscal year 13/14 was 4.5% and will remain at that rate until no longer needed. The Authority's retirement contribution, as a percentage of covered payroll, by class is as follows:

<b>Year Ended June 30</b>	<b>Class A</b>	<b>Class AA</b>	<b>Class A-3</b>	<b>Class A-4</b>
<b>2015</b>	<b>15.94%</b>	<b>19.92%</b>	<b>13.77%</b>	<b>13.77%</b>
2014	12.10%	15.12%	10.46%	10.46%
2013	8.43%	10.51%	7.29%	7.29%

Contributions to the pension plan from the Authority were \$180,543 for the fiscal year ended June 30, 2015.

**Pension Liabilities, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions**

At June 30, 2015, the Authority reported a liability of \$2,267,052 for its proportionate share of the net pension liability. The net pension liability was measured as of December 31, 2014, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date. The Authority's proportion of the net pension liability was based on a projection of the Authority's long-term share of contributions to the pension plan relative to the projected contributions of all participating agencies, actuarially determined. At December 31, 2014, the Authority's proportion was 0.015%, which was an increase of .009% from its proportion measured as of December 31, 2013.

For the fiscal year ended June 30, 2015, the Authority recognized pension expense of \$1,366,278. At June 30, 2015, the Authority reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	<b>Deferred Outflows of Resources</b>	<b>Deferred Inflows of Resources</b>
Differences between expected and actual experience	\$ 12,307	\$ —
Net difference between projected and actual investment earnings on pension plan investments	65,502	—
Changes of assumptions	—	—
Differences between employer contributions and proportionate share of contributions	—	23,695
Changes in proportion	947,998	—
Authority contributions subsequent to measurement date	40,998	—
	<u>\$ 1,066,805</u>	<u>\$ 23,695</u>

\$40,998 reported as deferred outflows of resources related to pensions resulting from Authority contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ended June 30, 2016. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

**Year ended June 30:**

2016	\$ 219,987
2017	219,987
2018	219,987
2019	219,987
2020	122,164
Thereafter	—

*Actuarial assumptions*

The following methods and assumptions were used in the December 31, 2014 and 2013 actuarial valuations. These methods and assumptions were applied to all periods included in the measurement:

Investment rate of return	7.50% net of expenses including inflation
Projected salary increases	average of 6.10% with range of 4.3%—11.05% including inflation
Inflation	2.75%
Mortality rate	projected RP-2000 Mortality Tables adjusted for actual plan experience and future improvement
Cost of living adjustments (COLA)	ad hoc and thus are not considered to be substantively automatic

Some of the methods and assumptions mentioned above are based on the *17th Investigation of Actuarial Experience*, which was published in January 2011, and analyzed experience from 2006 through 2010. The Commonwealth's actuary made recommendations with respect to the actuarial assumptions and methods based on their analysis.

The long-term expected real rate of return on pension plan investments is determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. The target allocation and best estimates of arithmetic real rates of return for each major asset class included in the pension plan's target asset allocation as of December 31, 2014 are summarized in the following table:

<b>Asset Class</b>	<b>Target Allocation</b>	<b>Long-term Expected Rate of Return</b>
Alternative Investments	15.00%	8.50%
Global Public Equity	40.00%	5.40%
Real Assets	17.00%	4.95%
Diversifying Assets	10.00%	5.00%
Fixed Income	15.00%	1.50%
Liquidity Reserve	3.00%	0.00%
Total	<u>100.00%</u>	

*Discount Rate*

The discount rate used to measure the total pension liability was 7.50%. The projection of cash flows used to determine the discount rate assumed that employee contributions will be made at the rates applicable for each member and that employer contributions will be made based on rates determined by the actuary. Based on the assumptions, SERS fiduciary net position was projected to be available to make all projected future benefit payments of current active and non-active SERS members. Therefore, the long-term expected rate of return on SERS investments was applied to all periods of projected benefit payments to determine the total pension liability.

*Sensitivity of the Authority's proportionate share of the net pension liability to change in the discount rate*

The following presents the Authority's proportionate share of the 2014 and 2013 net pension liability calculated using the discount rate of 7.50%, as well as what the Authority's proportionate share of the net pension liability would be if it were calculated using a discount rate that is one percentage point lower or one percentage point higher than the current rate:



	<b>1% Decrease 6.50%</b>	<b>Current discount rate 7.50%</b>	<b>1% Increase 8.50%</b>
Authority's share of the net pension liability as of the 12/31/14 measurement date	\$ 2,901,772	\$ 2,267,052	\$ 1,721,295
Authority's share of the net pension liability as of the 12/31/13 measurement date	1,208,068	930,774	692,412

Beginning net position for fiscal year 2015 was restated as discussed in Note 1.

*Pension plan fiduciary net position*

Detailed information about the pension plan's fiduciary net position is available in the separately issued SERS financial report.

*Payables to the Pension Plan*

As of June 30, 2015, the Authority reported zero liability within the accounts payable and accrued liabilities on the Statement of Net Position for the Authority's share of contributions that had not yet been paid to SERS.

**NOTE 4: POSTEMPLOYMENT BENEFITS OTHER THAN PENSIONS**

*Plan Description*

The Commonwealth of Pennsylvania (the "Commonwealth") sponsors the Retired Employees' Health Program (REHP). We participate in the Commonwealth's REHP, a single-employer defined benefit postemployment healthcare plan administered by the Pennsylvania Employees' Benefit Trust Fund (PEBTF), acting as a third-party administrator on behalf of the Commonwealth's Office of Administration. The REHP provides health care and prescription drug plan benefits to eligible Commonwealth retirees, and their eligible dependents. The REHP's benefit provisions are established and may be amended by the Commonwealth of Pennsylvania's Office of Administration.

While the Commonwealth accounts for the REHP as a single employer plan, we account for our participation in the plan as a cost-sharing employer, because the plan is administered like a cost-sharing plan with a single actuarial valuation and the Commonwealth allocates annual OPEB costs to Commonwealth funds and component units, consistent with a pooling arrangement. Additionally, the Commonwealth structured the REHP so that employer contributions are irrevocable, plan assets are dedicated to providing benefits to retirees and their beneficiaries in accordance with the terms of the plan, and plan assets are legally protected from creditors of the employer(s) or plan administrator.

The REHP does not issue stand-alone financial statements, however the REHP note disclosures will be included in the Commonwealth's CAFR for the year ended June 30, 2015. For additional information on the REHP including the Commonwealth's total Other Post Employment Benefit (OPEB) expenses, funded status, funding progress, actuarial accrued liability, and the actuarial assumptions used to determine these amounts for the Commonwealth's REHP, a complete actuarial report is available for review at [www.budget.state.pa.us](http://www.budget.state.pa.us) (select Financial Reports and under the heading "Special Reports" select "Actuarial Valuation of the Commonwealth's Post-Retirement Medical Plan (August 2015)).

*Funding Policy*

The Office of Administration and the Governor's Budget Office establish REHP contribution requirements. All employing agencies and certain plan members of the Commonwealth must contribute specified amounts to the REHP.

REHP plan members with a retirement date between July 1, 2005 and June 30, 2007, must contribute 1.0% of their final annual gross salary toward the cost of the REHP coverage. REHP plan members with a retirement date on or after July 1, 2007 but before July 1, 2011 are required to pay retiree contributions of 3.0% of either their final annual gross salary or final average salary, whichever is less. REHP plan members with a retirement date on or after July 1, 2011 are required to pay retiree contributions of 3.0% of their final average salary.

Upon enrollment in Medicare, Commonwealth employees who are currently paying 3.0% will pay retiree contributions of 1.5% of either their final annual gross salary or final average salary, whichever applies.

Surviving spouses and dependents of deceased retirees may continue to participate in the plan if they pay contributions at a rate designed to fund the full cost of the coverage.

For the year ended June 30, 2015, our annual contribution rate was \$83,166, and we have made the required contribution to the REHP as determined by the Office of Administration.

The monthly contribution rate was based on a projected retiree cost for the related fiscal year times the number of current, active REHP eligible employees. Effective July 1, 2015, our contribution rate will be approximately \$9,126 per month or \$109,516 annually. This current level of funding generally represents an amount needed to fund ongoing annuitant health care costs for the current year with a small portion representing advance funding.

The Statements of Funded Status and Funding Progress are disclosed in the Commonwealth's CAFR, Pension and Other Postretirement Benefits footnote for the year ended June 30, 2015. The June 30, 2015, Commonwealth's CAFR can be accessed online at [www.budget.state.pa.us](http://www.budget.state.pa.us), select "Financial Reports" and select "Comprehensive Annual Financial Reports".

## NOTE 5: RELATED PARTY

The Authority entered into an Interagency Agreement with the Commonwealth, through the Commonwealth Office of Administration to provide administrative and operational support services for the Authority. The Authority owns no capital assets; the employees performing service for the Authority are Commonwealth employees. As such, under the Interagency Agreement, the Authority reimburses the Commonwealth for services rendered by Commonwealth employees to the Authority. For the fiscal year ended June 30, 2015, the services provided by the Commonwealth to the Authority are recorded as Personnel Services totaled \$1,747,227. As of June 30, 2015, the Authority owed the Commonwealth \$12,106 for personnel and operating expenditures incurred and paid for by the Commonwealth.

## NOTE 6: CONTINGENCIES

*Litigation*

In the normal course of business, there may be various claims and suits pending against the Authority and its appointed officials. Management is of the opinion that these matters, if any, will not have a material adverse effect on the Authority's financial position at June 30, 2015.

*Economic Dependency*

The program operations of the Authority are funded through multiple grant funding streams. For fiscal year ending June 30, 2015, the Authority received \$506,248 in grant funding. The Authority also receives a significant amount of operating revenue from contributions. For fiscal year ending June 30, 2015, the Authority received \$236,217 in contributions from outside entities. The administrative operations of the Authority are primarily funded through Commonwealth budget appropriations (see Note 8). Reduction of, or loss of, these funding sources could have a significant effect on the Authority's overall operations.

## NOTE 7: PROGRAM OPERATIONS

The program operation expenses consist of the following:

Other Authority Program Operations	\$ 503,677
P3N Costs	921,740
Staff Augmentation	<u>349,087</u>
	<u>\$ 1,774,504</u>

## NOTE 8: COMMONWEALTH APPROPRIATION

For fiscal year 2014-2015, the Commonwealth of Pennsylvania approved a \$1.85 million appropriation from the Commonwealth to the PA eHealth Partnership Authority, which is reflected in the Commonwealth contribution line on the financial statements.

**Required Supplementary Information****Schedule of Authority's Proportionate Share of the Net Pension Liability****Pennsylvania State Employees' Retirement System**

Last 10 Fiscal Years\*

Fiscal Years Ended June 30

	<b>2015</b>	<b>2014</b>
Authority's proportion of the net pension liability (asset)	0.01525873%	0.00681218%
Authority's proportionate share of the net pension liability (asset)	\$ 2,267,052	\$ 930,774
Authority's covered-employee payroll	\$ 928,697	N/A
Authority's proportionate share of the net pension liability (asset) as a percentage of its covered-employee payroll	247.23%	N/A
Plan fiduciary net position as a percentage of the total pension liability	64.8%	66.7%

\* The amounts presented for each fiscal year were determined as of the calendar year-end that occurred within the fiscal year.

Fiscal year 2015 was the year of implementation; therefore, only information for the years available are presented.

**Schedule of Authority's Contributions  
Pennsylvania State Employees' Retirement System**

Last 10 Years

Fiscal Year Ended June 30

	<b>2015</b>
Contractually required contribution	\$ 180,543
Contributions in relation to the contractually required contribution	(180,543)
	\$ —
Contribution deficiency (excess)	\$ —
Authority's covered-employee payroll	\$ 928,697
Contributions as a percentage of covered-employee payroll	18.71%

Fiscal year 2015 was the year of implementation; therefore, only information for the year available is presented.

DAVID F. SIMON,  
*Chairperson*

[Pa.B. Doc. No. 15-2156. Filed for public inspection December 4, 2015, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Petition of Pennsylvania American Water Company

**P-2015-2513587. Pennsylvania American Water Company.** Petition of Pennsylvania American Water Company for a finding on an expedited basis that two buildings to shelter booster pump stations to be constructed in Dunbar Township, Fayette County, are reasonably necessary for the convenience or welfare of the public.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before December 21, 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, at the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

*Applicant:* Pennsylvania American Water Company

*Through and By Counsel:* David P. Zambito, Esquire, D. Troy Sellars, Esquire, Cozen O'Connor, 17 North Second Street, Harrisburg, PA 17101; and Susan Simms Marsh, Esquire, Melanie J. El Atieh, Esquire, Pennsylvania American Water Company, 800 Hersheypark Drive, Hershey, PA 17033

#### Prehearing Conference

An initial prehearing conference on the previously-captioned case will be held as follows:

*Date:* Monday, January 4, 2016  
*Time:* 1 p.m.  
*Location:* Hearing Room 2  
 Plaza Level  
 Commonwealth Keystone Building  
 400 North Street  
 Harrisburg, PA 17120

*Presiding:* Administrative Law Judge Steven K. Haas  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265  
 (717) 787-1399  
 Fax: (717) 787-0481

Persons with a disability who wish to attend the hearing should contact the Commission to make arrangements for their special needs. Call the Scheduling Office at the Commission at least 5 business days prior to the hearing to submit a request.

For persons who require an interpreter to participate in the hearings, the Commission will make every reasonable effort to have an interpreter present. Call the Scheduling Office at the Commission at least 10 business days prior to the hearing to submit a request.

- Scheduling Office: (717) 787-1399
- Pennsylvania AT&T Relay Service number for persons who are deaf or hearing-impaired: (800) 654-5988.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 15-2157. Filed for public inspection December 4, 2015, 9:00 a.m.]

### Reacquire Certain Accounts Receivable by Merger

**A-2015-2513663. PPL Electric Utilities Corporation.** Application of PPL Electric Utilities Corporation for approval to reacquire certain accounts receivable by merger of PPL Receivables Corporation with PPL Electric Utilities Corporation.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before December 21, 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](http://www.puc.pa.gov) and at the applicant's business address.

*Applicant:* PPL Electric Utilities Corporation

*Through and By Counsel:* David B. MacGregor, Esquire, Christopher T. Wright, Esquire, Post & Schell, PC, 17 North Second Street, 12th Floor, Harrisburg, PA 17101-1601

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 15-2158. Filed for public inspection December 4, 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 21, 2015. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

#### Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.

**A-2015-2512645. Florence M. Gunn, t/a Go Flo Limo** (3 Mason Road, Pittsburgh, Allegheny County, PA 15235) in limousine service, from points in Allegheny County, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* David M. O'Boyle, 1450 Two Chatham Center, 112 Washington Place, Pittsburgh, PA 15219-3455.

**A-2015-2513383. Keystone Taxi Service, LLC** (13345 Montgomery Lane, Blue Ridge Summit, Franklin County, PA 17214) in limousine service, from points in Adams and Franklin Counties, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 15-2159. Filed for public inspection December 4, 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 21, 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. Justin Moeser, t/a Duke Transport; Docket No. C-2015-2497315

#### 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 Justin Moeser, t/a Duke Transport, (respondent) is under suspension effective July 23, 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 61, Quakertown, PA 18951.
3. That respondent was issued a Certificate of Public Convenience by this Commission on November 17, 2011, at A-2011-2257786.
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-2011-2257786 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: 8/12/2015

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](http://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](mailto: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.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Horning, Jason L.; Docket No. C-2015-2512353**

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 Horning, Jason L., (respondent) is under suspension effective October 19, 2015 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 2018 Main Street, Lititz, PA 17543.

3. That respondent was issued a Certificate of Public Convenience by this Commission on September 06, 2007, at A-00124052.

4. That respondent has failed to maintain evidence of Liability 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-00124052 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: 11/10/2015

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](http://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](mailto: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. 15-2160. Filed for public inspection December 4, 2015, 9:00 a.m.]

### Telecommunications

**A-2015-2514032. Lackawaxen Telecommunications Services, Inc. and Level 3 Communications, LLC.** Joint petition of Lackawaxen Telecommunications Services, Inc. and Level 3 Communications, LLC for approval of adoption of an interconnection agreement under sections 251(i) and 252(i) of the Telecommunications Act of 1996.

Lackawaxen Telecommunications Services, Inc. and Level 3 Communications, LLC, by their counsel, filed on November 20, 2015, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of adoption of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Lackawaxen Telecommunications Services, Inc. and Level 3 Communications, LLC joint peti-

tion are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 15-2161. Filed for public inspection December 4, 2015, 9:00 a.m.]

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### Telecommunications

**A-2015-2513843. Verizon North, LLC and Laurel Highland Telephone Company.** Joint petition of Verizon North, LLC and Laurel Highland Telephone Company for approval of an interconnection agreement and Amendment No. 1 under section 252(e) of the Telecommunications Act of 1996.

Verizon North, LLC and Laurel Highland Telephone Company, by their counsel, filed on November 16, 2015, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement and Amendment No. 1 under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon North, LLC and Laurel Highland Telephone Company joint petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 15-2162. Filed for public inspection December 4, 2015, 9:00 a.m.]

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### Telecommunications

**A-2015-2513852. Verizon Pennsylvania, LLC and Laurel Highland Telephone Company.** Joint petition of Verizon Pennsylvania, LLC and Laurel Highland Telephone Company for approval of an interconnection agreement and Amendment No. 1 under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and Laurel Highland Telephone Company, by their counsel, filed on November 16, 2015, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement and Amendment No. 1 under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days

after the date of publication of this notice. The documents filed in support of Verizon Pennsylvania, LLC and Laurel Highland Telephone Company joint petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 15-2163. Filed for public inspection December 4, 2015, 9:00 a.m.]

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## SUSQUEHANNA RIVER BASIN COMMISSION

### Projects Approved for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) approved by rule the following list of projects from October 1, 2015, through October 31, 2015.

For further information contact Jason E. Oyler, General Counsel, (717) 238-0423, Ext. 1312, fax (717) 238-2436, [joyler@srbc.net](mailto:joyler@srbc.net). Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

#### *Supplementary Information*

This notice lists the projects, described as follows, receiving approval for the consumptive use of water under the Commission's approval by rule process in 18 CFR 806.22(e) and (f) (relating to standards for consumptive uses of water) for the time period previously specified:

#### *Approvals By Rule Issued Under 18 CFR 806.22(e):*

1. Lackawanna Energy Center, LLC, Lackawanna Energy Center, ABR-201510005, Borough of Jessup, Lackawanna County, PA; Consumptive Use of Up to 0.4000 mgd; Approval Date: October 23, 2015.

#### *Approvals By Rule Issued Under 18 CFR 806.22(f):*

1. Travis Peak Resources, LLC, Pad ID: Abplanalp, ABR-201510001, Westfield Township, Tioga County, PA; Consumptive Use of Up to 1.1760 mgd; Approval Date: October 6, 2015.

2. Travis Peak Resources, LLC, Pad ID: Painter, ABR-201510002, Westfield Township, Tioga County, PA; Consumptive Use of Up to 1.1760 mgd; Approval Date: October 6, 2015.

3. Chief Oil & Gas, LLC, Pad ID: Warburton North Drilling Pad, ABR-201510003, Forks Township, Sullivan County, PA; Consumptive Use of Up to 2.500 mgd; Approval Date: October 6, 2015.

4. Ultra Resources, Inc., Pad ID: Brown #1 Pad Site, ABR-201510004, West Branch Township, Potter County, PA; Consumptive Use of Up to 0.0420 mgd; Approval Date: October 6, 2015.

5. Anadarko E&P Onshore, LLC, Pad ID: Harry W. Stryker Pad A, ABR-201011044.R1, Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: October 6, 2015.



6. Anadarko E&P Onshore, LLC, Pad ID: Ann C. Good Pad B, ABR-201011047.R1, Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: October 6, 2015.
7. Anadarko E&P Onshore, LLC, Pad ID: David O. Vollman Pad A, ABR-201011069.R1, Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: October 6, 2015.
8. EOG Resources, Inc., Pad ID: PHC 6H, ABR-20090721.R1, Lawrence Township, Clearfield County, PA; Consumptive Use of Up to 4.9999 mgd; Approval Date: October 6, 2015.
9. EOG Resources, Inc., Pad ID: PHC 8H, ABR-20090723.R1, Lawrence Township, Clearfield County, PA; Consumptive Use of Up to 1.9999 mgd; Approval Date: October 6, 2015.
10. SWEPI, LP, Pad ID: Hedrick 702, ABR-201007092.R1, Union Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 6, 2015.
11. SWEPI, LP, Pad ID: Foti 721, ABR-201007118.R1, McNett Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 6, 2015.
12. SWEPI, LP, Pad ID: Clegg 722, ABR-201007119.R1, McNett Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 6, 2015.
13. Talisman Energy USA, Inc., Pad ID: 05 009 Alderson V, ABR-201008022.R1, Pike Township, Bradford County and Middletown Township, Susquehanna County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: October 6, 2015.
14. Talisman Energy USA, Inc., Pad ID: 05-003 Edsell C, ABR-201008076.R1, Pike Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: October 6, 2015.
15. Talisman Energy USA, Inc., Pad ID: 05 046 O'Rourke, ABR-201008124.R1, Warren Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: October 6, 2015.
16. Talisman Energy USA, Inc., Pad ID: 01 086 Brelsford, ABR-201008128.R1, Armenia Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: October 6, 2015.
17. Talisman Energy USA, Inc., Pad ID: 05 005 Ayers, ABR-201008129.R1, Orwell Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: October 6, 2015.
18. Talisman Energy USA, Inc., Pad ID: 05 067 Green Newland LLC, ABR-201008151.R1, Warren Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: October 6, 2015.
19. Talisman Energy USA, Inc., Pad ID: 05 026 Strope, ABR-201008152.R1, Warren Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: October 6, 2015.
20. LPR Energy, LLC, Pad ID: Ritchey Unit Drilling Pad, ABR-20091010.R1, Juniata Township, Blair County, PA; Consumptive Use of Up to 1.9900 mgd; Approval Date: October 12, 2015.
21. LPR Energy, LLC, Pad ID: Hodge Unit Drilling Pad #1, ABR-20091201.R1, Juniata Township, Blair County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: October 12, 2015.
22. LPR Energy, LLC, Pad ID: Lightner Drilling Pad #1, ABR-201007045.R1, Juniata Township, Blair County, PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: October 12, 2015.
23. LPR Energy, LLC, Pad ID: Davis Drilling Pad #1, ABR-201007067.R1, West St. Clair Township, Bedford County, PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: October 12, 2015.
24. LPR Energy, LLC, Pad ID: Lightner East Drilling Pad #1, ABR-201009087.R1, Juniata Township, Blair County, PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: October 12, 2015.
25. Anadarko E&P Onshore, LLC, Pad ID: Douglas C. Kinley Pad A, ABR-201009046.R1, Lycoming Township, Lycoming County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: October 13, 2015.
26. Chesapeake Appalachia, LLC, Pad ID: Harnish, ABR-201102006.R1, Sheshequin Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: October 13, 2015.
27. SWEPI, LP, Pad ID: Sticklin 610, ABR-201007113.R1, Delmar Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 13, 2015.
28. SWEPI, LP, Pad ID: Hamblin 860, ABR-201007117.R1, Middlebury Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 13, 2015.
29. SWEPI, LP, Pad ID: McNett 708, ABR-201008003.R1, Liberty Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 13, 2015.
30. SWEPI, LP, Pad ID: Clark 392, ABR-201008004.R1, Delmar Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 13, 2015.
31. SWEPI, LP, Pad ID: Miller 394, ABR-201008005.R1, Delmar Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 13, 2015.
32. SWEPI, LP, Pad ID: Bauer 849, ABR-201008032.R1, Middlebury Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 13, 2015.
33. SWEPI, LP, Pad ID: Davis 829, ABR-201008033.R1, Farmington Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 13, 2015.
34. SWEPI, LP, Pad ID: Fish 301, ABR-201008034.R1, Richmond Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 13, 2015.
35. Chesapeake Appalachia, LLC, Pad ID: Cuthbertson, ABR-201102001.R1, Wilmot Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: October 19, 2015.
36. Chesapeake Appalachia, LLC, Pad ID: Jokah, ABR-201102005.R1, Windham Township, Wyoming County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: October 19, 2015.
37. Chesapeake Appalachia, LLC, Pad ID: Corl, ABR-201102011.R1, Colley Township, Sullivan County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: October 19, 2015.
38. Chesapeake Appalachia, LLC, Pad ID: Herr, ABR-201102026.R1, Sheshequin Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: October 19, 2015.



39. EQT Production Company, Pad ID: Stoney Brook, ABR-201105008.R1, Jay Township, Elk County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: October 19, 2015.

40. EQT Production Company, Pad ID: Phoenix P, ABR-201105024.R1, Duncan Township, Tioga County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: October 19, 2015.

41. SWEPI, LP, Pad ID: Heyler 748, ABR-201008031.R1, Morris and Liberty Townships, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 19, 2015.

42. SWEPI, LP, Pad ID: Fuleihan 417, ABR-201008073.R1, Delmar Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 19, 2015.

43. SWEPI, LP, Pad ID: Baker 897, ABR-201008074.R1, Deerfield Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 19, 2015.

44. SWEPI, LP, Pad ID: Kinnan 845, ABR-201008135.R1, Middlebury Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 19, 2015.

45. Anadarko E&P Onshore, LLC, Pad ID: William S. Kieser Pad A, ABR-201011046.R1, Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: October 20, 2015.

46. EXCO Resources (PA), LLC, Pad ID: Marquardt Drilling Pad #1, ABR-201008008.R1, Davidson Township, Sullivan County, PA; Consumptive Use of Up to 8.0000 mgd; Approval Date: October 20, 2015.

47. EXCO Resources (PA), LLC, Pad ID: Wistar-Shaffer Tracts Drilling Pad #1, ABR-201009071.R1, Shrewsbury Township, Sullivan County, PA; Consumptive Use of Up to 8.0000 mgd; Approval Date: October 20, 2015.

48. SWEPI, LP, Pad ID: Seeley 524, ABR-201007122.R1, Rutland Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 20, 2015.

49. SWEPI, LP, Pad ID: Dewey Hollow Rod & Gun Club 601, ABR-201007128.R1, Sullivan Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 20, 2015.

50. SWEPI, LP, Pad ID: Appold 493, ABR-201008126.R1, Sullivan Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 20, 2015.

51. SWEPI, LP, Pad ID: Wood 496, ABR-201009026.R1, Richmond Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 20, 2015.

52. SWEPI, LP, Pad ID: Lingle 1102, ABR-201009049.R1, Deerfield Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 20, 2015.

53. Talisman Energy USA, Inc., Pad ID: 02 201 DCNR 594, ABR-201008037.R1, Liberty Township, Tioga County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: October 20, 2015.

54. Talisman Energy USA, Inc., Pad ID: 03 073 Ritz, ABR-201009019.R1, Columbia Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: October 20, 2015.

55. Chief Oil & Gas, LLC, Pad ID: Hart North Drilling Pad, ABR-201510006, Elkland Township, Sullivan County, PA; Consumptive Use of Up to 2.5000 mgd; Approval Date: October 27, 2015.

56. Chief Oil & Gas, LLC, Pad ID: Bahl Drilling Pad, ABR-201510007, Forks Township, Sullivan County, PA; Consumptive Use of Up to 2.5000 mgd; Approval Date: October 27, 2015.

57. Chesapeake Appalachia, LLC, Pad ID: Keir, ABR-201012002.R1, Sheshequin Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: October 27, 2015.

58. Chesapeake Appalachia, LLC, Pad ID: Burkmont Farms, ABR-201012007.R1, Wilmot Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: October 27, 2015.

59. Chesapeake Appalachia, LLC, Pad ID: Norconk, ABR-201012023.R1, Wilmot Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: October 27, 2015.

60. Chesapeake Appalachia, LLC, Pad ID: DGSM, ABR-201012038.R1, Smithfield Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: October 27, 2015.

61. Chesapeake Appalachia, LLC, Pad ID: Hartz, ABR-201012039.R1, Ulster Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: October 27, 2015.

62. SWEPI, LP, Pad ID: Erickson 448, ABR-201009050.R1, Delmar Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 27, 2015.

63. Talisman Energy USA, Inc., Pad ID: 05 092 Upham, ABR-201009078.R1, Pike Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: October 27, 2015.

64. Talisman Energy USA, Inc., Pad ID: 05 074 Zimmerli, ABR-201009079.R1, Orwell Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: October 27, 2015.

65. Tenaska Resources, LLC, Pad ID: Traub Pad A, ABR-201111008.R1, Abbott Township, Potter County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: October 27, 2015.

66. Chief Oil & Gas, LLC, Pad ID: Garrison Drilling Pad #1, ABR-201102032.R1, Lemon Township, Wyoming County, PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: October 30, 2015.

67. SWN Production Company, LLC, Pad ID: WY-18 WEST PAD, ABR-201510008, Eaton Township, Wyoming County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: October 30, 2015.

*Authority:* Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

*Dated:* November 17, 2015.

ANDREW D. DEHOFF,  
*Executive Director*

[Pa.B. Doc. No. 15-2164. Filed for public inspection December 4, 2015, 9:00 a.m.]

