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PENNSYLVANIA BULLETIN

Volume 45

Number 14

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Pages 1597—1742

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for the Subject Index for
January—March 2015

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The Courts

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Department of Community and Economic
Development

Department of Environmental Protection

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Department of Human Services

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Department of Transportation

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Pennsylvania Public Utility Commission

Philadelphia Parking Authority

Philadelphia Regional Port Authority

State Board of Auctioneer Examiners

State Board of Cosmetology

State Board of Nursing

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

No. 485, April 2015

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

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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

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

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

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Printing Format

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

Fiscal Notes

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

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

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List of Pa. Code Chapters Affected

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

4 Pa. Code (Administration)

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237 Pa. Code (Juvenile Rules)

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THE GOVERNOR

GOVERNOR'S OFFICE

Proclamation Terminating the State of Disaster Emergency

March 24, 2015

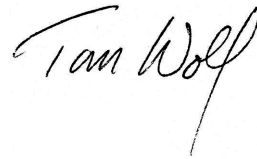
Whereas, On January 26, 2015 I proclaimed the existence of a disaster emergency in the Commonwealth due to a severe winter weather event; and

Whereas, this winter weather event impacted the Commonwealth and caused significant adverse impacts throughout the Commonwealth; and

Whereas, recovery operations from the winter storm continue and ongoing monitoring of conditions and investigations made at my direction have disclosed that the adverse impacts of the winter storm have been dealt with to the extent that emergency conditions no longer exist.

Now Therefore, pursuant to the provisions of Subsection 7301(c) of the Emergency Management Services Code (35 Pa.C.S. Section 7101 et seq.), I do hereby proclaim the termination of the state of disaster emergency in the Commonwealth.

Given under my hand and the Seal of the Governor, at the City of Harrisburg, on this twenty-fourth day of March in the year of our Lord two thousand and fifteen, and of the Commonwealth the two hundred and thirty-ninth.



Governor

[Pa.B. Doc. No. 15-593. Filed for public inspection April 3, 2015, 9:00 a.m.]

THE COURTS

Title 210—APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

[210 PA. CODE CHS. 1 AND 21]

Proposed Adoption of Pa.R.A.P. 126 and Amendment of Pa.R.A.P. 2119

The Appellate Court Procedural Rules Committee is planning to propose to the Supreme Court of Pennsylvania the adoption of new Pa.R.A.P. 126 (Citation of Authority), and amendment of Pa.R.A.P. 2119 (Argument), for the reasons set forth in the accompanying explanatory report. Pursuant to Pa.R.J.A. No. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

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

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

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

Dean R. Phillips, Counsel
Appellate Court Procedural Rules Committee
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
PO Box 62635
Harrisburg, PA 17106-2635
FAX: (717) 231-9551
appellaterules@pacourts.us

All communications in reference to the proposal should be received by May 30, 2015. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Appellate Court
Procedural Rules Committee*

HONORABLE RENÉE COHN JUBELIRER,
Chair

Annex A

TITLE 210. APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

ARTICLE I. PRELIMINARY PROVISIONS

CHAPTER 1. GENERAL PROVISIONS

DOCUMENTS GENERALLY

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

Rule 126. Citation of Authority.

A party citing authority that is not readily available shall attach the authority as an appendix to its filing.

When citing authority, a party should direct the court's attention to the specific part of the authority on which the party relies.

Official Note: Pa.R.A.P. 126 is intended to assure that cited authority is readily available to the court and parties. This rule is not intended to supersede any internal operating procedure of an appellate court regarding the citation to memorandum decisions or opinions. *See, e.g.,* Superior Court Internal Operating Procedure § 65.37, 210 Pa. Code § 65.37, Commonwealth Court Internal Operating Procedure § 69.414, 210 Pa. Code § 69.414.

The second sentence of the rule encourages parties to provide pinpoint citations for cases, and section or subsection citations for statutes or rules.

Although the rule does not establish rules for citation, the following guidelines are offered for counsel's benefit regarding the citation of Pennsylvania cases and statutes.

Regarding cases, the rule does not require parallel citation of Pennsylvania appellate cases to the National Reporter System and the official reports of Pennsylvania appellate courts. Parties may cite to the National Reporter System alone.

Regarding statutes, Pennsylvania has officially consolidated only some of its statutes. Parties citing a statute enacted in the *Pennsylvania Consolidated Statutes* may use the format "1 Pa.C.S. § 1928." Parties citing an unconsolidated statute may refer to the Pamphlet Laws or other official collection of the Legislative Reference Bureau, with a parallel citation to *Purdon's Pennsylvania Statutes Annotated*, if available, using the format "Act of February 14, 2008, P. L. 6, 65 P. S. §§ 67.101—67.3104" or "Act of May 16, 1923, P. L. 207, as amended, 53 P. S. § 7106(a)." Parties are advised that *Purdon's* does not represent an official version of Pennsylvania statutes. *In re appeal of Tenet Health Systems Bucks County, LLC*, 880 A.2d 721 (Pa. Commw. 2005), appeal denied, 897 A.2d 1195 (Pa. 2006).

Prior to Pa.R.A.P. 126, there was no specific citation format applicable to all filings. The format for citing cases and statutes was located previously in Pa.R.A.P. 2119(b). The format is not mandatory and a party does not waive an argument merely by failing to follow the format. That said, the suggestions in this Note provide guidance to parties as to what is generally acceptable to appellate courts.

ARTICLE II. APPELLATE PROCEDURE

CHAPTER 21. BRIEFS AND REPRODUCED RECORD

CONTENT OF BRIEFS

Rule 2119. Argument.

* * * * *

(b) *Citations of authorities.*—[Citations of authorities must set forth the principle for which they are cited. Citations of uncodified statutes shall make reference to the book and page of the Laws of Pennsylvania (Pamphlet Laws) or other official edition, and also to a standard digest, where the statutes may be found. Citations of provisions of the Pennsylvania Consolidated Statutes may be in the form: "1 Pa.C.S. § 1928 (rule of strict and liberal

construction)” and the official codifications of other jurisdictions may be cited similarly. Quotations from authorities or statutes shall also set forth the pages from which they are taken. Opinions of an appellate court of this or another jurisdiction shall be cited from the National Reporter System, if published therein.] Citations of authorities in briefs shall be in accordance with Pa.R.A.P. 126 governing citations of authorities in all legal papers.

* * * * *

[*Official Note:* The 2014 amendment to paragraph (b) eliminated the requirement for parallel citation to the Pennsylvania State Reports, which is the official court reports of the Pennsylvania Supreme Court, the Pennsylvania Superior Court Reports, which had been the official court reports of the Pennsylvania Superior Court, and the Pennsylvania Commonwealth Court Reports, which had been the official court reports of the Commonwealth Court.]

Official Note: Where a challenge is raised to the appropriateness of the discretionary aspects of a sentence, the “petition for allowance of appeal” specified in 42 Pa.C.S. § 9781(b) is deferred until the briefing stage, and the appeal is commenced by filing a notice of appeal pursuant to Chapter 9 rather than a petition for allowance of appeal pursuant to Chapter 11.

EXPLANATORY COMMENT

The only provisions currently governing citations and citation form are found in Pa.R.A.P. 2119(b). There are no appellate rules governing citations and citation forms in legal papers other than the one directed to appellate briefs. On April 14, 2014 the Supreme Court amended Pa.R.A.P. 2119 to delete the requirement of parallel citations.

The Committee has reviewed the rules governing citations and has determined that: (a) there should be a general rule applicable to all legal papers filed in appellate courts; (b) the appropriate location of the general rule should be in Chapter One (General Provisions); (c) the rule ought not impose mandatory requirements that can create a basis for waiver. In keeping with these principles, the Committee proposes a new Rule 126 that requires a party citing authority not readily available through a recognized reporter system or online to attach that authority. In addition, the rule and note together suggest (but do not require) as best practices first, a party citing authority that is paginated, such as a legal opinion, ought to identify the specific page of that authority on which the party relies; and, second, parties should properly cite cases and statutes. Compliance with Pa.R.A.P. 126 will benefit the appellate courts and adverse parties by enabling them to more easily locate cited authority and the relevant portion of cited authority.

New Pa.R.A.P. 126 is not intended to supersede any internal operating procedure of an appellate court regarding citation to memorandum decisions or opinions. *See, e.g.,* Superior Court Internal Operating Procedure § 65.37, 210 Pa. Code § 65.37, Commonwealth Court Internal Operating Procedure § 69.414, 210 Pa. Code § 69.414.

The Committee also determined that it is common sense that a party citing authority should give the reason the authority was cited. This principle is sufficiently obvious that it need not be embodied expressly in the rules.

To implement the concepts set forth above, the Committee proposes the adoption of a new Pa.R.A.P. 126 and amendments to Pa.R.A.P. 2119. The proposed Note to Pa.R.A.P. 126 provides guidance previously found in Pa.R.A.P. 2119 as to best citation practices and what is commonly acceptable to appellate courts.

[Pa.B. Doc. No. 15-594. Filed for public inspection April 3, 2015, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 1915]

Proposed Amendment of Pa.R.C.P. No. 1915.4-4

The Domestic Relations Procedural Rules Committee is planning to propose to the Supreme Court of Pennsylvania the amendment of Pa.R.C.P. No. 1915.4-4 governing pre-trial procedures in custody cases, for the reasons set forth in the accompanying explanatory report. Pursuant to Pa.R.J.A. No. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

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

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

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

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

All communications in reference to the proposal should be received by May 18, 2015. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Domestic Relations
Procedural Rules Committee*

MARIA P. COGNETTI, Esq.,
Chair

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1915. ACTIONS FOR CUSTODY OF MINOR CHILDREN

Rule 1915.4-4. Pre-Trial Procedures.

A pre-trial conference in an initial custody or modification proceeding shall be scheduled before a judge at the request of a party or sua sponte by the court and the procedure shall be as set forth in this rule. If a party wishes to request a pre-trial conference, the praecipe set forth in subdivision (g) below shall be filed. The scheduling of a pre-trial conference shall not stay any previously scheduled proceeding unless otherwise ordered by the court.

(a) The praecipe may be filed at any time after a custody conciliation or conference with a conference officer unless a pre-trial conference has already been scheduled or held. The pre-trial conference may be scheduled at any time, but must be scheduled at least 30 days prior to trial.

(b) Not later than five days prior to the pre-trial conference, each party shall serve a pre-trial statement upon the court and the other party or counsel of record. The pre-trial statement shall include the following matters, together with any additional information required by special order of the court:

(1) the name and address of each expert whom the party intends to call at trial as a witness;

(2) the name and address of each witness the party intends to call at trial[,] **and** the relationship of that witness to the party [**and a statement by the party or the party's counsel that he or she has communicated with each listed witness**]. **Inclusion of a witness on the pre-trial statement constitutes an affirmation that the party's counsel or the self-represented party has communicated with the witness prior to the filing of the pre-trial statement;** and

* * * * *

(g) The praecipe for pre-trial conference shall be substantially in the following form:

(Caption)

PRAECIPE FOR PRE-TRIAL CONFERENCE

To the Prothonotary:

Please schedule a pre-trial conference in the above-captioned custody matter pursuant to Pa.R.C.P. No. 1915.4-4.

* * * * *

PUBLICATION REPORT

The Committee is proposing the amendment to Pa.R.C.P. No. 1915.4-4, Pre-Trial Procedures, as the rule relates to the preparation and filing of a pre-trial statement. The Committee received input from members of the bar that the current rule is being misinterpreted, specifically subdivision (b)(2) relating to witnesses a party identifies on the pre-trial statement, which has hindered the ability to have meaningful pre-trial conferences with the goal of reaching settlement. The proposed amendment is intended to clarify the rule.

The current rule states under (b)(2) “. . . and a statement by the party or the party's counsel that he or she has communicated with each listed witness. . . .” The information received by the Committee suggested some parties or their counsel were merely indicating in the pre-trial statement whether or not they had communicated with the witness. The intent of the rule is for the party or their counsel to *actually* communicate with the witness prior to including the name of the witness on the pre-trial statement.

The Committee believes the proposed language clarifies the intent of the rule requiring a party or their counsel to communicate with the witness as a prerequisite to inclusion of the witness on the pre-trial statement. Rule 1915.4-4(c) authorizes the court to impose sanctions for failure to comply with the requirements of subdivision (b).

[Pa.B. Doc. No. 15-595. Filed for public inspection April 3, 2015, 9:00 a.m.]

PART I. GENERAL

[231 PA. CODE CH. 1950]

Proposed Adoption of Chapter 1950 Regarding Actions Pursuant to the Protection of Victims of Sexual Violence or Intimidation Act

The Domestic Relations Procedural Rules Committee is planning to propose to the Supreme Court of Pennsylvania the adoption of a new chapter of rules governing actions pursuant to Act 25 of 2014, Protection of Victims of Sexual Violence or Intimidation, codified at 42 Pa.C.S. §§ 62A01—62A20 for the reasons set forth in the accompanying explanatory report. Pursuant to Pa.R.J.A. No. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

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

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

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

All communications in reference to the proposal should be received by May 18, 2015. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Domestic Relations
Procedural Rules Committee*

MARIA P. COGNETTI, Esq.,
Chair

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1950. ACTIONS PURSUANT TO THE PROTECTION OF VICTIMS OF SEXUAL VIOLENCE OR INTIMIDATION ACT

Rule	
1951.	Definitions.
1952.	Venue.
1953.	Commencement of Action.
1954.	Service of Original Process and Registration of Order.
1955.	Enforcement.
1956.	No responsive pleading required.
1957.	Decision. Post-trial relief.
1958.	Modification or Discontinuance.
1959.	Forms for Use in Protection of Victims of Sexual Violence or Intimidation Actions. Notice and Hearing. Petition. Temporary Protection Order. Final Protection Order.

Rule 1951. Definitions.

As used in this chapter:

Act—The Protection of Victims of Sexual Violence or Intimidation Act. Act No. 25 approved March 21, 2014, 42 Pa.C.S. § 62A01 et seq.

Action—A proceeding for protection from sexual violence or intimidation as defined in § 62A03 of the Act.

Court—The court of common pleas.

Emergency Order—An order entered by a hearing officer, who is a person meeting the definition set forth at 42 Pa.C.S. § 62A03.

Fees—means any costs associated with the filing, issuance, registration, service or appeal of a protection action under the Act, including any foreign protection order.

Temporary Order—An ex parte order entered by the court pursuant to 42 Pa.C.S. § 62A06(b).

Protection order or order—An order issued under this chapter designed to protect a victim of sexual violence or intimidation.

Rule 1952. Venue.

(a) Except as provided in subdivision (b), an action for protection of victims of sexual violence or intimidation may be brought in a county in which

- (1) the plaintiff resides, either temporarily or permanently, or is employed, or
- (2) the defendant may be served, or
- (3) the sexual violence or intimidation occurred.

(b) An action for indirect criminal contempt may be filed in, and heard by, the court in the county in which the order was issued or where the violation occurred.

Rule 1953. Commencement of Action.

(a) Except as provided in subdivision (b), an action shall be commenced by filing with the prothonotary a petition alleging the need for protection from the defendant with respect to sexual violence or intimidation. The petition shall be substantially in the form set forth in Rule 1959(b) and shall have as its first page the Notice of Hearing and Order set forth in Rule 1959(a).

(b) An action may be commenced by filing with the prothonotary a certified copy of an emergency order entered pursuant to 42 Pa.C.S. § 62A09, including orders issued by masters for emergency relief.

(c) Any fees associated with this action shall not be charged to the plaintiff.

Rule 1954. Service of Original Process and Registration of Order.

(a) *Persons Who May Serve.* Original process in Protection of Victims of Sexual Violence or Intimidation matters may be served by the sheriff or a competent adult:

- (1) by handing a copy to the defendant;
- (2) by handing a copy;

(i) at the residence of the defendant to an adult member of the family with whom the defendant resides; but if no adult member of the family is found, then to an adult person in charge of such residence; or

(ii) at the residence of the defendant to the clerk or manager of the hotel, inn, apartment house, boarding house or other place of lodging at which the defendant resides; or

(iii) at any office or usual place of business of the defendant to the defendant's agent or to the person for the time being in charge thereof.

- (3) or pursuant to special order of court.

(b) If personal service cannot be completed within forty-eight (48) hours after a Protection of Victims of Sexual Violence or Intimidation petition is filed, the court may, by special order as set forth in (a)(3) above, authorize service by another means including, but not limited to, service by mail. Pursuant to 42 Pa.C.S. § 62A05(d), under no circumstances shall the plaintiff be obligated to serve the petition or protection order.

(c) An Affidavit of Service substantially in the form set forth in Rule 1959(d) shall be filed with the prothonotary.

(d) Upon the filing of a protection order with the prothonotary, the prothonotary shall transmit a copy of the order to the Pennsylvania State Police Statewide Registry in the manner prescribed by the Pennsylvania State Police.

(e) No fee shall be charged to the plaintiff or petitioner for service of any protection order or pleading or for the registration, filing or service of any foreign protection order.

Rule 1955. Enforcement.

A plaintiff may file a private criminal complaint against a defendant alleging indirect criminal contempt for a violation of any provision of a protection order or agreement with the court, the office of the district attorney or the magisterial district judge in the jurisdiction or county where the violation occurred. However, in a county of the first class, a complaint may only be filed with the family division of the court of common pleas or the office of the district attorney.

Rule 1956. No responsive pleading required.

No pleading need be filed in response to the petition or the certified order and all averments not admitted shall be deemed denied.

Rule 1957. Decision. Post-trial relief.

(a) The decision of the court may consist of only general findings of sexual violence and/or intimidation but shall dispose of all claims for relief. The court's final order shall be rendered substantially in the form set forth in Rule 1959(e).

(b) No motion for post-trial relief may be filed to the final order.

Rule 1958. Modification or Discontinuance.

(a) In cases in which a temporary protection order has not yet been granted or has been denied, a plaintiff in a protection of victims of sexual violence or intimidation action who wishes to discontinue the action may file a praecipe to discontinue, pursuant to Pa.R.C.P. No. 229, prior to the final order hearing. The party also may request the discontinuance by oral motion at a hearing.

(b) In cases in which a temporary protection order has been granted, a plaintiff who wishes to vacate the temporary order and discontinue the action shall either file a petition with the court prior to the final order

hearing or make the request by oral motion at the final order hearing.

(c) If either party seeks a modification after a final protection order has been entered, the party shall petition the court to modify the final order. Modification may be ordered after the filing and service of the petition and a hearing on the petition pursuant to 42 Pa.C.S. § 62A17.

Rule 1959. Forms for Use in Protection of Victims of Sexual Violence or Intimidation Actions. Notice and Hearing. Petition. Temporary Protection Order. Final Protection Order.

(a) The Notice of Hearing and Order required by Rule 1953 shall be substantially in the following form:

(Caption)
NOTICE OF HEARING AND ORDER

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the following papers, you must appear at the hearing scheduled herein. If you fail to do so, the case may proceed against you and a FINAL order may be entered against you granting the relief requested in the petition.

A hearing on the matter is scheduled for the _____ day of _____, 20__ at _____ .m in Courtroom _____ at _____ Courthouse, _____, Pennsylvania.

If an order of protection has been entered, you MUST obey the order until it is modified or terminated by the court after notice and hearing. If you disobey this order, the police or sheriff may arrest you. Violation of this order may subject you to a charge of indirect criminal contempt which is punishable by a fine of up to \$1,000 and/or up to six months in jail under 42 Pa.C.S. § 62A14. Violation may also subject you to prosecution and criminal penalties under the Pennsylvania Crimes Code.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. YOU HAVE THE RIGHT TO HAVE A LAWYER REPRESENT YOU AT THE HEARING. THE COURT WILL NOT, HOWEVER, APPOINT A LAWYER FOR YOU. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE. IF YOU CANNOT FIND A LAWYER, YOU MAY HAVE TO PROCEED WITHOUT ONE.

County Lawyer Referral Service
[insert Street Address]
[insert City, State, and ZIP]
[insert Phone Number]

AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of _____ County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the court, please contact our office. All arrangements must be made at least 72 hours prior to any hearing or business before the court. You must attend the scheduled conference or hearing.

(b) The petition in an action filed pursuant to the Act shall be substantially in the following form:

(Caption)
Petition for Protection of Victim of Sexual Violence or Intimidation

1. Plaintiff

First Name _____ Middle Name _____ Last Name _____ Plaintiff's Date of Birth _____
Plaintiff's Address _____

Plaintiff's address is confidential pursuant to 42 Pa.C.S. § 62A11

V.

2. Defendant

First Name _____ Middle Name _____ Last Name _____ Defendant's Date of Birth _____
Defendant's Address _____

Defendant's Social Security Number _____

Defendant's Date of Birth _____

3. I am filing this petition on behalf of myself and/or another person

If you checked "myself," please answer all questions referring to yourself as "plaintiff." If you ONLY checked "another person," please answer all questions referring to that person as the "plaintiff," and provide your name and address here, as filer.

Filer's Name _____

Filer's Address _____

If you checked "another person," indicate your relationship to the plaintiff:

4. Names of all persons who seek protection: _____

5. Is there a relationship between Plaintiff and Defendant? _____. If yes, what is the relationship? _____

6. Have Plaintiff and Defendant been involved in any other court actions? If so, state when and where the case was filed and the court number, if known: _____

7. Has Defendant been involved in any criminal court action? _____

If you answered Yes, is Defendant currently on probation? _____

8. (a.) The facts of the most recent incident of sexual violence are as follows:

Approximate Date: _____

Approximate Time: _____

Place: _____

Describe in detail what happened, including any physical or sexual abuse, threats, injury, incidents of stalking, medical treatment sought, and/or calls to law enforcement (attach additional sheets of paper if necessary): _____

(b.) The facts of the most recent incident of intimidation are as follows:

How old is the person seeking protection: _____

How old is the defendant: _____

Approximate Date: _____

Approximate Time: _____

Place: _____

Describe in detail what happened, including medical treatment sought, and/or calls to law enforcement (attach additional sheets of paper if necessary): _____

9. If Defendant has committed prior acts of sexual violence or intimidation against Plaintiff, describe these prior incidents, and indicate approximately when such acts occurred (attach additional sheets of paper if necessary): _____

10. Identify the sheriff, police department or law enforcement agency in the area in which Plaintiff lives that should be provided with a copy of the protection order: _____

11. Is there an immediate and present danger of further sexual violence or intimidation from Defendant? If, so, please describe _____

FOR THE REASONS SET FORTH ABOVE, I REQUEST THAT THE COURT ENTER A TEMPORARY ORDER, and AFTER HEARING, A FINAL ORDER THAT WOULD DO THE FOLLOWING (CHECK ALL FORMS OF RELIEF REQUESTED):

- A. Restrain Defendant from having any contact with the victim, including, but not limited to, restraining the defendant from entering the victim’s residence, place of employment, business or school.
- B. Prohibiting indirect contact through third parties.
- C. Prohibiting direct or indirect contact with other designated persons.
- D. Order Defendant to pay the costs of this action, including filing and service fees.
- E. Order the following additional relief, not listed above:

- F. Grant such other relief as Plaintiff requests and/or the court deems appropriate.
- G. Order the police, sheriff or other law enforcement agency to serve the Defendant with a copy of this petition, any order issued, and the order for hearing. Plaintiff will inform the designated authority of any addresses, other than Defendant’s residence, where Defendant can be served.

VERIFICATION

I verify that I am the petitioner as designated in the present action and that the facts and statements contained in the above petition are true and correct to the best of my knowledge. I understand that any false statements are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

Signature

Date

(c) The Temporary Order of Court, or any continued, amended or modified Temporary Order of Court, entered pursuant to the Act shall be substantially in the following form:

(Caption)

TEMPORARY PROTECTION OF VICTIM OF SEXUAL VIOLENCE OR INTIMIDATION ORDER

Plaintiff is _____

Plaintiff’s address _____

Plaintiff’s address is confidential pursuant to 42 Pa.C.S. § 62A11

Defendant is _____

Defendant’s address _____

Defendant’s Social Security Number _____

Defendant’s Date of Birth _____

AND NOW, this _____ day of _____, 20 ____, upon consideration of the attached Petition for Protection of Victim of Sexual Violence or Intimidation, the court hereby enters the following Temporary Order:

- Plaintiff’s request for a Temporary Protection Order is denied.
- Plaintiff’s request for a Temporary Protection Order is granted.

1. The following person(s) are protected under this order:

2. Defendant is:

- A. Restrained from having any contact with the victim, including, but not limited to, restrained from entering the victim’s residence, place of employment, business or school.
- B. Prohibited from indirect contact with the victim through third parties.
- C. Prohibited from direct or indirect contact with the following designated persons:

3. Additional relief:

4. A certified copy of this order shall be provided to the sheriff or police department where Plaintiff resides and any other agency specified hereafter: [insert name of agency]

5. THIS ORDER SUPERSEDES ANY PRIOR PROTECTION OF VICTIM OF SEXUAL VIOLENCE OR INTIMIDATION ORDER OBTAINED BY THE SAME PLAINTIFF AGAINST THE SAME DEFENDANT.

6. THIS ORDER APPLIES IMMEDIATELY TO DEFENDANT AND SHALL REMAIN IN EFFECT UNTIL [insert expiration date] OR UNTIL OTHERWISE MODIFIED OR TERMINATED BY THIS COURT AFTER NOTICE AND HEARING.

NOTICE TO THE DEFENDANT

Defendant is hereby notified that violation of this order may result in arrest for indirect criminal contempt, which is punishable by a fine of up to \$1,000 and/or up to six months in jail. 42 Pa.C.S. § 62A14. Consent of Plaintiff shall not invalidate this order, which can only be changed or modified through the filing of appropriate court papers for that purpose. 42 Pa.C.S. § 62A17. Defendant is further notified that violation of this order may subject him/her to state charges and penalties under the Pennsylvania Crimes Code.

NOTICE TO SHERIFF, POLICE AND LAW ENFORCEMENT OFFICIALS

This order shall be enforced by the police department or sheriff who has jurisdiction over Plaintiff's residence OR any location where a violation of this order occurs OR where Defendant may be located. If Defendant violates Paragraphs 2 or 3 of this order, Defendant shall be arrested on the charge of indirect criminal contempt. An arrest for violation of this order may be made without warrant, based solely on probable cause, whether or not the violation is committed in the presence of a police officer or sheriff.

BY THE COURT:

Judge

Date

(d) The form of the Affidavit of Service in a proceeding under the Act shall be substantially in the following form:

(Caption)
AFFIDAVIT OF SERVICE

I, _____, the undersigned, hereby state that I served a copy of the Notice of Hearing and Order, Petition and Temporary Order in the above-captioned action upon Defendant by handing the papers to

at the following address:

on the ____ day of _____, 20 __, at approximately _____ o'clock __.m

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

(Signature)

(Title)

(Address)

(Date)

THIS FORM MUST BE COMPLETED AND SIGNED BY THE PERSON WHO SERVES THE DEFENDANT WITH THE NOTICE OF HEARING AND ORDER, PETITION AND TEMPORARY ORDER. IT MUST BE FILED WITH THE PROTHONOTARY OR BROUGHT TO THE COURT ON THE HEARING DATE.

(e) The Final Order of Court, or any amended, modified or extended Final Order of Court, entered pursuant to the Act shall be substantially in the following form:

(Caption)
FINAL PROTECTION OF VICTIM OF SEXUAL VIOLENCE OR INTIMIDATION ORDER

Plaintiff is _____

Plaintiff's address _____

Plaintiff's address is confidential pursuant to 42 Pa.C.S. § 62A11

Defendant is _____

Defendant's address _____

Defendant's Social Security Number _____

Defendant's Date of Birth _____

The court hereby finds that it has jurisdiction over the parties and subject matter and Defendant has been provided with reasonable notice and opportunity to be heard.

Defendant was served in accordance with Pa.R.C.P. No. 1954(a) and provided notice of the time, date and location of the hearing scheduled in this matter.

Order Effective Date _____ Order Expiration Date _____

AND NOW, this _____ day of _____, 20 __, upon consideration of the attached Petition for Protection of Victim of Sexual Violence or Intimidation, the court hereby enters the following Final Order:

It is ORDERED, ADJUDGED AND DECREED as follows:

This order is entered (check one) by agreement by agreement without an admission after a hearing and decision by the court after a hearing at which Defendant was not present, despite proper service being made by default. Without regard as to how the order was entered, this is a final order of court subject to full enforcement pursuant to the Protection of Victims of Sexual Violence or Intimidation Act.

Plaintiff's request for a final protection order is denied.

OR

Plaintiff's request for a final protection order is granted.

1. The following person(s) are protected under this order:

2. Defendant is:

A. Restrained from having any contact with the victim, including, but not limited to, restrained from entering the victim's residence, place of employment, business or school.

B. Prohibited from indirect contact with the victim through third parties.

C. Prohibited from direct or indirect contact with the following designated persons:

D. Ordered to pay the costs of this action, including filing and service fees.

3. Additional relief:

4. Because this order followed a contested proceeding, or a hearing at which Defendant was not present, despite being served with a copy of the petition, temporary order and notice of the date, time and place of the hearing, Defendant is ordered to pay an additional \$100 surcharge to the court, which shall be distributed in the manner set forth in 42 Pa.C.S. § 62A05.

5. THIS ORDER SUPERCEDES ANY PRIOR PROTECTION FOR VICTIMS OF SEXUAL VIOLENCE OR INTIMIDATION ORDER OBTAINED BY THE SAME PLAINTIFF AGAINST THE SAME DEFENDANT.

NOTICE TO THE DEFENDANT

Defendant is hereby notified that violation of this order may result in arrest for indirect criminal contempt, which is punishable by a fine of up to \$1,000 and/or up to six months in jail. 42 Pa.C.S. § 62A14. Consent of Plaintiff shall not invalidate this order, which can only be changed or modified through the filing of appropriate court papers for that purpose. 42 Pa.C.S. § 62A17. Defendant is further notified that violation of this order may subject him/her to state charges and penalties under the Pennsylvania Crimes Code.

NOTICE TO SHERIFF, POLICE AND LAW ENFORCEMENT OFFICIALS

The police and sheriff who have jurisdiction over Plaintiff's residence OR any location where a violation of this order occurs OR where Defendant may be located, shall enforce this order. The court shall have jurisdiction over any indirect criminal contempt proceeding, either in the county where the violation occurred or where this protective order was entered. An arrest for violation of paragraphs 2 and 3 of this order may be without warrant, based solely on probable cause, whether or not the violation is committed in the presence of the police or any sheriff. 42 Pa.C.S. § 62A12.

When Defendant is placed under arrest for violation of the order, Defendant shall be taken to the appropriate authority or authorities before whom Defendant is to be arraigned. A "Complaint for Indirect Criminal Contempt" shall then be completed and signed by the police officer, sheriff OR Plaintiff. Plaintiff's presence and signature are not required to file the complaint.

If sufficient grounds for violation of this order are alleged, Defendant shall be arraigned, bond set, if appropriate and both parties given notice of the date of hearing.

BY THE COURT:

Judge

Date

If entered pursuant to the consent of the plaintiff and the defendant:

(Plaintiff's signature)

(Defendant's signature)

PUBLICATION REPORT

The Committee is proposing the addition of Chapter 1950—Actions Pursuant to the Protection of Victims of Sexual Violence or Intimidation Act to the Pennsylvania Rules of Civil Procedure. The General Assembly of the Commonwealth of Pennsylvania enacted into law Act 25 of 2014, which has been codified at 42 Pa.C.S. §§ 62A01—62A20 and known as Protection of Victims of Sexual Violence or Intimidation Act. The proposed rules provide procedures and forms to facilitate application of the new statute, which is effective July 1, 2015.

[Pa.B. Doc. No. 15-596. Filed for public inspection April 3, 2015, 9:00 a.m.]

RULES AND REGULATIONS

Title 25—ENVIRONMENTAL PROTECTION

DEPARTMENT OF ENVIRONMENTAL PROTECTION

[25 PA. CODE CHS. 78 AND 78a]

Environmental Protection Performance Standards at Oil and Gas Well Sites; Advance Notice of Final Rulemaking

The Department of Environmental Protection (Department) is soliciting comments on changes it is recommending to the Environmental Protection Performance Standards at Oil and Gas Well Sites proposed rulemaking published at 43 Pa.B. 7377 (December 14, 2013).

The primary goal of this rulemaking is to ensure that oil and gas operators employ effective measures that prevent pollution, while allowing flexibility for the optimal development of this natural resource. These rules focus on performance over process and a commitment to responsible environmental protection for oil and gas extraction activities in this Commonwealth. The amendments are designed to strengthen the environmental controls employed by this industry to ensure the protection of public health and safety and the environment.

Historically, this Commonwealth has been a large conventional oil and natural gas producer. However, advances over the last decade in drilling and completion technologies have attracted interest in producing gas from unconventional shale formations (for example, the Marcellus and Utica shales).

Compared to conventional oil and gas development, unconventional well development involves larger well sites and centralized storage facilities, mobile wastewater processing, large volumes of water for hydraulic fracturing activities and new pipeline systems. These recommended changes to the Department's proposed rulemaking should keep the Commonwealth at the forefront of this industry's advances in technology on both the conventional and unconventional sides of the industry. This industry is a major economic generator within this Commonwealth and these regulations will ensure that the oil and gas operators who choose to develop the resources in this Commonwealth are held to the highest environmental standards.

Finally, the act of February 14, 2012 (P. L. 87, No. 13) significantly revised the Commonwealth's oil and gas laws and directed the Department to promulgate regulations to implement its environmental enhancements.

A. Summary of the Advance Notice of Final Rulemaking Changes

The proposed rulemaking was the subject of a 90-day public comment period and 9 public hearings, with just over 24,500 comments received during that process. Since that time, the Department has been considering each comment. The draft final language represents the Department's revisions based on the review of those comments.

During the pendency of this rulemaking process, the General Assembly also passed two acts directly relating to the subject matter of the proposed rulemaking. As a result of the passage of the act of July 10, 2014 (P. L. 1053, No. 126), all regulations promulgated under 58

Pa.C.S. (relating to oil and gas) were required to differentiate between conventional oil and gas wells and unconventional gas wells. The Department determined that the current rulemaking process would continue, but that the regulations would be completely bifurcated (separated into two distinct chapters) on final-form rulemaking. The act of October 22, 2014 (P. L. 2853, No. 173) requires monthly reporting of production by unconventional well operators to the Department.

The draft final rulemaking contains significant changes in several areas. These changes include the following:

§§ 78.1 and 78a.1. Definitions

Several definitions are added to this section. Of particular note, a new definition for "other critical communities" has been added to address concerns related to consideration of public resources in permitting.

§§ 78.15 and 78a.15. Application requirements

Subsection (b)(1) requires a demonstration of protection of wetlands and streams where the edge of the pad is within 100 feet of streams and wetlands.

Under subsection (f), the Department will consider impacts to public resources as part of the permitting process. Additional areas to consider include public drinking water wellhead protection areas, playgrounds and schools considered public resources for which the Department may impose permit conditions. The draft final rulemaking extends the review time frame for jurisdiction agencies (such as the Fish and Boat Commission, the Department of Conservation and Natural Resources, the Game Commission and the Pennsylvania Historic and Museum Commission) from 15 days to 30 days.

§§ 78.17 and 78a.17. Permit expiration and renewal

The draft final rulemaking extends the well permit renewal term to 2 years from the current 1 year and clarifies that permits expire unless drilling is completed within 16 months of permit issuance.

§ 78a.41. Noise mitigation

This new section of the draft final rulemaking establishes health-based standards for noise control and mitigation from unconventional operations.

§§ 78.51 and 78a.51. Protection of water supplies

The draft final rulemaking explicitly requires operators to restore drinking water supplies impacted by drilling to the better of either Safe Drinking Water Act standards or predrill quality.

§§ 78.52a and 78a.52a. Area of review

These sections extend the prehydraulic fracturing assessment (including refracking) to include active and inactive wells in addition to the proposed abandoned and orphaned wells. Operators must submit all well locational data and a monitoring plan as part of the report.

§§ 78.56 and 78a.56. Temporary storage

Section 78a.56 eliminates the use of pits to temporarily store waste at unconventional well sites.

Both sections of the draft final rulemaking eliminate the requirement to remove underground storage tanks. New buried tanks must meet design and inspection criteria.

Section 78.56 removes the requirement for conventional operators to install locks on their tanks.

§§ 78.57 and 78a.57. *Control, storage and disposal of production fluids*

These sections eliminate the use of pits to store production fluids at wells sites and require existing pits to be properly closed.

Both sections of the draft final rulemaking eliminate the requirement to remove underground storage tanks. New buried tanks must meet design and inspection criteria.

Section 78.57 removes the requirement for conventional operators to install locks on their tanks. Both sections add a requirement for a basic monthly maintenance inspection.

§§ 78.57a and 78a.57a. *Centralized tank storage*

These new sections in the draft final rulemaking add a centralized tank storage option for unconventional operators, primarily based on residual waste tank storage requirements.

§§ 78.59c and 78a.59c. *Centralized impoundments*

These sections require operators using centralized wastewater storage impoundments to obtain a residual waste impoundment permit.

For existing centralized wastewater storage impoundments, these sections require a closure plan to be submitted to the Department within 6 months of the effective date of the final-form rulemaking. Any existing centralized wastewater storage impoundments must be properly closed within 3 years of the effective date of the final-form rulemaking or the operator must obtain a residual waste impoundment permit under the residual waste regulations.

§§ 78.61—78.63 and 78a.61—78a.63. *Disposal of drill cuttings and residual waste onsite (pits and land application)*

The draft final rulemaking adds a requirement for operators to give landowners notice of disposal within 10 days (conventional only).

Sections 78a.61—78a.63 require Department approval to dispose of waste and cuttings from below the casing seat and waste at unconventional well sites.

§§ 78.66 and 78a.66. *Reporting and remediating spills and releases*

The draft final rulemaking requires landowner notification and sampling of water supplies with the potential to be impacted by a spill or release. In addition, the draft final rulemaking removes the alternative cleanup process; all remediation will be required to be conducted pursuant to the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).

§ 78.68. *Oil and gas gathering lines*

The draft final rulemaking removes the requirements for regulation of gathering lines of conventional operators.

§ 78a.121. *Production reporting*

This section amends requirements to address new legislation requiring monthly resource production reporting. In addition, this section also requires unconventional operators to report the amount and type of waste produced and the method of disposal or reuse on a monthly basis.

B. *Contact Persons*

For further information or to request a copy of the draft final rulemaking, contact Kurt Klappkowski, Director, Bureau of Oil and Gas Planning and Program Management, Rachel Carson State Office Building, 15th Floor, 400 Market Street, P. O. Box 8765, Harrisburg, PA 17105-8765, (717) 772-2199; or Elizabeth Nolan, Assistant Counsel, Bureau of Regulatory Counsel, P. O. Box 8464, Rachel Carson State Office Building, Harrisburg, PA 17105-8464, (717) 787-7060. The draft final rulemaking is available electronically through the Department's web site at www.dep.state.pa.us (Select "Oil and Gas Rulemaking" button).

C. *Public Comments*

While there is no legal requirement to provide an opportunity to comment upon the Department's recommendations for final rulemaking, the Department believes comments on the draft final rulemaking would serve the public interest in this instance. The Department requests that commentators focus their comments on language that is changed from the proposed rulemaking and that comments be submitted separately for each chapter to aid in comment review and response. The Department particularly seeks comments on the issues of the definition of "other critical communities" (§§ 78.1 and 78a.1), noise mitigation (§ 78a.41) and centralized tank storage (§§ 78.57a and 78a.57a).

Written or electronic comments will be accepted. Electronic comments may be submitted through the Department's Online Regulatory Comment System at www.ahs.dep.pa.gov/RegComments or by e-mail to RegComments@pa.gov.

Written comments should be sent to the Department of Environmental Protection, Policy Office, 400 Market Street, P. O. Box 2063, Harrisburg, PA 17105-2063. Comments must be received by May 4, 2015. A subject heading of the rulemaking and a return name and address must be included in each letter or transmission. Comments will not be accepted by facsimile or voice mail.

JOHN QUIGLEY,
Acting Secretary

[Pa.B. Doc. No. 15-597. Filed for public inspection April 3, 2015, 9:00 a.m.]

Title 58—RECREATION

FISH AND BOAT COMMISSION

[58 PA. CODE CHS. 63, 97 AND 103]

Fishing; Boating

The Fish and Boat Commission (Commission) amends Chapters 63, 97 and 103 (relating to general fishing regulations; operator provided equipment; and rules of the road). The Commission is publishing this final-omitted rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code) and other authorities described as follows.

A. *Effective Date*

This final-omitted rulemaking will go into effect immediately upon publication in the *Pennsylvania Bulletin*.

B. *Contact Person*

For further information on the final-omitted rulemaking, contact Laurie E. Shepler, Esq., P. O. Box 67000,

Harrisburg, PA 17106-7000, (717) 705-7810. This final-omitted rulemaking is available on the Commission's web site at www.fish.state.pa.us.

C. *Statutory Authority*

These amendments are published under the statutory authority of section 506 of The Administrative Code of 1929 (71 P. S. § 186). These amendments also are published in accordance with section 204(3) of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. § 1204(3)), known as the Commonwealth Documents Law (CDL), which provides that an agency may omit or modify the procedures specified in sections 201 and 202 of the CDL (45 P. S. §§ 1201 and 1202) if the administrative regulation or change relates to agency organization, management or personnel; agency procedure or practice; or Commonwealth property or if the agency for good cause finds (and incorporates the finding and a brief statement of the reasons therefor in the order adopting the administrative regulation or change therein) that the procedures specified in sections 201 and 202 of the CDL are under the circumstances impracticable, unnecessary or contrary to the public interest.

D. *Purpose and Background*

Under § 51.5 (relating to correction of regulations), the Executive Director is authorized to take immediate corrective action on the Commission's behalf if the Executive Director or the Commission's staff discovers an error or omission in the text of a Commission regulation as published in the *Pennsylvania Code* or the *Pennsylvania Bulletin*.

On January 1, 2015, amended regulations pertaining to the possession, sale, introduction, importation and transportation of native and nonnative crayfish species went into effect. One of the amended regulations, § 63.46 (relating to sale, purchase or barter of injurious species), was intended to prohibit the sale, purchase and barter of both native and nonnative species. The final-omitted rulemaking reflects that intent. However, the heading of this section was not amended to delete the reference to nonnative species. The purpose of this final-omitted rulemaking is to correct the section heading.

In 2010, the Inland Navigation Rules Act of 1980 (act) was rescinded and the rules were moved to 33 CFR Part 83 (relating to rules). Another purpose of this final-omitted rulemaking is to correct references to the act in the Commission's regulations.

E. *Summary of Changes*

The Commission amends § 63.46 to delete "nonnative" from the section heading. In addition, the Commission amends §§ 97.3 and 103.1 (relating to sound producing devices; and general) to delete references to the act and correctly cite 33 CFR Part 83. The Commission amends §§ 63.46, 97.3 and 103.1 to read as set forth in Annex A.

F. *Paperwork*

This final-omitted rulemaking will not increase paperwork and will not create new paperwork requirements.

G. *Fiscal Impact*

This final-omitted rulemaking will not have adverse fiscal impact on the Commonwealth or its political subdivisions. The final-omitted rulemaking will impose no new costs on the private sector or the general public.

H. *Public Involvement*

Under section 204(3) of the CDL, an agency may omit the procedures specified in sections 201 and 202 of the

CDL if the agency for good cause finds (and incorporates the finding and a brief statement of the reasons therefor in the order adopting the administrative regulation or change therein) that the procedures specified in sections 201 and 202 of the CDL are under the circumstances impracticable, unnecessary or contrary to the public interest. The Commission, therefore, did not publish these amendments as a notice of proposed rulemaking or solicit public comment.

Findings

The Commission finds that:

(1) Errors were discovered in the text of §§ 63.46, 97.3 and 103.1 as published in the *Pennsylvania Code*.

(2) Under § 51.5, the Executive Director is authorized to take immediate corrective action on behalf of the Commission, including, if necessary, the issuance of an order to make the necessary correction, if the Executive Director or the Commission's staff discovers an error in the text of a Commission regulation as published in the *Pennsylvania Code*.

(3) Because the nature of the amendments is minor and designed to correct errors, the Commission finds that the procedures of sections 201 and 202 of the CDL are unnecessary.

Order

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

(a) The regulations of the Commission, 58 Pa. Code Chapters 63, 97 and 103, are amended by amending §§ 63.46, 97.3 and 103.1 to read as set forth at Annex A.

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

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

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

JOHN A. ARWAY,
Executive Director

Fiscal Note: 48A-262. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart B. FISHING

CHAPTER 63. GENERAL FISHING REGULATIONS

§ 63.46. Sale, purchase or barter of injurious species.

It is unlawful for a person to sell, purchase, offer for sale or barter the following live species in this Commonwealth:

- (1) Snakehead (all species).
- (2) Black carp (*Mylopharyngodon piceus*).
- (3) Bighead carp (*Hypophthalmichthys nobilis*).
- (4) Silver carp (*Hypophthalmichthys molitrix*).
- (5) Zebra mussel (*Dreissena polymorpha*).
- (6) Quagga mussel (*Dreissena bugensis*).
- (7) Round goby (*Neogobius melanostomus*).

- (8) Tubenose goby (*Proterorhinus marmoratus*).
- (9) European rudd (*Scardinius erythrophthalmus*).
- (10) Crayfish (all species) except when:
 - (i) They are sold, purchased, offered for sale or bartered for testing and scientific purposes or restaurant consumption.
 - (ii) Adequate measures have been taken to prevent their escape.
 - (iii) They are accompanied by documentation stating the point of origin and the destination to which they are to be delivered.
- (11) Ruffe (*Gymnocephalus cernuus*).

Subpart C. BOATING

CHAPTER 97. OPERATOR PROVIDED EQUIPMENT

§ 97.3. Sound producing devices.

- (a) *Motorboats 12 meters or more in length.* A motorboat 12 meters (39.4 feet) or more in length shall carry sound producing devices as prescribed by 33 CFR Part 83 (relating to rules).
- (b) *Motorboats less than 12 meters.* A motorboat less than 12 meters (39.4 feet) in length shall carry some mechanical means of making a sound signal. This device may be hand, mouth or power operated. An athletic coach's whistle is an acceptable sound producing device for small motorboats.

(c) *Unpowered boats.* Unpowered boat operators are required to carry a device capable of sounding a prolonged blast for 4-6 seconds that can be heard by another boat operator in time to avoid a collision. An athletic coach's whistle is an acceptable sound producing device for unpowered boats. It is unlawful to use a sound producing device on the water under any circumstance except in the following situations:

- (1) Assistance is needed because of immediate or potential danger to the persons onboard.
- (2) It is necessary to attract the attention of another boat.
- (d) *Device accessibility.* Sound signaling devices shall be readily accessible to the operator of the boat.

CHAPTER 103. RULES OF THE ROAD

§ 103.1. General.

- (a) Every boater is responsible for avoiding a boating accident. This subpart is to give predictability to meeting, crossing and overtaking situations, but does not replace accurate analysis of the situation and taking necessary action to avoid collision, even if it means diverging from this subpart.
- (b) Every boat operating on the inland waters of this Commonwealth, which includes Lake Erie, shall comply with 33 CFR 83.02 (relating to responsibility (Rule 2)).

[Pa.B. Doc. No. 15-598. Filed for public inspection April 3, 2015, 9:00 a.m.]

PROPOSED RULEMAKING

FISH AND BOAT COMMISSION

[58 PA. CODE CHS. 61, 63, 65 AND 79]

Fishing; Simplification and Consolidation

The Fish and Boat Commission (Commission) proposes to amend Chapters 61, 63, 65 and 79. The Commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code).

A. *Effective Date*

The proposed rulemaking, if approved on final-form rulemaking, will go into effect on January 1, 2016, except for the proposed changes to § 65.24 (relating to miscellaneous special regulations) for Opossum Lake, Cumberland County, and Leaser Lake, Lehigh County, which will go into effect on June 18, 2016.

B. *Contact Person*

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

C. *Statutory Authority*

The proposed amendments to §§ 61.1, 61.2, 61.7, 61.8, 63.3, 63.8, 63.48, 65.4a, 65.5, 65.7, 65.9, 65.11—65.19, 65.26 and 79.2 are published under the statutory authority of section 2102 of the code (relating to rules and regulations). The proposed amendment to § 63.20 (relating to permits for the protection and management of trout and salmon) is published under the statutory authority of section 2904 of the code (relating to permits for protection and management of particular fish). The proposed amendments to § 65.21 (relating to waters limited to specific purposes—exclusive use fishing areas) and § 65.24 are published under the statutory authority of section 2307 of the code (relating to waters limited to specific purposes).

D. *Purpose and Background*

It has long been a concern that the complexity and number of the Commission's fishing regulations may be a deterrent to people fishing. In response to those concerns, several Commissioners expressed an interest in regulation simplification and consolidation, and Executive Director John A. Arway directed Commission staff to review existing fishing regulations. A workgroup comprised of staff across bureau and office lines was formed in 2013. Workgroup meetings were held and drafts were circulated throughout 2013 and 2014. At the September 2014 Commission meeting, a preliminary draft with proposed regulatory amendments was shared with the Law Enforcement Committee.

E. *Summary of Proposal*

As part of the regulation simplification and consolidation process, the Commission proposes a number of housekeeping and substantive changes. The housekeeping changes are to §§ 61.2, 61.8, 65.4a, 65.5, 65.7, 65.9, 65.11, 65.12, 65.14—65.19 and 65.21. The substantive changes are as follows.

(1) Because note 3 in § 61.1 (relating to Commonwealth inland waters) is not applicable to gizzard shad,

the Commission proposes that the reference to it (three asterisks after gizzard shad) be deleted. The Commission also proposes that because § 65.10 is reserved, references to this section and the program in note 2 of § 61.1 be deleted.

(2) In § 61.7 (relating to Susquehanna River and tributaries), the Commission proposes that the note be deleted because the harvest of baitfish in this note is applicable only to landlocked alewife harvested from inland lakes, ponds and reservoirs and does not apply to this section.

(3) In § 63.3 (relating to fishing in stocked trout waters), the current definition of "approved trout waters" is "designated waters that contain significant portions that are open to public fishing and are stocked with trout." The term, however, suggests a much broader category of trout waters, including both stocked and wild, and may cause confusion among the public. Therefore, the Commission proposes that "stocked trout waters" be used to more accurately describe the category of trout waters at issue and that the term be defined as "waters that are stocked with adult trout by the Commission." The Commission also proposes that other sections in Chapters 61, 63, 65 and 79 using "approved trout waters" be amended.

(4) In § 63.48 (relating to permit for the use of cast nets or throw nets), the Commission proposes that the restriction limiting baitfish to 8 inches in length be deleted because there is not a biological reason for the restriction.

(5) In §§ 65.5 and 65.7 (relating to catch and release artificial lures only; and trophy trout artificial lures only), the Commission proposes deleting the list of prohibited lures and substances in favor of naming the permitted items only to eliminate confusion and having to name or describe all prohibited lures and substances.

(6) In § 65.11 (relating to panfish enhancement), the Commission proposes amendments making the language consistent with the Summary Book and with the intent of the regulation when it went into effect.

(7) The Commission proposes deleting § 65.13 (relating to wild brook trout enhancement) because, based on peer reviewed and published scientific research on the waters within this program, the Commission's staff have determined that this regulation is ineffective. If the program is eliminated, waters currently in the program will be distributed to other programs.

(8) In § 65.14 (relating to catch and release fly-fishing only), the Commission proposes that the reference to single hooks be deleted to clarify that multiple hooks are permitted. The Commission also proposes that the reference to "fly line with a maximum of 18 feet in leader material or monofilament line attached" be deleted to eliminate a gray area regarding center-pinning techniques, which is becoming a popular technique to fish nymphs and utilizes a much longer leader. To eliminate confusion and having to name or describe all prohibited lures and substances, the Commission further proposes deleting the list of prohibited items in favor of naming the permitted lures and substances only.

(9) In § 65.24, the Commission proposes the following:

(a) The miscellaneous special regulation on Elk Creek (Big Elk Creek), Chester County, be deleted because the harvest of alewife and blueback herring is not allowed in the Susquehanna system.

(b) The miscellaneous special regulation on Opossum Lake, Cumberland County, be deleted as of June 18, 2016, because it specifically provides that it will remain in effect until that date.

(c) The miscellaneous special regulation on the West Branch, Clarion River, Elk County, be deleted because wading is now permitted.

(d) The miscellaneous special regulation on Lake Scranton, Lackawanna County, be deleted because the origin of this requirement was a lease agreement among Pennsylvania Gas and Water Company (now Pennsylvania American Water Company), Allied Services and the Commission, and the water company recently advised the Commission that it wishes to terminate the agreement. In addition, both Pennsylvania American Water Company and Allied Services have requested that the miscellaneous special regulation be deleted.

(e) The miscellaneous special regulation on Leaser Lake, Lehigh County, be deleted as of June 18, 2016, because it specifically provides that it will remain in effect until that date.

(f) The miscellaneous special regulation on the West Branch Delaware River, Wayne County, be changed to be consistent with other changes throughout this chapter related to the use of prohibited lures and substances in artificial lures only areas.

(g) The miscellaneous special regulation on Indian Lake, Westmoreland County, be deleted because the Commission has data to support designating this lake as big bass and panfish enhancement and the Commission has designated it accordingly.

(h) The miscellaneous special regulation on Lake Winola, Wyoming County, be deleted because there is no biological support for this regulation.

The Commission proposes to amend these sections to read as set forth in Annex A. In addition to these proposed amendments, the Commission will likely be proposing other changes in the future following implementation of the Musky and Black Bass management plans.

F. Paperwork

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

G. Fiscal Impact

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

H. Public Comments

Interested persons are invited to submit written comments, objections or suggestions about the proposed rulemaking to the Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000 within 60 days after publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

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

JOHN A. ARWAY,
Executive Director

Fiscal Note: 48A-264. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart B. FISHING

CHAPTER 61. SEASONS, SIZES AND CREEL LIMITS

§ 61.1. Commonwealth inland waters.

* * * * *

(d) Except as otherwise provided in this subpart, the following seasons, sizes and creel limits apply to inland waters of this Commonwealth and the Youghiogeny Reservoir:

<i>SPECIES</i>	<i>SEASONS</i>	<i>MINIMUM SIZE</i>	<i>DAILY LIMIT</i>
ALL SPECIES OF TROUT AND SALMON (except landlocked Atlantic salmon)	Regular Season: 8 a.m. first Saturday after April 11 to midnight Labor Day	7 inches	5 (combined species) except areas with special regulations (see Chapter 65 (relating to special fishing regulations))
	Extended Season: [Approved] Stocked trout waters and all waters downstream of [approved] stocked trout waters 12:01 a.m. day after Labor Day to midnight last day of February of the following year	7 inches	3 (combined species), except Class A wild trout streams, where the daily limit is 0, and areas with special regulations (see Chapter 65)

SPECIES	SEASONS	MINIMUM SIZE	DAILY LIMIT
	* * * * *		
GIZZARD SHAD[***]	Open year-round	No minimum	50
	* * * * *		

* For purposes of this subsection, power dam pools and recreational dam pools on the Susquehanna River and navigational dam pools in the Ohio drainage are “rivers.”

** Note: [**Approved**] **Stocked** trout waters are closed to all fishing from March 1 to the first Saturday after April 11 unless included in the [**Early Season Trout Stocked Waters Program (see § 65.10 (relating to Early Season Trout Stocked Waters Program)) or in the**] Regional Opening Day of Trout Season Program (see § 65.12 (relating to Regional Opening Day of Trout Season Program)). [**Waters included in the Early Season Trout Stocked Waters Program are closed to all fishing from April 1 to the first Saturday after April 11.**] Waters included in the Regional Opening Day of Trout Season Program are closed to all fishing from March 1 to the first Saturday after March 28.

*** Note: Unlawful to take, catch or kill American shad, hickory shad and river herring (alewife and blueback herring) in Susquehanna River and its tributaries. See §§ 61.4 and 61.7 (**relating to Conowingo Reservoir; and Susquehanna River and tributaries**).

§ 61.2. Delaware River, West Branch Delaware River and River Estuary.

* * * * *

(d) The following seasons, sizes and creel limits apply to the Delaware River, West Branch Delaware River and Delaware River tributaries, from the mouths of the tributaries upstream to the limit of the tidal influence and the Lehigh River from its mouth upstream to the first dam in Easton, Pennsylvania:

SPECIES	SEASONS	MINIMUM SIZE	DAILY LIMIT
	* * * * *		
RIVER HERRING (alewife and blueback herring)	Closed [(no open season)] year-round	[Closed]	0
	* * * * *		

* * * * *

§ 61.7. Susquehanna River and tributaries.

* * * * *

(d) The following seasons, sizes and creel limits apply to the Susquehanna River and its tributaries, including the Juniata River, the West Branch, “North Branch” and other tributaries within the Susquehanna River Basin except the Conowingo Reservoir—see § 61.4 (relating to Conowingo Reservoir) and except for waters subject to special regulations (see Chapter 65 (relating to special fishing regulations)):

SPECIES	SEASONS	MINIMUM SIZE	DAILY LIMIT
AMERICAN and HICKORY SHAD and RIVER HERRING (alewife and blueback herring)[*]	Closed (no open season)	Closed	0
	* * * * *		

[*Note: Landlocked alewife taken from inland ponds, lakes or reservoirs that are collected by legal means and measure less than 8 inches in length may be harvested for use as baitfish.]

§ 61.8. Lehigh River, Schuylkill River and tributaries.

* * * * *

(d) The following seasons, sizes and creel limits apply to the Lehigh River upstream of the first dam in Easton, Pennsylvania and its tributaries and the Schuylkill River upstream of the I-95 Bridge and its tributaries:

SPECIES	SEASONS	MINIMUM SIZE	DAILY LIMIT
AMERICAN SHAD	Open year-round	No Minimum	Catch and Release Only
RIVER HERRING (alewife and blueback herring)	Closed (no open season)	Closed	0

SPECIES	SEASONS	MINIMUM SIZE	DAILY LIMIT
OTHER SPECIES	Inland seasons, size and creel limits apply except for waters under special regulations (see Chapter 65 (relating to special fishing regulations)). See § 61.1 (relating to Commonwealth inland waters).		

CHAPTER 63. GENERAL FISHING REGULATIONS

§ 63.3. Fishing in [approved] stocked trout waters.

It is unlawful to fish in [approved] stocked trout waters regulated under § 61.1 (relating to Commonwealth inland waters) from 12:01 a.m. on March 1 to 8 a.m. on the first Saturday after April 11 and in [approved] stocked trout waters regulated under § 65.12 (relating to [Regional Opening Day of Trout Season Program] regional opening day of trout season) from 12:01 a.m. on March 1 to 8 a.m. on the first Saturday after March 28. As used in this subpart, the term “[approved] stocked trout waters” means [designated] waters that [contain significant portions that are open to public fishing and] are stocked with adult trout by the Commission. A listing of [approved] stocked trout waters is published in the Commission’s “Summary of Fishing Regulations and Laws,” which is available from the Commission at Post Office Box 67000, Harrisburg, Pennsylvania 17106-7000. The Executive Director or a designee may, from time to time, supplement or modify the list of [approved] stocked trout waters, and additions or deletions will be published in the *Pennsylvania Bulletin*.

§ 63.8. Long bows, crossbows, spears and gigs.

* * * * *

(c) *Restrictions.* Spears or gigs may not be mechanically propelled, may not have more than five barbed points, and may not be used in [approved] stocked trout waters.

§ 63.20. Permits for the protection and management of trout and salmon.

* * * * *

(d) *Fish for trout or salmon.* A person fishes for trout or salmon when one of the following applies:

* * * * *

(2) The person fishes in streams or rivers that are [approved] stocked trout waters as defined in § 63.3 (relating to fishing in [approved] stocked trout waters) or their tributaries during the period from 12:01 a.m. on March 1 until midnight May 31.

* * * * *

§ 63.48. Permit for the use of cast nets or throw nets.

(a) The Executive Director or a designee may issue permits for the use of cast nets or throw nets for the taking of gizzard shad [8 inches or less in length] and alewife only in waters to be determined by the Executive Director. A separate permit will be required for each body of water.

* * * * *

CHAPTER 65. SPECIAL FISHING REGULATIONS

§ 65.4a. All-tackle trophy trout.

(a) The Executive Director, with the approval of the Commission, may designate waters as all-tackle trophy

trout [areas]. The designation of waters as all-tackle trophy trout [areas] shall be effective when the waters are so posted after publication of a notice of designation in the *Pennsylvania Bulletin*.

(b) It is unlawful to fish in designated and posted all-tackle trophy trout areas except in compliance with the following requirements:

(1) [The program is open] Open to fishing year-round [; there is no closed season].

(2) There are no tackle restrictions.

[(2)] (3) Minimum size is 14 inches, caught on, or in possession on, the waters under regulation.

[(3)] (4) The daily creel limit is two trout-combined species [—from 8 a.m. on the first Saturday after April 11 until midnight Labor Day, except during the period from the day after Labor Day to the opening day of regular trout season of the following year, when no trout may be killed or had in possession on the waters under regulation] except for the period from the day after Labor Day to 8 a.m. of the first Saturday after April 11 of the following year, when trout may not be killed or had in possession.

[(4)] (5) A current trout/salmon permit is required.

(c) This section applies to trout only. Inland regulations apply to all other species.

(d) Notwithstanding the requirements of this section, an angler in a boat may possess fish caught in compliance with the seasons, sizes and creel limits in effect for the water from which taken, provided that the boat angler floats through the all-tackle trophy trout area without stopping or engaging in the act of fishing or the boat angler takes out his boat at an access point within the all-tackle trophy trout area.

§ 65.5. Catch and release [areas] artificial lures only.

(a) The Executive Director, with the approval of the Commission, may designate waters as catch and release [areas]. The designation of waters as catch and release [areas] shall be effective when the waters are so posted after publication of a notice of designation in the *Pennsylvania Bulletin*.

(b) It is unlawful to fish in areas designated and posted catch and release [areas] except in compliance with the following requirements:

(1) Fishing may be done with artificial lures only constructed of metal, plastic, rubber or wood or with flies and streamers constructed of natural or synthetic materials. Lures may be used with spinning or fly fishing gear. Use or possession of any other lures or substances is prohibited.

[(2)] The use or possession of any natural bait, baitfish, fishbait, bait paste and similar substances, fish eggs (natural or molded) or any other edible substance is prohibited.

(3) (2) No trout may be killed or had in possession.

[(4) The program is open] (3) Open to fishing year-round[; there is no closed season].

[(5) (4) Wading is permitted unless otherwise posted.

[(6) (5) Taking of baitfish or fishbait is prohibited.

[(7) (6) A current trout/salmon permit is required.

(c) Notwithstanding the requirements of this section, an angler in a boat may possess bait and fish caught in compliance with the seasons, sizes and creel limits in effect for the water from which taken, provided that the boat angler floats through the catch and release area without stopping or engaging in the act of fishing or the boat angler takes out his boat at an access point within the catch and release area.

§ 65.7. Trophy [Trout Program] trout artificial lures only.

(a) The Executive Director, with the approval of the Commission, may designate waters as trophy trout [areas] artificial lures only. The designation of waters as trophy trout [areas] artificial lures only shall be effective when the waters are so posted after publication of a notice of designation in the *Pennsylvania Bulletin*.

(b) It is unlawful to fish in areas designated and posted trophy trout [areas] artificial lures only except in compliance with the following requirements:

(1) Fishing may be done with artificial lures only, constructed of metal, plastic, rubber or wood or with flies and streamers constructed of natural or synthetic materials. Lures may be used with spinning or fly fishing gear. [Anything other than these items is prohibited.] Use or possession of other lures or substances is prohibited.

[(2) The use or possession of any natural bait, baitfish, fishbait, bait paste and similar substances, fish eggs (natural or molded) or other edible substance is prohibited.

(3) The program is open] (2) Open to fishing year-round[; there is no closed season].

[(4) (3) The minimum size is 14 inches, caught on or in possession on the waters under regulation.

[(5) (4) The daily creel limit is two trout—combined species—except during the period from the day after Labor Day to 8 a.m. of the first Saturday after April 11 of the following year, when no trout may be killed or had in possession on the waters under regulation.

[(6) (5) Taking of baitfish or fishbait is prohibited.

[(7) (6) A current trout/salmon permit is required.

(c) Notwithstanding the requirements of this section, an angler in a boat may possess bait and fish caught in compliance with the seasons, sizes and creel limits in effect for the water from which taken, provided that the boat angler floats through the trophy trout area without stopping or engaging in the act of fishing or the boat angler takes out his boat at an access point within the trophy trout area.

§ 65.9. Big bass [special regulations].

(a) The Executive Director, with the approval of the Commission, may designate waters as [“Big Bass Regulation”] “big bass” waters. The designation shall be effective when the waters are so posted after publication of a notice of designation in the *Pennsylvania Bulletin*.

(b) It is unlawful to take, catch, kill or possess a largemouth, smallmouth or spotted bass on or in designated [“Big Bass Regulation”] “big bass” waters except in compliance with the following seasons and size and creel limits. It is not a violation of this section if the bass is immediately returned unharmed to the waters from which it is taken.

Seasons	Size (in)	Creel Limit
<i>Lakes:</i> January 1 to midnight the day before the first Saturday after April 11 and 12:01 a.m. the first Saturday after June 11 to midnight December 31	15	4 (combined species)
12:01 a.m. the first Saturday after April 11 to 12:01 a.m. the first Saturday after June 11	NO HARVEST—Catch and immediate release only [(No Tournaments Permitted)]	
<i>Rivers and Streams:</i> January 1 to midnight the day before the first Saturday after April 11 and October 1 to midnight December 31	18	2 (combined species)
12:01 a.m. the first Saturday after April 11 to 12:01 a.m. the first Saturday after June 11	NO HARVEST—Catch and immediate release only [(No Tournaments Permitted)]	
12:01 a.m. the first Saturday after June 11 to midnight September 30	15	4 (combined species)

Note: For purposes of this section, power dam pools and recreational dam pools on the Susquehanna River and navigational dam pools in the Ohio drainage are “rivers.”

(c) Other Commonwealth inland fishing regulations apply to designated [“Big Bass Regulation”] “big bass” waters.

(d) Tournaments are permitted only during the designated harvest periods.

§ 65.11. Panfish enhancement [**special regulation**].

(a) The Executive Director, with the approval of the Commission, may designate waters as [**“Panfish Enhancement Special Regulation”**] **“panfish enhancement”** waters. The designation may be limited to one, two or all three of the panfish species listed in subsection (b). The designation shall be effective when the waters are so posted after publication of a notice of designation in the *Pennsylvania Bulletin*.

(b) It is unlawful to fish in designated and posted [**“Panfish Enhancement Special Regulation”**] **“panfish enhancement”** waters except in compliance with the following seasons and size and creel limits:

<i>Species</i>	<i>Seasons</i>	<i>Minimum Size</i>	<i>Daily Limit</i>
Sunfish (bluegill, pumpkinseed and redear)	Open year-round	7 inches	20 [(combined species)]*
Crappie (black and white)		9 inches	20*
Yellow perch		9 inches	20*
Other species—inland seasons and size and creel limits apply.			

[* Anglers may catch and possess up to 30 (combined species) of catfish, rockbass, suckers, carp and white bass in addition to the daily limit of 20 (combined species) of sunfish, crappies and yellow perch.]

* When panfish enhancement regulations apply to more than 1 species in the same waterway, the creel limit is 20 for each species with the total creel not to exceed 50 panfish combined. For purposes of this section, panfish include catfish, rock bass, suckers, carp and white bass.

§ 65.12. [**Regional Opening Day of Trout Season Program**] **Regional opening day of trout season.**

(a) The Executive Director, with the approval of the Commission, may designate waters in certain regions as part of the [**Regional Opening Day of Trout Season Program**] **regional opening day of trout season**. The designation of waters as part of the [**Regional Opening Day of Trout Season Program**] **regional opening day of trout season** shall be effective upon publication of a notice of designation in the *Pennsylvania Bulletin*.

(b) It is unlawful to fish in waters designated as part of the [**Regional Opening Day of Trout Season Program**] **regional opening day of trout season** except in compliance with the following seasons, sizes and creel limits:

<i>SEASONS</i>	<i>MINIMUM SIZE</i>	<i>DAILY LIMIT</i>
Regular Season: 8 a.m. first Saturday after March 28 to midnight Labor Day	7 inches	5 (combined species) except areas with special regulations (see Chapter 65 (relating to special fishing regulations))
Extended Season: [Approved] Stocked trout waters and all waters downstream of [approved] stocked trout waters 12:01 a.m. day after Labor Day to midnight last day of February of the following year	7 inches	3 (combined species) except Class A wild trout streams where the daily limit is 0, and areas with special regulations (see Chapter 65)

* * * * *

§ 65.13. [**Wild brook trout enhancement**] (Reserved).

[(a) The Executive Director, with the approval of the Commission, may designate waters as “Wild Brook Trout Enhancement Regulations” waters. The designation shall be effective upon publication of a notice of designation in the *Pennsylvania Bulletin*.

(b) It is unlawful to fish in designated “Wild Brook Trout Enhancement Regulations” waters except in compliance with the following requirements:

(1) Brook trout may not be killed or had in possession.

(2) There is no closed season for brook trout.

(3) There are no tackle restrictions.

(4) Other trout species shall be subject to State-wide regulations (including seasons, sizes and creel limits).

(5) A current trout/salmon permit is required.]

§ 65.14. Catch and release fly-fishing only [**areas**].

(a) The Executive Director, with the approval of the Commission, may designate waters as catch and release fly-fishing only [**areas**]. The designation of waters as catch and release fly-fishing only [**areas**] shall be effective when the waters are so posted after publication of a notice of designation in the *Pennsylvania Bulletin*.

(b) It is unlawful to fish in **waters** designated and posted as catch and release fly-fishing only [**areas**] except in compliance with the following requirements:

(1) Fishing may be done with artificial flies and streamers constructed of natural or synthetic materials so long as all flies are constructed in a normal fashion [**on a single hook**] with components wound on or about the hook or hooks. [**Anything other than these items is prohibited.**] **Use or possession of other lures or substances is prohibited.**

(2) Fishing shall be done with tackle which is limited to fly rods[,] **and fly reels [and fly line with a maximum of 18 feet in leader material or monofilament line attached]**. Spinning, spincast and casting rods and reels are prohibited.

[(3) **The use or possession of any natural bait, baitfish, fishbait, bait paste and similar substances, fish eggs (natural or molded) or any other edible substance is prohibited.**

(4) [(3) No trout may be killed or had in possession.

[(5) **The program is open**] (4) **Open** to fishing year-round [; **there is no closed season**].

[(6)] (5) Taking of baitfish or fishbait is prohibited.

[(7)] (6) Wading is permitted unless otherwise posted.

[(8)] (7) A current trout/salmon permit is required.

(c) Notwithstanding the requirements of this section an angler in a boat may possess bait and fish caught in compliance with the seasons, sizes and creel limits in effect for the water from which taken, provided that the boat angler floats through the catch and release fly-fishing only area without stopping or engaging in the act of fishing or the boat angler takes out his boat at an access point within the catch and release fly-fishing only area.

§ 65.15. Catch and release all-tackle [**areas**].

(a) The Executive Director, with the approval of the Commission, may designate waters as catch and release all-tackle [**areas**]. The designation of waters as catch and release all-tackle [**areas**] shall be effective when the waters are so posted after publication of a notice of designation in the *Pennsylvania Bulletin*.

(b) It is unlawful to fish in **waters** designated and posted catch and release all-tackle [**areas**] except in compliance with the following requirements:

(1) **There are no tackle restrictions.**

[(1)] (2) No trout may be killed or had in possession.

[(2) **The program is open**] (3) **Open** to fishing [**year round**] **year-round**; there is no closed season.

[(3)] (4) A current trout/salmon permit is required.

(c) Notwithstanding the requirements of this section, an angler in a boat may possess fish caught in compliance with the seasons, sizes and creel limits in effect for the water from which taken, provided that the boat angler floats through the catch and release all-tackle area without stopping or engaging in the act of fishing or the boat angler takes out his boat at an access point within the catch and release all-tackle area.

§ 65.16. Musky [**Enhancement Program**] **enhancement**.

(a) The Executive Director, with the approval of the Commission, may designate waters as [**part of the Musky Enhancement Program**] **musky enhancement**. The designation of waters as [**part of the Musky Enhancement Program**] **musky enhancement** will be effective when the waters are so posted after publication of a notice of designation in the *Pennsylvania Bulletin*.

(b) It is unlawful to take, catch, kill or possess muskellunge or muskellunge hybrids on or in waters designated as [**part of the Musky Enhancement Program**] **musky enhancement** except in compliance with the following season and size and creel limits: [**Open-year round**] **Open year-round**, minimum size of 45 inches and daily limit of 1. It is not a violation of this section if the muskellunge or muskellunge hybrid is immediately returned unharmed to the waters from which it is taken.

§ 65.17. Catch and [**Release Lakes Program**] **release lakes**.

(a) The Executive Director, with the approval of the Commission, may designate lakes as [**part of the Catch and Release Lakes Program**] **catch and release lakes**. The designation of lakes as [**part of the Catch and Release Lakes Program**] **catch and release lakes** will be effective upon publication of a notice of designation in the *Pennsylvania Bulletin*.

(b) It is unlawful to fish in the lakes designated as [**part of the Catch and Release Lakes Program**] **catch and release lakes** except in compliance with the following requirements:

(1) Fishing for all species is permitted on a catch and release/no harvest basis only.

(2) It is unlawful to take, kill or possess any fish taken from lakes designated under this [**program**] **section**.

(3) Fish caught shall be immediately returned unharmed to the lake from which taken.

§ 65.18. Brood [**Stock Lakes Program**] **stock lakes**.

(a) The Executive Director, with the approval of the Commission, may designate lakes as [**part of the Brood Stock Lakes Program**] **brood stock lakes**. The designation of lakes as [**part of the Brood Stock Lakes Program**] **brood stock lakes** will be effective upon publication of a notice of designation in the *Pennsylvania Bulletin*.

(b) It is unlawful to fish in the lakes designated as [**part of the Brood Stock Lakes Program**] **brood stock lakes** except in compliance with the following requirements:

(1) From 12:01 a.m. April 1 to midnight May 31, fishing for muskellunge and muskellunge hybrids, northern pike and pickerel is permitted on a catch and release/no harvest basis only.

(2) From 12:01 a.m. April 1 to midnight May 31, it is unlawful to take, kill or possess any muskellunge and muskellunge hybrids, northern pike and pickerel taken from lakes designated under this [**program**] **section**.

(3) From 12:01 a.m. April 1 to midnight May 31, all muskellunge and muskellunge hybrids, northern pike and pickerel caught shall be immediately returned unharmed to the lake from which taken.

§ 65.19. **[Approved] Stocked** trout waters open to year-round fishing.

(a) The Executive Director, with the approval of the Commission, may designate waters as **[approved] stocked** trout waters open to year-round fishing. The

designation of waters as **[approved] stocked** trout waters open to year-round fishing shall be effective upon publication of a notice of designation in the *Pennsylvania Bulletin*.

(b) It is unlawful to fish in waters designated as **[approved] stocked** trout waters open to year-round fishing except in compliance with the following seasons and size and creel limits. It is not a violation of this section if a trout is immediately returned unharmed to the waters from which it is taken.

<i>SPECIES</i>	<i>SEASONS</i>	<i>MINIMUM SIZE</i>	<i>DAILY LIMIT</i>
ALL SPECIES OF TROUT AND SALMON (except landlocked Atlantic salmon)	Regular Season: 8 a.m. first Saturday after April 11 (or the first Saturday after March 28 for waters [in the Regional Opening Day of Trout Season Program] designated as part of the regional opening day of trout season) to midnight Labor Day	7 inches	5 (combined species)
	Extended Season: 12:01 a.m. day after Labor Day to midnight last day of February of the following year.	7 inches	3 (combined species)
	12:01 first day of March to first Saturday after April 11 (or the first Saturday after March 28 for waters [in the Regional Opening Day of Trout Season Program] designated as part of the regional opening day of trout season)		NO HARVEST—Catch and immediate release only

(c) It is unlawful to fish in rivers and streams designated as **[approved] stocked** trout waters open to year-round fishing without a current trout/salmon permit. A trout/salmon permit is not required to fish in lakes and ponds that have been designated as **[approved] stocked** trout waters open to year-round fishing unless the person takes, kills or possesses, while in the act of fishing, a trout or salmon on or in these waters.

§ 65.21. **Waters limited to specific purposes—exclusive use fishing areas.**

* * * * *

(h) In designating an area for the exclusive use of children or special populations the Commission makes no representation that the areas are suitable for any particular purpose. The sponsors of the areas assume the responsibility for the suitability of the area.

[(i) Sponsors of all areas currently designated as being for the exclusive use of children or special populations, or both, shall reapply for designation by December 31, 2003.]

§ 65.24. **Miscellaneous special regulations.**

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

<i>County</i>	<i>Name of Water</i>	<i>Special Regulations</i>
Beaver	Hopewell Township Park Lake	Bass—15-inch minimum size limit and a 2 bass daily creel limit. Panfish (combined species): 10 fish daily creel limit. Use of live fish for bait is prohibited.
Blair, Huntingdon, Juniata, Mifflin and Perry	Juniata River and its tributaries	Rock bass—Daily creel limit is 10; open year-round; no minimum size limit.

<i>County</i>	<i>Name of Water</i>	<i>Special Regulations</i>
Centre and Mifflin	Penns Creed, from the confluence of Elk Creek downstream 7 miles to 600 meters downstream of Swift Run	Open to fishing year-round. All [takle] tackle types are permitted. From 8 a.m. on the first Saturday after April 11 through Labor Day—the daily creel limit for trout is 2 (combined species). Trout must be at least 7 inches but less than 12 inches in length to be killed or possessed. From the day after Labor Day until 8 a.m. on the first Saturday after April 11, no trout may be killed or possessed. Inland regulations apply to all other species. This miscellaneous special regulation will remain in effect until December 31, 2020.
[Chester	Elk Creek (Big Elk Creek)	The maximum size limit for alewife and blueback herring is 8 inches. It is unlawful to take, catch, kill or possess, while in the act of fishing, blueback herring or alewife 8 inches or more in length.]
Clarion	Beaver Creek Ponds	Closed to fishing from 12:01 a.m. January 1 to 12:01 a.m. the first Saturday after June 11 of each year. Bass—15-inch minimum size limit and a 2 bass daily creel limit for the total project area. Panfish (combined species) 10 fish daily creel limit for the total project area. Other species-inland regulations apply.
Columbia and Northumberland	South Branch of Roaring Creek from the bridge on State Route 3008 at Bear Gap upstream to the bridge on State Route 42	This is a catch and release/no harvest fishery for all species. It is unlawful to take, kill or possess any fish. All fish caught shall be immediately returned unharmed.
Crawford	Pymatuning Reservoir	Only carp and suckers may be taken by means of spearing or archery in compliance otherwise with § 63.8 (relating to long bows, crossbows, spears and gigs). Minnow seines and dip nets are restricted to no more than 4 feet in size, and the mesh of the nets shall measure no less than 1/8 nor more than 1/2-inch on a side. Float line fishing is prohibited.
[Cumberland	Opossum Lake	All species except trout—Catch and release/no harvest; it is unlawful to take, kill or possess any fish except trout. All fish caught other than trout must be immediately returned unharmed. Trout—Inland regulations apply. See § 61.1 (relating to Commonwealth inland waters). This miscellaneous special regulation will remain in effect until June 18, 2016.]
Cumberland, Dauphin, Juniata, Lancaster, Northumberland, Perry, Snyder, York	Susquehanna River (98.0 miles) from the inflatable dam near Sunbury downstream to Holtwood Dam, including all tributaries to a point 1/2 mile upstream from the confluence	Bass (smallmouth and largemouth)—From May 1 to 12:01 a.m. the first Saturday after June 11—Closed season; no tournaments. During the closed season, it is unlawful to target or attempt to catch a bass. A bass that is accidentally caught during the closed season must be immediately released unharmed without being removed from the water. It is unlawful to possess bass in, on or along these waters. Remainder of the year—No harvest—Catch and immediate release only; catch-measure-immediate release tournaments only.
Dauphin, Juniata, Perry	Juniata River (31.7 miles) from SR0075 bridge at Port Royal downstream to the mouth, including all tributaries to a point 1/2 mile upstream from the confluence	Bass (smallmouth and largemouth)—From May 1 to 12:01 a.m. the first Saturday after June 11—Closed season; no tournaments. During the closed season, it is unlawful to target or attempt to catch a bass. A bass that is accidentally caught during the closed season must be immediately released unharmed without being removed from the water. It is unlawful to possess bass in, on or along these waters. Remainder of the year—No harvest—Catch and immediate release only; catch-measure-immediate release tournaments only.
[Elk	West Branch, Clarion River	The following additional restrictions apply to the “Catch and Release, Fly-Fishing Only” area located on a 1/2-mile stream section from the intersection of S. R. 219 and S. R. 4003, upstream to the Texas Gulf Sulphur Property: Wading prohibited. Fishing permitted from east shore only.]

<i>County</i>	<i>Name of Water</i>	<i>Special Regulations</i>
Huntingdon	Raystown Lake (includes Raystown Branch from the Raystown Dam downstream to the confluence with the Juniata River).	Trout (all species)—no closed season. Daily limit: First Saturday after April 11 until Labor Day—5 trout per day; day after Labor Day to first Saturday after April 11 of the following year—3 trout per day. Size limits: Inland rules apply. Smelt may be taken from shore or by wading by means of dip nets not to exceed 20 inches in diameter or 20 inches square. The daily limit per person is the greater of 1 gallon of smelt by volume or 200 smelt by number.
[Lackawanna	Lake Scranton	It is unlawful for a person to fish from the fishing pier designated for use by persons with disabilities unless the person is: totally blind; or so severely disabled that the person is unable to cast or retrieve a line or bait hooks or remove fish without assistance; or deprived of the use of both legs; or participating in a special fishing event for persons with disabilities under conditions approved by the owner of the lake. The person may fish with only one legal device and shall be within 10 feet of the device being used. A person authorized to fish from the fishing pier under this section may be attended by another individual who may assist the person with the disability in using the fishing device.]
[Lehigh	Leaser Lake	All species except trout—Catch and release/no harvest; it is unlawful to take, kill or possess any fish except trout. All fish caught other than trout shall be immediately returned unharmed. Trout—Inland regulations apply. See § 61.1 (relating to Commonwealth inland waters). This miscellaneous special regulation will remain in effect until June 18, 2016.]
Luzerne	Harveys Lake	During the period from the first Saturday after April 11 through midnight March 31, the daily creel limit for trout (combined species) is 3, only one of which may exceed 18 inches in length. Fishing is prohibited from April 1 through 8 a.m. of the first Saturday after April 11. Warmwater/coolwater species, except as provided in this section-Inland regulations apply.
Monroe and Pike	Delaware Water Gap National Recreation Area	The use of eel chutes, eelpots and fyke nets is prohibited. The taking of the following fishbait is prohibited: crayfish or crabs, mussels, clams and the nymphs, larva and pupae of all insects spending any part of their life cycle in the water. The taking, catching, killing and possession of any species of amphibians or reptiles within the boundaries of the Delaware Water Gap National Recreation Area is prohibited.
Somerset, Fayette, Westmoreland and Allegheny	Youghioghny River from confluence with Casselman River downstream to the confluence with Ramcat Run Youghioghny River from the pipeline crossing at the confluence with Lick Run downstream to the mouth of the river.	Trout (all species)—no closed season. Daily limit: First Saturday after April 11 until Labor Day—5 trout per day; day after Labor Day to first Saturday after April 11 of the following year—3 trout per day. Inland regulations apply to warmwater/coolwater species.
Warren	Allegheny River—8.75 miles downstream from the outflow of the Allegheny Reservoir to the confluence with Conewago Creek	Trout—minimum size limit—14 inches; daily creel limit—2 trout per day (combined species) from 8 a.m. on the first Saturday after April 11 through midnight Labor Day, except during the period from the day after Labor Day to the first Saturday after April 11 of the following year, when no trout may be killed or had in possession. Other inland seasons, sizes and creel limits apply.

<i>County</i>	<i>Name of Water</i>	<i>Special Regulations</i>
Washington	Little Chartiers Creek from Canonsburg Lake Dam approximately 1/2 mile downstream to mouth of Chartiers Creek	Fishing is prohibited from 12:01 a.m. March 1 to 8 a.m. the first Saturday after April 11.
Wayne	West Branch Delaware River	Trout: From the Pennsylvania/New York border downstream to the confluence with the East River Branch of the Delaware River: no-harvest artificial lures only season on trout from October 16 until midnight of the Friday before the first Saturday after April 11. During the no-harvest artificial lures only season: 1. Fishing may be done with artificial lures only, constructed of metal, plastic, rubber or wood, or flies or streamers constructed of natural or synthetic materials. Lures may be used with spinning or fly fishing gear. Use or possession of any other lures or substances is prohibited. [2. The use or possession of any natural bait, baitfish, fishbait, bait paste and similar substances, fish eggs (natural or molded) or any other edible substance is prohibited. 3.] 2. The daily creel limit for trout is 0.
[Westmoreland	Indian Lake	The following size and creel limits apply: Bass—15 inch minimum size limit; 2 bass per day creel limit (combined species). Panfish: 10 fish per day creel limit (combined species). Other species—Inland regulations apply.]
[Wyoming	Lake Winola	Bass—It is unlawful to take, catch, kill or possess bass that are 12 to 18 inches in length. The daily creel limit for bass less than 12 inches in length and greater than 18 inches in length is 6, only one of which may exceed 18 inches in length. Closed to all fishing from 12:01 a.m. March 1 to 8 a.m. the first Saturday after April 11.]

§ 65.26. Extended trout season.

(a) *General rule.* The extended trout season is in effect from the day after Labor Day until the last day of February of the following year on [**approved**] **stocked** trout waters and all waters downstream of [**approved**] **stocked** trout waters. A creel limit of three trout per day and a minimum size limit of 7 inches apply during this season, except Class A wild trout streams where the creel limit is 0 and areas with special regulations.

(b) *Waters not [approved] stocked trout waters.* The Executive Director may grant a permit to apply extended trout regulations to waters that are not [**approved**] **stocked** trout waters upon written application of the owner or lessee of the lands on which the waters are located. Applications will be reviewed to ensure that applying extended trout season regulations to the waters in question is consistent with the best appropriate fisheries management of the waters in question, and to ensure that approval of the application will have no adverse effect on the preservation and expansion of public fishing opportunities within this Commonwealth. Approval or disapproval of applications shall be subject to review under Chapter 51, Subchapter E (relating to permit procedures). Permits for extended trout season on waters other than [**approved**] **stocked** trout waters will be valid until the last day of February of the 6th year after the year in which they are issued. For example, a permit issued in June 1984 will expire on February 28, 1990.

CHAPTER 79. REPTILES AND AMPHIBIANS

§ 79.2. Taking reptiles or amphibians.

* * * * *

(c) *Frogs.*

(1) Frogs may be taken with long bows and arrow, including compound bows, crossbows, spears or gigs. Spears or gigs may not be mechanically propelled, may not have more than five barbed points and may not be used in [**approved**] **stocked** trout waters.

(2) It is unlawful to take, catch or kill a frog by use of artificial light at night.

[Pa.B. Doc. No. 15-599. Filed for public inspection April 3, 2015, 9:00 a.m.]

GAME COMMISSION

[58 PA. CODE CH. 141]

Hunting and Trapping; Furbearers

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its January 27, 2015, meeting, proposed to amend §§ 141.63 and 141.66 (relating to definitions; and cable restraints) to redefine “cable restraints,” identify a list of approved locks and clarify that furtakers who possess a valid bobcat permit could only utilize an incidentally caught bobcat during the established bobcat trapping season.

The proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

The proposed rulemaking was made public at the January 27, 2015, meeting of the Commission. Comments can be sent, until April 6, 2015, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

1. Purpose and Authority

The proposed amendments to §§ 141.63 and 141.66 are designed to clarify the legal definition and use of cable restraints in this Commonwealth. The current definition of “cable restraint” in § 141.63 requires the use of “relaxing locks” in cable restraint construction. The term “relaxing lock” has caused confusion for trappers and enforcement personnel due to varying interpretations of lock designs that comply with the regulation. The proposed amendment to § 141.63 would allow all lock designs approved by the Commission. The National trap testing program, administered by the Association of Fish & Wildlife Agencies, has been conducting field testing on cable restraints and has currently identified six lock designs that have performed at acceptable levels in terms of efficiency, selectivity and animal welfare criteria. By maintaining a list of approved lock designs, the Commission will be able to regularly incorporate results from ongoing cable restraint research. Additionally, proposed amendments to § 141.66 would specify that furtakers who possess a valid bobcat permit could only utilize an incidentally caught bobcat during the established bobcat trapping season.

Section 2102(d) of the code (relating to regulations) authorizes the Commission to “promulgate regulations stipulating the size and type of traps, the type of firearms and ammunition and other devices which may be used, the manner in which and the location where the devices may be used, the species the devices may be used for and the season when the devices may be used.” The amendments to §§ 141.63 and 141.66 are proposed under this authority.

2. Regulatory Requirements

The proposed rulemaking will amend §§ 141.63 and 141.66 to redefine cable restraints, identify a list of approved locks and clarify that furtakers who possess a valid bobcat permit could only utilize an incidentally caught bobcat during the established bobcat trapping season.

3. Persons Affected

Persons wishing to utilize cable restraints to trap authorized species of furbearers within this Commonwealth will be affected by the proposed rulemaking.

4. Cost and Paperwork Requirements

The proposed rulemaking should not result in additional cost or paperwork.

5. Effective Date

The proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

6. Contact Person

For further information regarding the proposed rulemaking, contact Thomas P. Grohol, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

R. MATTHEW HOUGH,
Executive Director

Fiscal Note: 48-378. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 141. HUNTING AND TRAPPING

Subchapter D. FURBEARERS

§ 141.63. Definitions.

In addition to the definitions contained in the act and this part, the following words, when used in the enforcement of section 2361 of the act (relating to unlawful acts concerning taking of furbearers) have the following meanings, unless the context clearly indicates otherwise:

* * * * *

Cable restraint—A galvanized stranded steel cable with a minimum diameter of 3/32 inches. The cable must be constructed of either 7 bundles comprised of 7 wires per bundle, 7 bundles comprised of 19 wires per bundle or 1 bundle comprised of 19 wires. The cable may not exceed 7 feet in length from the anchor point to the [**relaxing**] lock contacting the fully closed loop stop, must be equipped with at least one swivel device (which allows for 360° rotation) between the loop and the anchor and must have stops affixed to the cable to ensure that the circumference of the cable which makes up the loop may not be greater than 38 inches when fully open, or less than 8 inches when fully closed. Cable restraints must be equipped with [**a relaxing-type**] **an approved lock**. The [**relaxing-type**] lock may not be constructed with moving parts. A cable restraint must include a breakaway device affixed between the [**relaxing-type**] lock and cable or at the end of the cable that is rated at 375 pounds or less. The cable must be maintained in good condition so that all components operate properly.

* * * * *

§ 141.66. Cable restraints.

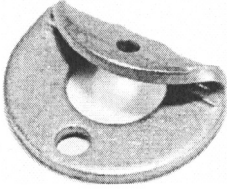
(a) Cable restraint devices may be used from December 26 until the end of the established trapping season to harvest red fox, gray fox and coyote. Nontarget furbearing species incidentally captured in cable restraint devices during an open **trapping** season for that species may be taken and utilized, provided the trapper possesses all applicable licenses and permits.

* * * * *

(f) Cable restraints will be considered traps for the purposes of the section 2361(a)(3), (4), (7), (8), (10), (12) and (14)—(16) of the act (relating to unlawful acts concerning taking of furbearers).

(g) The following locks are approved:

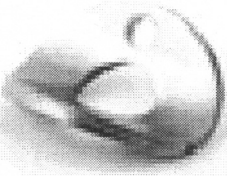
(1) Reichart 180° reverse bend washer.



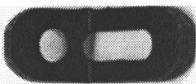
(2) Kaatz "Relax-a-Lock."



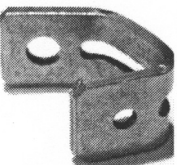
(3) Penny lock.



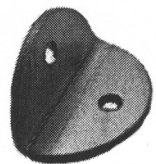
(4) MicroLock.



(5) BMI Slide Free Lock.



(6) Berkshire 90° bend washer.



[(g) *Unlawful acts.*] (h) It is unlawful to:

(1) [Use a bent washer as a relaxing lock that has an outside diameter less than 1 1/4 inches.] Use, set, tend or operate a cable restraint having any lock that has not been approved under this section.

* * * * *

[Pa.B. Doc. No. 15-600. Filed for public inspection April 3, 2015, 9:00 a.m.]

[58 PA. CODE CH. 147]

Special Permits; Mentored Hunting Program Permit

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its January 27, 2015, meeting, proposed to amend § 147.804 (relating to general) by eliminating the issuance of antlered deer and spring turkey harvest tags to mentored youth under 7 years of age at the time of application with their mentored permit, but allowing mentors to transfer antlered deer and spring turkey harvest tags issued to them to these younger youth.

The proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

The proposed rulemaking was made public at the January 27, 2015, meeting of the Commission. Comments can be sent, until April 6, 2015, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

1. *Purpose and Authority*

The Commission received extensive public comment regarding concern over the appropriateness of young children's abilities to utilize high-powered firearms to harvest big game, as well as allegations of adults utilizing the harvest tags of mentored youth unlawfully. Wildlife Conservation Officers have encountered evidence of the allegations in several enforcement operations this past hunting season. The Commission is proposing to amend § 147.804 by eliminating the issuance of antlered deer and spring turkey harvest tags to mentored youth under 7 years of age at the time of application with their mentored permit, but allowing mentors to transfer antlered deer and spring turkey harvest tags issued to them to these younger youth.

Section 2701(a) of the code (relating to license requirements) states that "[e]xcept in defense of person or property or pursuant to exemptions authorized in this title or by regulation of the commission for implementing a mentored hunting program, every person, prior to engaging in any of the privileges granted by this title, shall first obtain the applicable license subject to any conditions or other requirements imposed by this title." Section 2102(a) of the code (relating to regulations) provides that "[t]he commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety

of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth.” The amendments to § 147.804 are proposed under this authority.

2. *Regulatory Requirements*

The proposed rulemaking will amend § 147.804 by eliminating the issuance of antlered deer and spring turkey harvest tags to mentored youth under 7 years of age at the time of application with their mentored permit, but allowing mentors to transfer antlered deer and spring turkey harvest tags issued to them to these younger youth.

3. *Persons Affected*

Persons under 7 years of age at the time of application wishing to hunt wild turkey or white-tailed deer under the mentored youth hunting program may be affected by the proposed rulemaking.

4. *Cost and Paperwork Requirements*

The proposed rulemaking should not result in additional cost or paperwork.

5. *Effective Date*

The proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

6. *Contact Person*

For further information regarding the proposed rulemaking, contact Thomas P. Grohol, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

R. MATTHEW HOUGH,
Executive Director

Fiscal Note: 48-381. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 147. SPECIAL PERMITS

Subchapter X. MENTORED HUNTING PROGRAM PERMIT

§ 147.804. General.

* * * * *

(c) *Species limitation.*

(1) A mentored youth’s hunting eligibility is restricted to the following species: squirrel, woodchuck, coyote, deer and wild turkey. **Except as provided in paragraph (2), mentored youth hunting permits will be issued with an antlered deer harvest tag and a spring turkey harvest tag. Harvest tags will not be issued**

to mentored youth applicants who are under 7 years of age at the time of application.

(2) A mentored adult’s hunting eligibility is restricted to the following species: squirrel, ruffed grouse, rabbit, pheasant, bobwhite quail, hares, porcupine, woodchuck, crow, coyote, antlerless deer and wild turkey. **Mentored adult hunting permits will be issued with a spring turkey harvest tag.**

* * * * *

(i) *Transfer of a Deer Management Assistance Program harvest permit.* Notwithstanding the prohibitions in § 147.676(2) and (3) (relating to unlawful acts), mentors are authorized to transfer Deer Management Assistance Program (DMAP) harvest permits issued to them to an eligible mentored youth or mentored adult. The DMAP harvest permit must be valid and in the possession of the mentor at all times while hunting antlerless deer. The transfer of the DMAP harvest permit may not occur until after the mentored youth or mentored adult has harvested the antlerless deer, but before tagging the carcass. A mentored youth or mentored adult may not receive by transfer more than one DMAP harvest permit each license year. Mentored youth and mentored adults are ineligible to make direct application for a DMAP harvest permit.

(j) *Transfer of an antlered deer harvest tag.* Notwithstanding the prohibitions in section 2711(a)(3) and (5) of the act, mentors are authorized to transfer antlered deer harvest tags issued to them to a mentored youth who was under 7 years of age at the time of application. The antlered deer harvest tag shall be valid and in the possession of the mentor at all times while hunting antlered deer. The transfer of the antlered deer harvest tag may not occur until after the mentored youth has harvested the antlered deer, but before tagging the carcass. A mentored youth may not receive by transfer more than one antlered deer harvest tag each license year.

(k) *Transfer of a spring turkey harvest tag.* Notwithstanding the prohibitions in section 2711(a)(3) and (5) of the act, mentors are authorized to transfer spring turkey harvest tags issued to them to a mentored youth who was under 7 years of age at the time of application. The spring turkey harvest tag shall be valid and in the possession of the mentor at all times while hunting spring turkey. The transfer of the spring turkey harvest tag may not occur until after the mentored youth has harvested the spring turkey, but before tagging the carcass. A mentored youth may not receive by transfer more than one spring turkey harvest tag each license year.

[Pa.B. Doc. No. 15-601. Filed for public inspection April 3, 2015, 9:00 a.m.]

STATEMENTS OF POLICY

Title 55—PUBLIC WELFARE

DEPARTMENT OF HUMAN SERVICES

[55 PA. CODE CH. 181]

Clarification of Posteligibility Determination of Income Available from a Medical Assistance-Eligible Person Toward the Cost of Care

This statement of policy applies to applicants and recipients in need of payment for nursing facility long-term care (LTC) services provided to qualified veterans who have elected to participate in the Enhanced Veterans Reimbursement (EVR) initiative.

Purpose

The purpose of this statement of policy is to establish guidelines regarding the treatment of income in the posteligibility determination for payment towards the cost of care for Medical Assistance (MA) LTC services.

Background

The Commonwealth implemented the EVR initiative in 2009. EVR provides MA LTC payment for skilled services provided to qualified individuals who wish to participate in EVR and who are residents in one of the State Veterans Homes. In compliance with section 1902 of the Social Security Act (42 U.S.C.A. § 1396a), methodology for the payment towards cost of care for these individuals is being modified to conform with Federal law.

Discussion

Section 181.452(c) (relating to posteligibility determination of income available from an MA eligible person toward the cost of care) states:

(c) For an MA eligible person in the aged, blind or disabled related categories or an MA eligible person in the TANF-related or GA-related categories, the veterans aid and attendance and housebound allowance portion of the Veterans Affairs pension as specified in § 181.81(9) (relating to items that are not income) is excluded and is not counted when determining the MA eligible person's total gross income unless if the Veterans Administration states, in writing, that the benefit is for an incompetent veteran or incompetent spouse or child of a deceased veteran who is determined incompetent by the Veterans Administration and that the benefit shall be counted toward cost of care.

Section 1902(r)(1)(B)(i) of the Social Security Act, however, excludes a particular population of EVR participants from this methodology. It states in part that a veteran who does not have a spouse or dependent child, who resides in a State Veterans Home, and who has been determined eligible for MA LTC will have aid and attendance payment that is in excess of \$90 per month counted

as income for the purpose of applying the excess amount to the State Veterans Home's cost of providing nursing home care to the veteran. Section 1902(r)(1)(B)(ii) of the Social Security Act also requires the application of this provision to the surviving spouse of a veteran who does not have a child. The Department is, therefore, applying these provisions to conform with Federal law.

Effective Date

This statement of policy is effective upon publication in the *Pennsylvania Bulletin*.

Contact Person

Questions and comments to this statement of policy should be directed to Cathy Buhrig, Acting Director, Bureau of Policy, Office of Income Maintenance, (717) 787-4081.

THEODORE DALLAS,
Acting Secretary

(*Editor's Note:* Title 55 of the *Pennsylvania Code* is amended by adding a statement of policy in § 181.452a to read as set forth in Annex A.)

Fiscal Note: 14-BUL-103. No fiscal impact; (8) recommends adoption.

Annex A

PART II. PUBLIC ASSISTANCE MANUAL

Subpart D. DETERMINATION OF NEED AND AMOUNT OF ASSISTANCE

CHAPTER 181. INCOME PROVISIONS FOR CATEGORICALLY NEEDY NMP-MA AND MNO-MA

Subchapter D. POSTELIGIBILITY DETERMINATION OF ELIGIBILITY FOR MA PAYMENT TOWARD COST OF CARE IN INSTITUTIONS

POSTELIGIBILITY DETERMINATION PROVISIONS

§ 181.452a. Clarification of posteligibility determination of income available from an MA-eligible person toward the cost of care—statement of policy.

(a) Consistent with section 1902(r)(1)(B)(i) of the Social Security Act (42 U.S.C.A. § 1396a(r)(1)(B)(i)), for a resident of a State Veterans Home who is participating in the Enhanced Veterans Reimbursement initiative, and who does not have a spouse or dependent child, the veterans aid and attendance portion of the Veterans Affairs pension in excess of \$90 per month is counted when determining the MA eligible person's payment toward cost of care.

(b) Subsection (a) also applies to the surviving spouse of a veteran who does not have a child. See section 1902(r)(1)(B)(ii) of the Social Security Act.

[Pa.B. Doc. No. 15-602. Filed for public inspection April 3, 2015, 9:00 a.m.]

NOTICES

CAPITOL PRESERVATION COMMITTEE

Request for Proposals; Correction

The notice published at 45 Pa.B. 1501 (March 28, 2015) contained an error. The walk through date was incorrect. The following notice corrects this date.

CPC 14.147: House and Senate Gallery Preservation Maintenance. Removal of existing step light fixtures and provision and installation of new step light fixtures and accessories; new electrical circuits, connections and conduit from existing electrical panels for step light; new carpet installation; spot repair and refinishing

of all woodwork; refinishing of brass hardware and railings; and general cleaning of all architectural surfaces.

A \$100 dollar deposit is required for issuance of project documents. The issue date of the request for proposal was on March 24, 2015. A mandatory preproposal conference and walk through will be held on April 7, 2015, at 10 a.m. in Room 630, Main Capitol Building, Harrisburg, PA. The proposal receipt date is April 30, 2015, at 2 p.m. Project documents may be obtained in Room 630, Main Capitol Building, Harrisburg, PA or by contacting Tara Pyle at (717) 783-6484.

DAVID L. CRAIG,
Executive Director

[Pa.B. Doc. No. 15-603. Filed for public inspection April 3, 2015, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending March 24, 2015.

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

BANKING INSTITUTIONS

Interim Incorporations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
3-23-2015	MileStone Interim Bank Doylestown Bucks County	Withdrawn
	The purpose of MileStone Interim Bank, Doylestown, is to merge with MileStone Bank, Doylestown, to facilitate the proposed reorganization of MileStone Bank into a bank holding company structure whereby MileStone Bank will become the wholly owned subsidiary of MileStone Financial, Inc., a new holding company in formation.	

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
3-23-2015	Clarion County Community Bank Clarion Clarion County	436 Allegheny Boulevard Franklin Venango County	Filed
3-24-2015	The Bryn Mawr Trust Company Bryn Mawr Montgomery County	20 Montchanin Road Greenville New Castle County, DE	Filed
3-24-2015	The Bryn Mawr Trust Company Bryn Mawr Montgomery County	One West Chocolate Avenue Hershey Dauphin County	Filed

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
2-27-2015	S&T Bank Indiana Indiana County	12 Hilltop Plaza Kittanning Armstrong County	Closed

Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
3-24-2015	First Cornerstone Bank King of Prussia Montgomery County	Effective

Amendment to Article Fifth of the institution's Articles of Incorporation provides for an increase in the number of authorized shares of its Class A common stock from 200,000,000 with a par value of \$0.10 per share to 500,000,000 with a par value of \$0.10 per share.

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

ROBIN L. WIESSMANN,
Acting Secretary

[Pa.B. Doc. No. 15-604. Filed for public inspection April 3, 2015, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Weatherization Assistance Program's Proposed State Plan; Public Hearing

The Department of Community and Economic Development (Department) will hold a public hearing at 3 p.m. on Tuesday, April 14, 2015, in PUC Hearing Room 5, Plaza Level, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA. The purpose of this hearing is to receive comments on the proposed Pennsylvania 2015-2016 annually appropriated United States Department of Energy (DOE) Weatherization Assistance Program Plan (regular plan).

The 2015-2016 regular plan will authorize the current 2015-2016 formula-based distribution for each county. Specific performance goals emphasize production, quality of the work product, prompt, accurate and complete reporting, and compliance with program standards and regulations.

The State Plan includes some changes:

- The client priority points system which determines the order of services to the clients on the Weatherization Service List has been revised to meet DOE requirements and encourage collaboration with various other community resources such as utility weatherization and private home repair, and the like.

- The regular plan performance standards have been revised and a regular plan Performance Assessment tool will be utilized. This tool incorporates the DOE requirements for risk assessment of weatherization performance rather than the performance funding metrics.

- Quality Control Inspections (QCI) are an additional DOE requirement and will be implemented July 1, 2015.

An outline of the Commonwealth's process for oversight of the QCI has been developed. A checklist has also been developed to support the implementation of QCI.

- The regular plan will transition to the use of a DOE-approved Energy Audit called HEAT. This replaces a specialized Priority List of Measures used to audit single family homes. In addition, the Commonwealth will be renewing its application for the use of Manufactured Home Energy Audit as the standard audit process for manufactured housing/mobile homes.

These changes are part of a Quality Work Plan requirement for the DOE's implementation of the Standard Work Specifications for the weatherization workforce and QCI. There is a continued national focus on Weatherization Plus Health efforts where other health and safety, lead-abatement and housing rehab services are coordinated locally with weatherization services.

Copies of the 2015-2016 regular plan may be obtained beginning April 2, 2015, by contacting the Department of Community and Economic Development, Center for Community Services, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120, (717) 425-7597 or it can be downloaded from the Department's web site at www.newpa.com.

Written comments may be submitted to Lynette Praster, Director, Center for Community Services, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120 until 5 p.m. on April 14, 2015.

Persons with a disability who wish to attend this hearing and require auxiliary aid, service or other accommodations to participate in the proceedings should contact Yvonne Adams at (717) 425-7597 to discuss how the Department may accommodate their needs.

DENNIS M. DAVIN,
Acting Secretary

[Pa.B. Doc. No. 15-605. Filed for public inspection April 3, 2015, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0060674 (Sewage)	Camp Lee Mar 450 Route 590 Lackawaxen, PA 18435	Pike County Lackawaxen Township	Unnamed Tributary to Lords Creek (1-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 & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0233587 (Industrial)	Emporium Hardwoods 15970 Route 120 Emporium, PA 15834-3756	Cameron County Shippen Township	Driftwood Branch Sinnemahoning Creek (8-A)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0254118 (Sewage)	Marvin SRSTP to Shroyer SRSTP 146 Lee Street Hyndman, PA 15545	Somerset County Southampton Township	North Branch Jennings Run (13-A)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N?</i>
PA0000256 (Industrial Waste)	PA American Water Punxsutawney District 3933 Filtering Plant Road Punxsutawney, PA 15767	Jefferson County Gaskill Township	East Branch Mahoning Creek (17-D)	Y

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

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

PA0244007, SIC Code 6514, **Edward & Jane Bacon**, 1900 Fairview Road, Glenmoore, PA 19343. Facility Name: Bacon SRSTP. This existing facility is located in East Nantmeal 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), Beaver Run, is located in State Water Plan watershed 3-D and is classified for Exceptional Value Waters 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>Average Monthly</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Instant. Maximum</i>	
Flow (GPD)	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0
CBOD ₅	XXX	XXX	XXX	10	XXX
Total Suspended Solids	XXX	XXX	XXX	20	XXX
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX
				Geo Mean	

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

- AMR Submittal to DEP
- Remedial Measures if Unsatisfactory Effluent
- No Stormwater
- Acquire Necessary Property Rights
- Change of Ownership
- Proper Sludge Disposal
- UV Disinfection System

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.

PA0056413, Sewage, SIC Code 4952, 8811, **Lower Salford Township Authority**, P.O. Box 243, Harleysville, PA 19438. Facility Name: Mainland STP. This existing facility is located in Lower Salford Township, **Montgomery County**.

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

The receiving stream(s), Skippack Creek, is located in State Water Plan watershed 3-E and is classified for Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Aqua Pennsylvania is located on Perkiomen Creek, The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.9 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily				
pH (S.U.)	XXX	Max XXX	XXX 6.0	XXX XXX	XXX XXX	XXX 9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD ₅						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
May 1 - Oct 31	75	113	XXX	10	15	20
Nov 1 - Apr 30	150	225	XXX	20	30	40
BOD ₅						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	225	340	XXX	30	45	60
Total Dissolved Solids	Report	XXX	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000 (*)
				Geo Mean		
UV Intensity (%)	XXX	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	11	XXX	XXX	1.4	XXX	2.8
Nov 1 - Apr 30	32	XXX	XXX	4.2	XXX	8.4
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus						
Apr 1 - Oct 31	7.5	XXX	XXX	1.0	XXX	2.0
Nov 1 - Mar 31	15	XXX	XXX	2.0	XXX	4.0
Total Aluminum	XXX	XXX	XXX	Report	XXX	XXX
Total Copper	XXX	XXX	XXX	Report	XXX	XXX
Dissolved Iron	XXX	XXX	XXX	Report	XXX	XXX
Total Iron	XXX	XXX	XXX	Report	XXX	XXX
Hardness, Total (as CaCO ₃)	XXX	XXX	XXX	Report	XXX	XXX

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

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

- No Stormwater in Sewers
- Obtain Necessary Property Rights
- Proper Sludge Disposal
- Chlorine Minimization
- Small Stream Discharge
- Notification of Responsible Owner
- Fecal Coliform Reporting

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.

PA0056081, SEW, SIC Code 5812, **1073 Mill Creek LLC**, 937 Worthington Mill Road, Wrightstown, PA 18940. Facility Name: Wycombe Pub and Grill. This existing facility is located in Wrightstown Township, **Bucks County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated sewage from Wycombe Pub and Grill STP.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.002 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly		Minimum	Average Monthly		
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	3.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.2
CBOD ₅						
May 1 - Oct 31	XXX	XXX	XXX	10	XXX	20
Nov 1 - Apr 30	XXX	XXX	XXX	20	XXX	40
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6.0
Nov 1 - Apr 30	XXX	XXX	XXX	9.0	XXX	18.0
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

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

- I.
 - A. AMR
 - B. DMR
 - C. Depth of Septage
 - D. Pumping septage
 - E. TRC Minimization
 - F. No stormwater
 - G. Property Rights
 - H. Sludge removal
 - I. 537 plan

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.

PA0055395, Sewage, SIC Code 2451, **Green Top Management LLC**, P.O. Box 677, Morgantown, PA 19543. Facility Name: Green Top MHP. This existing facility is located in West Rockhill Township, **Bucks County**.

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

The receiving stream(s), Unnamed Tributary of Tohickon Creek, is located in State Water Plan watershed 2-D 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 0.018 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly		Minimum	Average Monthly		
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.02	XXX	0.05
CBOD ₅	XXX	XXX	XXX	25	XXX	XXX
Total Dissolved Solids	XXX	XXX	XXX	1,000*	XXX	XXX
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	1.7	XXX	XXX
Nov 1 - Apr 30	XXX	XXX	XXX	3.0	XXX	XXX
Dissolved Phosphorus	XXX	XXX	XXX	0.5	XXX	XXX

* See permit's Part C. I. Other Requirement—F.

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

- No stormwater Requirement
- Property Rights
- Sludge Removal
- Act 537 Abandon use
- Chlorine Minimization
- DRBC's Fecal Coliform
- Operator Notification

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

The EPA Waiver is in effect.

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

PA0080241, Sewage, SIC Code 8211, **West Perry School District**, 2606 Shermans Valley Road, Ellittsburg, PA 17024-9132. Facility Name: West Perry High School. This existing facility is located in Spring Township, **Perry 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, Montour Creek, is located in State Water Plan watershed 7-A and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0286 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD ₅	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	15	XXX	30
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4.0

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

The EPA Waiver is in effect.

PA0247154, Industrial Waste, SIC Code 4952, **Possum Valley Municipal Authority**, 609 Clearview Road, Aspers, PA 17304. Facility Name: Possum Valley Municipal Authority Water Filtration Plant. This existing facility is located in Menallen Township, **Adams County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0006 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.0
Total Suspended Solids	XXX	XXX	XXX	30	60	75
Total Aluminum	XXX	XXX	XXX	4.0	8.0	10.0

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Iron	XXX	XXX	XXX	2.0	4.0	5.0
Total Manganese	XXX	XXX	XXX	1.0	2.0	2.5

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

The EPA Waiver is in effect.

PA0082635, Sewage, SIC Code 4952, **ELS Sun Valley LP**, 2 North Riverside Plaza, Suite 800, Chicago, IL 60606. Facility Name: Sun Valley Campground Wastewater Treatment Plant. This existing facility is located in Brecknock Township, **Lancaster County**.

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

The receiving stream(s), Unnamed Tributary to Rock Run, is located in State Water Plan watershed 7-J and is classified for High Quality Waters—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 0.02 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Total Monthly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Instant. Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.50	XXX	1.6
CBOD ₅	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Nitrogen	XXX	Report	XXX	XXX	XXX	XXX
		Total Annual				
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6.0
Nov 1 - Apr 30	XXX	XXX	XXX	9.0	XXX	18
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	2.0	XXX	4.0
Total Phosphorus	XXX	Report	XXX	XXX	XXX	XXX
		Total Annual				

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

The EPA Waiver is in effect.

PA0265896 A-1, Storm Water, SIC Code 2951, **Fayetteville Contractors Inc.**, 3185 Lincoln Way East, Fayetteville, PA 17222-0610. Facility Name: Fayetteville Contractors Asphalt Plant. This existing facility is located in Antrim Township, **Franklin County**.

Description of Existing Activity: The application is for an amended NPDES permit for both an addition of an outfall (Outfall 004) and removal of an outfall (Outfall 002) of Storm Water associated with an asphalt manufacturing plant

The receiving stream(s), Muddy Run, is located in State Water Plan watershed 13-C and is classified for High Quality Waters—Cold Water Fishes and, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001, 003 and 004:

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX

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

- Requirements Applicable to Stormwater Outfalls

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

The EPA Waiver is in effect.

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

PA0228061, Sewage, SIC Code 4952, **Aqua Pennsylvania Wastewater, Inc.**, 762 W Lancaster Avenue, Bryn Mawr, PA 19010. Facility Name: Treasure Lake Resort West. This existing facility is located in Sandy Township, **Clearfield 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), Sandy Lick Creek, is located in State Water Plan watershed 17-C and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.0 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.05	XXX	0.17
CBOD ₅	100	150	XXX	12	18	24
Total Suspended Solids	250	375	XXX	30	45	60
Fecal Coliform (No./100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
UV Transmittance (%)	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	12	18	XXX	1.5	2.0	3.0
Nov 1 - Apr 30	37	56	XXX	4.5	6.0	9.0
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
Total Aluminum	Report	XXX	XXX	Report	XXX	XXX
Total Copper (µg/L)						
(Interim)	Report	Report	XXX	Report	Report	XXX
(Final)	0.09	Daily Max 0.15	XXX	11.60	Daily Max 18.11	29.02
Free Available Cyanide (µg/L)	0.05	Daily Max 0.08	XXX	6.72	Daily Max 10.49	16.81
Total Iron	Report	XXX	XXX	Report	XXX	XXX
Total Manganese	Report	XXX	XXX	Report	XXX	XXX
Total Mercury (µg/L)	Report	Report	XXX	Report	Report	XXX
		Daily Max			Daily Max	

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

- Solids Management
- Whole Effluent Toxicity
- Toxics Reduction Evaluation

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

The EPA Waiver is not in effect.

PA0007498 A-1, Industrial, SIC Code 2096, **Wise Foods, Inc.**, 228 Rasely Street, Berwick, PA 18603-4533. Facility Name: Wise Foods Berwick Snack Food Plant. This existing facility is located in Berwick Borough, **Columbia County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.2721 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
CBOD ₅ (lbs/year)	XXX	66,015 Annl Avg	XXX	XXX	XXX	XXX
(Interim)	450	715	XXX	Report	Report	315
(Final)	280	565	XXX	125	250	310
Total Suspended Solids (Interim)	930	1,295	XXX	Report	Report	570
(Final)	585	1,020	XXX	258	450	645
(lbs/year)	XXX	123,993 Annl Avg	XXX	XXX	XXX	XXX
Total Dissolved Solids	Report	Report	XXX	Report	Report	XXX
Oil and Grease	Report	Report	XXX	15	20	XXX
Ammonia-Nitrogen	85	170	XXX	39	75	95

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

<i>Parameters</i>	<i>Mass (lbs)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report		Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen	Report	19,957			
Net Total Phosphorus	Report	898			

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

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

The EPA Waiver is not in effect.

Application No. PA0229091, Concentrated Animal Feeding Operation (CAFO), **Greg A. Haladay (GNH Farms LLC)**, 224 White Church Road, Elysburg, PA 17824.

Greg A. Haladay has submitted an application for an Individual NPDES permit for an existing CAFO known as GNH Farms LLC, located in Cleveland Township, **Columbia County**.

The CAFO is situated near Unnamed Tributary to Mugser Run in Watershed 5-E, which is classified for High Quality Waters—Cold Water Fishes and. The CAFO is designed to maintain an animal population of approximately 622.11 animal equivalent units (AEUs) consisting of 2,100 finishing swine, 95,000 layer chickens, 10 beef steer, 10 hogs, 4 sheep, and 2 horses. The swine manure generated from the barn is collected in its own concrete underbarn manure pit. The manure collects through slotted floors to the pit. The pit (210' x 80' x 6') has a total capacity of 691,152 gallons. The freeboard requirement is 6 inches (no potential for stormwater infiltration). The manure associated with the layer chickens and other animal types is stacked and applied to cropland. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

The Department has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to issue an NPDES permit for the operation subject to the terms and conditions and monitoring and reporting requirements specified in the permit.

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

The Environmental Protection Agency (EPA) permit waiver provision under 40 CFR 123.24(e) does not apply to this NPDES permit.

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. 0915401, Sewage, **Toll PA II, LP**, 250 Gibraltar Road, Horsham, PA 19044.

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

Description of Action/Activity: Construction and operation of a wastewater treatment facility and public water supply.

WQM Permit No. WQG02091502, Sewage, **Bristol Township**, 2501 Bath Road, Bristol, PA 19007.

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

Description of Action/Activity: 2 new submersible pumps, a new valve box and pump control panel.

WQM Permit No. 4615401, Sewage, **Schwenksville Borough Authority**, 298 Main Street, P.O. Box 458, Schwenksville, PA 19473-0458.

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

Description of Action/Activity: Permit application for organic and hydraulic re-rate and loading upgrades.

WQM Permit No. 0913404, Sewage, Amendment, **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: Replacing of the existing pump station with all new facilities, wet well, valve vault, meter, building pumps.

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

WQM Permit No. 6415402, Sewage, **Waymart Area Authority Wayne County**, P.O. Box 3300, Waymart, PA 18472.

These modified facilities are located in Canaan Township & Waymart Borough, **Wayne County**.

Description of Proposed Action/Activity: Expansion to 0.815 MGD Treatment Plant capacity; new electrical generators at Belmont Street & Sleepy Hollow Pump stations; changes to aeration blowers and annual daily flow for SCI Waymart Pump Station.

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

WQM Permit No. 2071401, Sewage, Amendment, **Titusville Estates LLC**, 701 East Spring Street, Titusville, PA 16354.

This existing facility is located in Oil Creek Township, **Venango County**.

Description of Proposed Action/Activity: Amendment to add two aerated tanks to facilitate sludge-wasting.

WQM Permit No. 2515401, Sewage, **Carolyn Rumsey POA Elizabeth Clark**, 1593 Hamlet Cassadaga Road, Forestville, NY 14062.

This proposed facility is located in Elgin Borough, **Erie County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant to replace a malfunctioning on-lot system.

WQM Permit No. 2515402, Sewage, **Brian L. Trezona**, 10097 Mohawk Road, Cranesville, PA 16410.

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

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant to replace a malfunctioning on-lot system.

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023907025(1)	K & M Associates Stuart Krawitz 496 Lone Lane Allentown, PA 18104	Lehigh	Upper Macungie Township	Cedar Creek (HQ-CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024515001	Penn DOT District 5-0 1002 Hamilton Street Allentown, PA 18101	Monroe	Pocono Township	Scot Run (HQ-CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024809006R	Terence O'Reilly, Jr. 65 Constitution Avenue Wind Gap, PA 18091	Northampton	Moore Township	Monocacy Creek (HQ-CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024815001	Polaris Bio Investors, LP James Gentile 7562 Penn Drive Allentown, PA 18106	Northampton	Hanover Township	Monocacy Creek (HQ-CWF, MF)

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

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032815001	The Pennsylvania State University The 328 Building University Park, PA 16802	Franklin	Mont Alto Borough	West Branch Antietam Creek (HQ-CWF)
PAI033815001	South Londonderry Township Municipal Authority 20 West Market Street P.O. Box 3 Campbelltown, PA 17010	Lebanon	South Londonderry Township	Conewago Creek (TSF) EV Wetlands
PAI034415001	J&D's, Inc. 35 School Bus Lane Lewistown, PA 17044-8316	Mifflin	Armagh Township	Tea Creek (HQ-CWF, MF)
PAI034414001(1)	Valley View Haven 4702 East Main Street Belleville, PA 17004	Mifflin	Union Township	Frog Hollow (HQ-CWF, MF) Kishacoquillas Creek (CWF, MF)

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 Program Manager, 2 East Main Street, Norristown, PA 19401

Permit No. 1515502	Public Water Supply
Applicant	Aqua Pennsylvania, Inc.
Township	East Marlborough
County	Chester
Responsible Official	Anthony Fernandes Aqua Pennsylvania, Inc. 762 W. Lancaster Avenue Bryn Mawr, PA 19010
Type of Facility	PWS
Consulting Engineer	Anthony Bonasera East Latitude, LLC 286 Hopewell Amwell Road Hopewell, NJ 08525

Application Received Date December 29, 2014

Description of Action Permit approval for existing Willowdale Well No. 6

Permit No. 0915506 Public Water Supply

Applicant **Toll PA II, LP**

Township Buckingham

County **Bucks**

Responsible Official Toll PA II, LP
250 Gibraltar Road
Horsham, PA 19044

Type of Facility PWS

Consulting Engineer Dan Hudson, PE
Evans Mill Environmental, LLC
P.O. Box 735
Uwchland, PA 19480

Application Received Date January 29, 2015

Description of Action To develop existing Well A into a drinking water supply well. Well A is within the New Hope system in Bucks County.

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

Permit No. 6715502 MA, Minor Amendment, Public Water Supply.

Applicant **The York Water Company**

Municipality Spring Garden Township

County **York**

Responsible Official Mark S. Snyder, Engineering Manager
130 East Market Street
P.O. Box 15089
York, PA 17405-7089

Type of Facility Public Water Supply

Consulting Engineer Mark S. Snyder, PE
The York Water Company
130 East Market Street
P.O. Box 15089
York, PA 17405-7089

Application Received: 3/5/2015

Description of Action Installation of a new 1,000 gpm pump at the Shunks Hill Booster Station.

Permit No. 3615505, Minor Amendment, Public Water Supply.

Applicant **Greiner Industries Inc.**

Municipality Mount Joy Borough

County **Lancaster**

Responsible Official Larry L. Miller, Water System Operator
2021 Horseshoe Road
Lancaster, PA 17602

Type of Facility Public Water Supply

Consulting Engineer David T. Lewis, PE
Columbia Water Company
220 Locust Street
Columbia, PA 17512

Application Received: 3/11/2015

Description of Action Installation of an anion exchange nitrate treatment system.

Permit No. 3615506, Public Water Supply.

Applicant **Kinsey's Archery Products, Inc.**

Municipality Mount Joy Township

County **Lancaster**

Responsible Official Sherri L. Gorman, Vice President
1660 Steel Way Drive
Mt. Joy, PA 17552

Type of Facility Public Water Supply

Consulting Engineer Charles A. Kehew II, PE
James R. Holley & Associates, Inc.
18 South George Street
York, PA 17401

Application Received: 3/13/2015

Description of Action New nontransient community water system including the installation of sodium hypochlorite disinfection systems and a nitrate treatment system.

WATER ALLOCATIONS

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

Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200

WA 06-1030, Water Allocations. **Muhlenberg Township Authority (PWS ID No. 3060038), Berks County.** Rescission of Water Allocation Permit WA 06-1030 as originally issued by the Department on March 8, 2010. Permittee Contact: Jeffrey A. Calpino, Administrative Manager, Muhlenberg Township Authority, 2840 Kutztown Road, Reading, PA 19605-2655. Consulting Engineer: Christina Crawford MBA, PE Spotts, Stevens & McCoy, Inc., 1047 North Park Road, P.O. Box 6307, Reading, PA 19610-0307. Permit Rescission Issued: 3/18/2015.

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

WA 16-1007, Water Allocations. **Hawthorn Redbank Redbank Municipal Authority**, P.O. Box 241, Hawthorn, PA 16230-0241, Hawthorn Borough, **Clarion County.** The permittee has submitted an application to renew its water allocation which also includes an increase. The water will be obtained from Redbank Creek and the quantity of allocation requested is 252,000 gpd as a peak day.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 1

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

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

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

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

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

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

CL&W Inc. Property, 1220 North Washington Avenue, City of Scranton, **Lackawanna County**. Pennsylvania Tectonics Inc., 723 Main Street, Archbald, PA 18403, on behalf of CL&W Inc., 400 Mill Street, Dunmore, PA 18512, submitted a Notice of Intent to Remediate. Contamination due to historical operations at the site. The proposed future use of the property will be non-residential, and the proposed cleanup standard for the site is the Statewide Health Standard. The Notice of Intent to Remediate was published in *The Scranton Times* on December 16, 2014.

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

East Trail Automotive, 14337 Buchanan Trail East, Waynesboro, PA, Washington Township, **Franklin County**. Advantage Engineers, 435 Independence Avenue, Suite C, Mechanicsburg, PA 17055, on behalf of East Trail Automotive, 14337 Buchanan Trail East, Waynesboro, PA 17268 and M & T Bank, 55 South Main Street, Chambersburg, PA 17201, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with gasoline released from unregulated underground storage tanks. The site will be remediated to the Residential Statewide Health Standard. Future use of the site remains an automotive repair facility. The Notice of Intent to Remediate was published in *The Public Opinion* on March 6, 2015.

York Wallcoverings Incorporated, 750 Linden Avenue, York, PA 17405, York City, **York County**. ENVIRON International Corporation, 214 Carnegie Center, Princeton, NJ 08540, on behalf of Kroy Seller Rep LLC, 750 Linden Avenue, York, PA 17405, and York Wallcoverings, Incorporated, 750 Linden Avenue, York, PA 17405 submitted a Notice of Intent to Remediate site soils and groundwater contaminated with petroleum hydrocarbons from unregulated underground storage tanks. The site will be remediated to the Site Specific Standard. Future use of the site will continue to be for wallcovering manufacturing services. The Notice of Intent to Remediate was published in the *York Dispatch and York Daily Record* on March 9, 2015.

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

JA Trucking, Inc./Geshinsky Right of Way, 212 County Lane, West Newton, South Huntingdon Township, **Westmoreland**. JA Trucking, Inc., 212 Country Lane, West Newton, PA 15089 has submitted a Notice of Intent to Remediate to meet the residential Statewide Health Standard, concerning site soils contaminated with diesel fuel from a fuel leak. The NIR was published in the *Times Sun* on February 19, 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 De-

partment, 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.

PLAN APPROVALS

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.

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

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

48-00021A: Northampton Generating Co LP (NGC) (1 Horwith Drive, Northampton, PA 18067-9728) Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), that the Department of Environmental Protection (Department) intends to issue a revised Plan Approval No. 48-00021A to Northampton Generating Co LP (NGC), 1 Horwith Drive, Northampton, PA 18067-9728, for their plant located in Northampton Borough & East Allen Township, **Northampton County**. The facility currently operates under Title V Operating Permit No. 48-00021. This plan approval will be incorporated into the Title V Operating Permit through an administrative amendment at a later date, and the action will be published as a notice in the *Pennsylvania Bulletin*.

Plan Approval No. 48-00021A is for the revision of permit limit for lead (Pb) emissions to address the variability of Pb content in fuel inherent with the multiple coal refuse piles that the plant currently uses in their circulating fluidized bed (CFB) boiler. The company has sampled and tested approximately 21 refuse coal piles for lead content in order to determine the base line for Pb. The results were varied, ranging from 4.3 ppms to 140 ppms. NGC has used 140 ppms (highest Pb found in the sample) in re-developing the lead emissions limit. Based on these sampling and findings the company has requested the Department to revise the Pb limit, when burning Tire Derived Fuel (TDF), from 0.0027 pound per hour to 0.0588 pound per hour. A Health Risk Assessment Model was provided to justify the revised lead emissions limit. No other operational changes were proposed by the company.

The Department's Central Office Air Quality staff reviewed the Health Risk Assessment results and concluded that for the increased Pb emissions (0.0588 lb/hr = 0.00742 g/sec), the cancer risks for the baseline and TDF scenarios is 1.22 E-06. The non-cancer risks for the baseline and TDF scenarios have gone up slightly to 0.14 and 0.19, respectively, which are still below the acceptable level of 0.25.

Based on 8,760 hour per year operation and maximum of 140 ppms of lead content in coal refuse, the following potential emissions are expected from the boiler:

Pb—0.258 Ton/Year

No other emissions changes are expected due to this change from the facility.

A review of the information submitted by the company indicates that the proposed project will meet all applicable state and federal air quality requirements. Based upon these findings, DEP plans to approve the application and issue a permit with a revised lead emission limit for the facility.

In order to assure compliance with the applicable standards, DEP will place conditions in the plan approval. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

Any person(s) wishing to provide the Department with additional information which they believe should be considered prior to the issuance of this permit may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed revised permit (No. 48-00021) and a concise statement regarding the relevancy of the information or objections to the issuance of the permit is required.

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

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

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

55-00026A: Hummel Station LLC (Old Trail Road, P. O. Box 517, Shamokin Dam, PA 17876) has submitted an application to the Department for modification of plan approval 55-00001G that authorized the construction of three (3) natural gas-fired combined-cycle combustion turbines coupled with heat recovery steam generators (HRSGs) equipped with natural gas fired duct burners capable of producing 1,064 MW of electricity in Shamokin Dam Borough, **Snyder County**. The proposed modification of the plan approval is to remove the existing limitations of the operating hours of the plant contained in the existing plan approval due to the vacature of the greenhouse gas tailoring rule mandated by the U.S. Supreme Court. On June 23, 2014, the US Supreme Court invalidated much of the "GHG Tailoring Rule" that included Title V (Part 70) permitting and PSD permitting for "non-anyway sources." The existing hours of operation limitation was imposed as a synthetic minor emission restriction in the plan approval due to the plant's potential greenhouse gas emissions that would have been in excess of the major emissions threshold. The annual emission limitations for the air contaminants specified in conditions 3, 4 and 5 below are proposed to be increased, which is based on 8,760 hours of operation. The proposed plan approval also authorizes to modify the configuration of the steam generators from 2X3 and 1X1 to 3X1. The one (1) new steam generator will replace the existing four (4) steam generators. Additionally, the proposed plan approval also includes construction and operation of an emergency diesel fire pump and an emergency generator.

The facility is subject to the following Standards of Performance for New Stationary Sources (NSPS): 40 CFR Part 60 Subpart KKKK—Standards of Performance for Stationary Combustion Turbines codified in 40 CFR 60.4300 through 60.4420, 40 CFR Part 60 Subpart Db—Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units codified in 40 CFR 60.40b through 60.49b, and 40 CFR Part 60 Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units codified in 40 CFR 60.40c through 60.48c, 40 CFR Part 60 Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines codified in 40 CFR 60.4200—60.4219. The facility will satisfy all applicable requirements of the New Source Performance Standards (NSPS). In addition, the facility is subject to the following National Emission Standards for hazardous Air Pollutants (NESHAP): 40 CFR Part 63 Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. Additionally, the sources and the control devices including the levels of the air contaminants emissions satisfy the Department's best available technology (BAT) requirements pursuant to 25 Pa. Code §§ 127.1 and 127.12.

The Department's review of the information submitted by Hummel Station LLC indicates that the proposed modifications will meet all applicable air quality regulatory requirements pertaining to air contamination sources and the emission of air contaminants, including the Best Available Technology requirements of 25 Pa. Code §§ 127.1 and 127.12. Based on these findings, the Department intends to approve the application and issue a plan approval for the modification of certain conditions of plan approval 55-00001G. The facility is a major (Title V) facility.

The following is a summary of the conditions that the Department proposes to place in the plan approval to be issued to ensure compliance with all applicable federal and state air quality regulatory requirements including applicable monitoring, recordkeeping and reporting requirements:

1. The permittee shall comply with all terms and conditions of plan approval 55-00026A and plan approval 55-00001G. In the event of conflicting conditions, the permittee shall comply with the requirement specified in plan approval 55-00026A.

2. The permittee shall construct and operate only one of the two (2) options. The first option consists of constructing three (3) Siemens 5000F5ee DLN natural-gas-fired CTs with STs. Each unit will be equipped with natural-gas-fired DBs and HRSGs. The maximum heat input rating of each CT is 2,381 MMBtus/hr (HHV) and 2,145 MMBtus/hr (LHV). Each DB will have a maximum heat input rating of 204.1 MMBtus/hr (HHV). The second option consists of constructing three (3) General Electric model 7FA.05 DLN natural-gas-fired CTs with STs. Each unit will be equipped with natural-gas-fired DBs and HRSGs. The maximum heat input rating of each CT is 2,254 MMBtus/hr (HHV) and 2,040 MMBtus/hr (LHV). Each DB will have a maximum heat input rating of 267.3 MMBtus/hr (HHV).

3. (a) Pursuant to the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the three (3) combined-cycle powerblocks shall be constructed and operated from the options identified in this plan approval. The three (3) combined-cycle powerblocks chosen by the permittee shall be either the three (3) Siemens

model 5000F5ee or the three (3) General Electric model 7FA.05 combined-cycle powerblocks.

(b) The Siemens F5ee combined-cycle powerblocks shall not emit more than 388.4 tons of carbon monoxide in any 12 consecutive month period, 230.1 tons of nitrogen oxides in any 12 consecutive month period, 54.3 tons of sulfur dioxide in any 12 consecutive month period, 26.6 tons of sulfuric acid mist in any 12 consecutive month period, 197.0 tons of total particulate matter including total PM₁₀ and PM_{2.5} in any 12 consecutive month period, 213.7 tons of ammonia in any 12 consecutive month period, 71.6 tons of volatile organic compounds in any 12 consecutive month period, 15.3 tons of hazardous air pollutants in any 12 consecutive month period, 4.1 tons of formaldehyde in any 12 consecutive month period. The emissions limits specified in this condition apply at all times including during periods of startup and shutdown. Each of the Siemens F5 turbines may be operated up to 8,760 hours in any 12 consecutive month period.

(c) The General Electric 7FA.05 combined-cycle powerblocks shall not emit more than 272.9 tons of carbon monoxide in any 12 consecutive month period, 205.2 tons of nitrogen oxides in any 12 consecutive month period, 59.8 tons of sulfur dioxide in any 12 consecutive month period, 41.2 tons of sulfuric acid mist in any 12 consecutive month period, 126.6 tons of total particulate matter including total PM₁₀ and PM_{2.5} in any 12 consecutive month period, 205.2 tons of ammonia in any 12 consecutive month period, 70.7 tons of volatile organic compounds in any 12 consecutive month period, 14.7 tons of hazardous air pollutants in any 12 consecutive month period, 3.9 tons of formaldehyde in any 12 consecutive month period. The emissions limits specified in this condition apply at all times including during periods of startup and shutdown. Each of the GE 7FA.05 turbines may be operated up to 8,760 hours in any 12 consecutive month period.

4. Pursuant to the best available technology provisions in 25 Pa. Code §§ 127.1 and 127.12, emissions from the operation of each combined-cycle gas turbine shall not exceed the limits specified below:

(a) Hazardous Air Pollutants: 5.10 tons in any 12 consecutive month period.

(b) Formaldehyde: 1.36 ton in any 12 consecutive month period.

5. Pursuant to the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the natural gas fired fuel gas heater rated at 15.0 MMBTUs/hr (Source ID 075) shall not emit more than 2.42 tons of carbon monoxide in any 12 consecutive month period, 5.56 tons of nitrogen oxides in any 12 consecutive month period, 0.18 ton of sulfur dioxide in any 12 consecutive month period, 0.50 ton of total particulate matter including total PM₁₀ and PM_{2.5} in any 12 consecutive month period, and 0.36 ton of volatile organic compounds in any 12 consecutive month period.

6. Pursuant to the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, Source ID 075 may be operated up to 8,760 hours in any 12 consecutive month period.

7. Pursuant to the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, Source ID P301 shall be a 2,680 horsepower diesel fired emergency generator.

8. Pursuant to the best available technology requirements of 25 Pa. Code Sections 127.1 and 127.12, the

emergency generator shall not be operated in excess of 500 hours in any 12 consecutive month period.

9. Pursuant to the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the emergency generator shall only be fired on ultra low sulfur diesel fuel (15 ppms maximum) in accordance with 40 CFR Part 60 Subpart IIII Section 60.4207.

10. Source ID P301 is subject to the requirements of 40 CFR Part 60 Subpart IIII and 40 CFR Part 63 Subpart ZZZZ. The permittee shall comply with all applicable requirements of these subparts.

11. Pursuant to the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, Source ID P302 is a 327 bhp diesel fired emergency fire pump.

12. Pursuant to the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the emergency fire pump shall not be operated in excess of 500 hours in any 12 consecutive month period.

13. Pursuant to the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the emergency fire pump shall only be fired on ultra low sulfur diesel fuel (15 ppms maximum) in accordance with 40 CFR Part 60 Subpart IIII Section 60.4207.

14. Source ID P302 is subject to the requirements of 40 CFR Part 60 Subpart IIII and 40 CFR Part 63 Subpart ZZZZ. The permittee shall comply with all applicable requirements of these subparts.

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 570-327-3693.

Any person(s) wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this plan approval, may submit the information to the Department of Environmental Protection at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (Plan Approval No. 55-00026A) and concise statements regarding the relevancy of the information or objections to issuance of the plan approval.

A public hearing may be held if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Environmental Program Manager, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701; 570-327-3648.

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

Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6636

10-335C: Penn United Technologies, Inc. (P. O. Box 399, Saxonburg, PA 16056) The Department intends to

issue a plan approval to Penn United Technologies, Inc. (Penn United), for the installation and operation of additional mixing room equipment (mixers and dryers) in their carbide slurry mixing room. Their existing facility is located in Jefferson Township, **Butler County**. Volatile organic compound emissions associated with the project are estimated to be less than 9 tpy.

Public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44.

This application has been reviewed to evaluate its incorporation of Best Available Technology. Penn United will reduce heptane emissions using control methods and technologies including lids, chiller, condensers, and liquid ring vacuum pumps.

The Plan Approval will contain testing, recordkeeping, emission restriction, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

In accordance with 25 Pa. Code § 127.44(e)(1), all the pertinent documents regarding this application (applications, review memos, and draft approvals) are also available for review from 8:00 a.m. to 4:00 p.m. at the Meadville Regional DEP office (Air Quality). Appointments for scheduling a review must be made by calling the Department at 814-332-6340.

In accordance with 25 Pa. Code § 127.44(e)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. Any person(s) wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval (10-335C: Penn United Technologies) and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held if the Department, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Edward F. Orris, 230 Chestnut St., Meadville, PA 16335; 814-332-6636.

In accordance with 25 Pa. Code § 127.45, a person may oppose the proposed plan approval by filing a written protest with the Department's Northwest Region.

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

48-00076: Calpine Bethlehem, LLC (2254 Applebuter Road, Bethlehem, PA 18015-6000) The Department intends to issue a renewal Title V Operating Permit for a power generating facility in the City of Bethlehem,

Northampton County. The facility sources include: six (6) combustion turbines, two (2) cooling towers, and two (2) distillate fuel storage tanks. The latest facility emissions for year 2014 as reported by the company include: Carbon Monoxide (CO)—76.12 tpy, Lead—0.0182 tpy, oxides of nitrogen (NO_x)—122.90 tpy, PM₁₀—124.77 tpy, PM_{2.5}—121.26 tpy, oxides of sulfur (SO_x)—38.30 tpy, and volatile organic compounds (VOC)—32.49 tpy. These sources have the potential to emit major quantities of regulated emissions above the Title V emission thresholds. The facility is also subject to Phase II acid rain requirements under Title IV of the Clean Air Act. The proposed Title V Operating Permit contains all applicable requirements including Federal and State regulations. In addition, monitoring, recordkeeping and reporting conditions regarding compliance with all applicable requirements are included.

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

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

41-00001: Transcontinental Gas Pipe Line Company, LLC (2800 Post Oak Blvd, Houston, TX 77056) to issue a renewal Title V Operating Permit for their Compressor Station 520 located in Mifflin Township, **Lycoming County**. The facility is currently operating under Title V Operating Permit 41-00001. The facility's main sources include five (5) 2,050 horsepower compressor engines, two (2) 12,600 horsepower combustion turbines, an emergency generator, and one (1) boiler.

The facility has potential emissions of 529 tons per year (tpy) NO_x, 245 tpy CO, 65 tpy VOCs, 5.5 tpy particulate matter, 1.3 tpy SO_x, 32.5 tpy of combined hazardous air pollutants, including formaldehyde, and 81,240 tpy of carbon dioxide equivalents (greenhouse gases). No emission or equipment changes are being proposed by this action. 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 40 CFR Parts 60 and 63 and 25 Pa. Code Chapters 121—145.

Additionally, the proposed renewal Title V operating permit has incorporated the amended requirements of 40 CFR Part 63 Subpart DDDDD—National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters which were promulgated on January 31, 2013, during the previous term of the operating permit.

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.

OPERATING PERMITS

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

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19428

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

46-00144: US Department of Agriculture—Eastern Regional Research Center (“USDA”) (600 East Mermaid Lane, Wyndmoor, PA 19038; Attn: Mr. Marshall Reed) On March 19, 2015, for the renewal of a Synthetic Minor Operating Permit in Springfield Township, Montgomery County. The initial operating permit was issued on March 18, 2004, and was effective May 1, 2004. USDA’s primary focus at this facility is the preservation of produce for longer periods of time before it becomes inedible. This renewal of the Synthetic Minor Operating Permit incorporates the requirements and conditions from General Permit No. GP1-46-0240, for Source ID 034. The primary sources of air emissions from the facility are boilers (Source IDs 034, 101, 102, and 103), emergency generators (Source IDs 105 and 106), and two (2) parts washers (Source ID 200). Source IDs 034, 101, and 102 are dual fuel fired boilers, using natural gas as the primary fuel and No. 2 fuel oil as backup. These units shall not be subject to 40 CFR Part 63, Subpart JJJJJJ, on the basis of 40 CFR 63.11195(e) and 63.11237. Source ID 103 burns No. 2 fuel oil exclusively, and is subject to 40 CFR Part 63, Subpart JJJJJJ. Applicable conditions have been incorporated into the operating permit. Applicable requirements from 40 CFR Part 60, Subpart JJJJ, have been incorporated for Source ID 106. Source ID 105 has been deemed exempt from 40 CFR Part 63, Subpart ZZZZ, on the basis of 40 CFR 63.6585(f)(3). Requirements from 25 Pa. Code § 129.63 have been incorporated as appropriate for Source ID 200. Potential emissions from the facility are less than the following emission rates: 3.0 tpy for volatile organic compounds (VOC), 2.0 tpy for hazardous air pollutants (HAP), 5.0 tpy for particulate matter (PM), 24.9 tpy for oxides of nitrogen (NO_x), 74.0 tpy for oxides of sulfur (SO_x), and 20.0 tpy for carbon monoxide (CO). The permit contains monitoring, recordkeeping, reporting, and work practice standards designed to keep the facility operating within all applicable air quality requirements.

23-00056: Honeywell Intl, Inc. (6100 Philadelphia Pike, Claymont, DE 19703) On March 18, 2015, for a renewal of a Non-Title V Facility, State-Only, Natural Minor Permit in Marcus Hook Borough, **Delaware County**. Honeywell is a manufacturing company of industrial inorganic chemicals. Honeywell has a production limit of Fluorosulfonic acid. Monitoring, recordkeeping and reporting requirements have been added to the permit to address applicable limitations.

09-00209: Univar USA, Inc. (4 Steel Road, Morrisville, PA 19067) On March 19, 2015, for a renewal Non-Title V Facility, State-Only, Natural Minor Permit in Falls Township, **Bucks County**. Univar USA Inc. is a chemical and allied products merchant wholesaler. The sources of emissions include: storage tanks and transfer stations. The facility has a HAP emission limit of 24.4 tons per year calculated on a 12-month rolling sum and a VOC emission limit of 22 tons per year. Monitoring, record keeping and reporting requirements have been added to the permit to address applicable limitations.

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

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

40-00090: Bridon American Corp. (200 New Commerce Blvd., Wilkes-Barre, PA 18702) The Department intends to issue a State-Only Operating Permit for a wire product manufacturing facility located in Hanover Township, **Luzerne County**. The proposed operating permit

contains all applicable requirements including Federal and State regulations. In addition, monitoring, recordkeeping and reporting conditions regarding compliance with all applicable requirements are also included.

48-00086: Bethlehem Apparatus Company, Inc./Hellertown (890 Front Street, Hellertown, PA 18055-1507) for hazardous waste treatment and disposal facility in Hellertown Borough, **Northampton County**. The primary source is a rooftop ventilation system. The control devices are carbon filters. The sources are considered minor emission sources of NO_x, SO_x, CO, total suspended particulate (TSP) and VOCs. This is a renewal of the State-Only Natural Minor operating permit. The State-Only operating permit includes applicable state and federal requirements, work practice standards, testing, monitoring, recordkeeping and reporting requirements.

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

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

36-05127: New Enterprise Stone & Limestone, Inc. Burkholder (Asphalt) Plant (P. O. Box 550, Blue Ball, PA 17506) to issue a State-Only Operating Permit for their asphalt plant in Earl Township, **Lancaster County**. The primary emissions from the facility are in the form of PM at 0.58 ton per year (tpy) actual emissions (using stack test data), PM₁₀ at 1.63 tpy, CO at 24.2 tpy, NO_x at 7.25 tpy, and SO_x at 5.32 tpy. NSPS Subpart I, Standards of Performance for Hot Mix Asphalt Facilities, applies to the batch asphalt plant operation (i.e., DEP Source ID No. 301). Also included in the permit will be conditions referencing emission limits and work practice standards, monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

Contact: Barbara Hatch, Facilities Permitting Chief—Telephone: 412-442-4174

65-00899: Snyder Funeral Home, Inc. (402 East Church Street, Ligonier, PA 15658) for funeral services and crematories at the Snyder Funeral Home in Donegal Borough, **Westmoreland County**. This is a State-Only Operating Permit renewal application submittal.

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

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

16-00149: Clarion Laminates, LLC (310 Fiberboard Road, Shippensburg, PA 16254-4811) for renewal of a Natural Minor Permit at the fabricated hard surface floor covering plant located in the Paint Township, **Clarion County**. The emitting sources include: 1) Thermal Oil Heater, 2) 8 Direct Fired Space Heaters, 3) Laminating & Saw Line 1, 4) Laminating & Saw Line 2, 5) Profiling 1, 6) Profiling 2 and, 7) Crystal Clean Degreaser Unit. The potential emissions from the facility are less than the Title V threshold limits. Thus, the facility is a natural minor. The potential emissions based on the permit renewal application are as follows: PM₁₀: 15.54 Tons per year (TPY), NO_x: 16.25 TPY, CO: 9.75 TPY, SO_x: 0.09 TPY, VOC: 0.76 TPY.

62-00181: Ellwood National Forge, Ellwood Group Inc. (1 Front Street, Irvine, PA 16329-1801) for renewal of a Natural Minor Permit to operate an Iron and Steel Forging manufacturing plant located in the City of Warren, **Warren County**. The updated emitting source include, Source ID # 125: Turbine Coating Line, Source ID # 126: Empire Shot Blast Machine, Source ID # 127: Betts Boring & Turning Lathe. This permit is natural minor because the emissions from the facility are less than the Title V threshold limits. The emissions stated in the permit renewal application are: Volatile organic compounds: 9.6 TPY (Tons per year), Hazardous air pollutants: 8.3 TPY, Total suspended particulate matter: 3.6 TPY.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

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

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

Coal Applications Received

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

63921301 and NPDES No. PA0214434. UCMCO Energy, Inc., (46226 National Road, St. Clairsville, PA 43950). To renew the mining permit and related NPDES permit for the High Quality Mine in Fallowfield and Carroll Townships, **Washington County** and revise the NPDES permit effluent limits. No additional discharges. The application was considered administratively complete on March 17, 2015. Application received: December 6, 2013.

32850701 and NPDES No. PA0213683. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To revise the permit for the Clymer Refuse Disposal Site in Cherryhill Township, **Indiana County** and related NPDES permit to modify the water handling plan and existing NPDES Outfalls 010 and 012. Coal Refuse Disposal Support Acres Proposed 13.5. No additional discharges. The application was considered administratively complete on March 17, 2015. Application received: May 29, 2014.

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931-4119, 814-472-1900

Permit No. 56080101 and NPDES No. PA0262579. Coal Loaders Inc., 210 E. Main Street, P. O. Box 556, Ligonier, PA 15658, permit renewal for the continued operation and restoration of a bituminous surface mine in Stonycreek Township, **Somerset County**, affecting 108.1 acres. Receiving stream: Stonycreek River classified for the following use: cold water fishery. The first downstream potable water supply intake from the point of discharge is Hooversville Borough intake. Application received: March 9, 2015.

Permit No. 11040101 and NPDES No. PA0249661. E.P. Bender Coal Co., Inc., P. O. Box 594, Carrolltown, PA 15722, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Reade Township, **Cambria County**, affecting 69 acres. Receiving streams: unnamed tributaries to/and Powell Run classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: March 12, 2015.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2522, 570-621-3118

Permit No. 54743007R6 and NPDES Permit No. PA0123617. Schuylkill Reclamation Corp., (10 Gilberton Road, Gilberton, PA 17934), renewal of an existing anthracite surface mine operation and NPDES Permit for discharge of treated mine drainage in Branch and Cass Townships, **Schuylkill County** affecting 326.0 acres, receiving stream: West Creek to West Branch Schuylkill River, classified for the following use: cold water fishes. Application received: March 9, 2015.

Permit No. 54643034R6. Reading Anthracite Company, (P. O. Box 1200, Pottsville, PA 17901), renewal of an existing anthracite surface mine operation in Cass Township, **Schuylkill County** affecting 42.6 acres, receiving stream: West Branch Schuylkill River, classified for the following use: cold water fishes. Application received: March 10, 2015.

Permit No. 40990101R3 and NPDES Permit No. PA0225193. Hazleton Shaft Corp., (P. O. Box 435, Hazleton, PA 18201), renewal of an existing anthracite surface mine, coal refuse reprocessing, coal refuse disposal and preparation plant operation in Hazle Township

and City of Hazleton, **Luzerne County** affecting 481.0 acres, receiving stream: Hazle Creek, classified for the following uses: HQ—cold water and migratory fishes. Application received: March 11, 2015.

Permit No. 40-305-015GP12. Newport Aggregate, Inc., (76 Main Street, Glen Lyon, PA 18617), application to operate a coal preparation plant whose pollution control equipment is required to meet all applicable limitations, terms and conditions of General Permit, BAQ-GPA/GP-12 on Surface Mining Permit No. 40940203 in Jenkins Township, **Luzerne County**. Application received: March 17, 2015.

Noncoal Applications Received

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931-4119, 814-472-1900

Permit No. 0179301 and NPDES No. PA0122297. Gettysburg Granite, LLC, 1800 Baltimore Pike, Gettysburg, PA 17325 renewal of NPDES permit, Mt. Joy Township, **Adams County**. Receiving streams: unnamed tributary to Rock Creek to Monocacy River classified for the following use: warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: March 11, 2015.

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

3374SM58 and NPDES Permit No. PA0591688. Coolspring Mining, Inc. (P. O. Box 1328, Uniontown, PA 15401). NPDES renewal application for continued mining to an existing large noncoal surface mine, located in North Union Township, **Fayette County**, affecting 146.6 acres. Receiving streams: Coolspring Run and unnamed tributaries to Coolspring Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: March 16, 2015.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2522, 570-621-3118

Permit No. 38870301C16. Pennsy Supply, Inc., (1001 Paxton Street, Harrisburg, PA 17104), correction to an existing quarry to construction a 100 foot highwall within the permit in North Annville, South Annville, Annville and North Londonderry Townships, **Lebanon County** affecting 1,039.4 acres, receiving streams: Killinger Creek & tributary to Quittapahilla Creek, classified for the following use: trout stock fishery. Application received: March 9, 2015.

Permit No. 58080301C and NPDES No. PA0224685. BS Quarries, Inc., (859 John C. McNamara Drive,

Montrose, PA 18801), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Lanesboro Borough & Harmony Township, **Susquehanna County** affecting 465.6 acres, receiving stream: Starrucca Creek, classified for the following uses: Cold Water Fishes and Migratory Fishes. Application received: March 12, 2015.

Permit No. 6277SM1A1C10 and NPDES PA0595080. Compass Quarries, Inc., d/b/a Independence Construction Materials, (638 Lancaster Avenue, Malvern, PA 19355), renewal and modification of an existing NPDES Permit for discharge of treated mine drainage from a quarry operation in Paradise Township, **Lancaster County** affecting 157.1 acres, receiving stream: Londonland Run to Eshleman Run, classified for the following uses: cold water and migratory fishes. Application received: March 11, 2015.

Permit No. 7973SM5C9 and NPDES No. PA0223352. Eureka Stone Quarry, Inc., (P. O. Box 249, Chalfont, PA 18914-0249), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Wrightstown Township, **Bucks County** affecting 158.6 acres, receiving stream Neshaminy Creek: Non-Tidal Portion of Main Stem, RM 26.84 to Mouth, classified for the following uses: Warm Water Fishes and Migratory Fishes. Application received: March 13, 2015.

MINING ACTIVITY NPDES DRAFT PERMITS

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

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

Effluent Limits for Coal Mining Activities

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

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

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

*The parameter is applicable at all times.

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

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

Effluent Limits for Noncoal Mining Activities

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

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

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

More restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining that may occur are incorporated into an NPDES permit when necessary for compliance with water quality standards and antidegradation requirements (in accordance with 25 Pa. Code Chapters 91—96).

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 563-2112-115, Developing National Pollutant Discharge Elimination System (NPDES) Permits for Mining Activities. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

Discharge rates for surface mining activities are precipitation driven. Discharge rates for proposed discharges associated with underground mining are noted in the permit description.

Persons wishing to comment on an NPDES draft permit should submit a written statement to the Department at the address of the district mining office indicated before each draft permit within 30 days of this public notice. Comments received within the comment period will be considered in the final determinations regarding the NPDES permit applications. Comments must include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests or petitions for a public hearing on NPDES permit applications, as provided in 25 Pa. Code § 92a.82(d). The request or petition for a public hearing shall be filed within 30 days of this public notice and contain the name, address, telephone number and the interest of the party filing the request, and state the reasons why a hearing is warranted. A public hearing may be held if the Department considers the public interest significant. If a hearing is scheduled, a notice of the hearing on the NPDES permit application will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. When a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

Coal NPDES Draft Permits

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

NPDES No. PA0235946 (Mining Permit No. 32081301), Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). A revision the NPDES permit for the Coral-Graceton Mine in Center Township, **Indiana County** to revise the NPDES effluent limits. Surface Acres Affected 51.0, Underground Acres Affected 1,202.0. Receiving stream: Unnamed Tributaries to Two Lick Creek, classified for the following use: CWF. Kiskiminetas-Conemaugh River. The application was considered administratively complete on March 13, 2015. Application received: March 13, 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.

Outfall 001 discharges to: UNT to Two Lick Creek

The proposed effluent limits for Outfall 001 (Lat: 40° 30' 31.7" Long: 79° 09' 31.7") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.64	-
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
Osmotic Pressure (mos/kg)		54	108	135
Sulfates (mg/l)		-	-	Report
Total Dissolved Solids (mg/l)		-	-	Report
Chlorides (mg/l)		-	-	Report

Outfall 002 discharges to: UNT to Two Lick Creek

The proposed effluent limits for Outfall 002 (Lat: 40° 30' 38.9" Long: 79° 09' 49.4") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.16	-
Iron (mg/l)		1.5	3.0	3.8

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
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
Osmotic Pressure (mos/kg)		114	228	285
Sulfates (mg/l)		-	-	Report
Total Dissolved Solids (mg/l)		-	-	Report
Chlorides (mg/l)		-	-	Report

Outfall 003 discharges to: UNT to Two Lick Creek

The proposed effluent limits for Outfall 003 (Lat: 40° 30' 26.7" Long: 79° 09' 54") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	1.16	-
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
Osmotic Pressure (mos/kg)		50	83	104
Sulfates (mg/l)		-	-	Report
Total Dissolved Solids (mg/l)		-	-	Report
Chlorides (mg/l)		-	-	Report

NPDES No. PA0214591 (Mining Permit No. 32141302 (formerly 32891701)), Bellaire Corporation, (196 Grange Hall Rd., P. O. Box 245, Armagh, PA 15920-0245). A renewal to the NPDES and mining activity permit for the Hutchinson Hollow Treatment Plant in East Wheatfield Township, **Indiana County**. Surface Acres Affected 7.0. Receiving stream: Unnamed Tributary to Conemaugh River, classified for the following use: CWF. Kiskiminetas-Conemaugh River Watersheds TMDL. The application was considered administratively complete on October 23, 2014. Application received: May 12, 2014.

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

Outfall 001 discharges to: UNT to Conemaugh River

The proposed effluent limits for Outfall 001 (Lat: 40° 25' 17" Long: 79° 01' 41") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	3.28
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
Suspended Solids (mg/l)		35	70	90
Sulfates (mg/l)		-	-	Report
Total Dissolved Solids (mg/l)		-	-	Report
Osmotic Pressure (mos/kg)		-	-	-

NPDES No. PA0214434 (Mining Permit No. 63921301), UMCO Energy, Inc. (46226 National Road, St. Clairsville, OH 43950). A renewal and amendment to the NPDES permit for the High Quality Mine in Fallowfield Township, **Washington County**. This NPDES draft amended permit is also being published in compliance with 25 Pa. Code § 92a.88, as the result of a settlement of an Environmental Hearing Board appeal at EHB Docket No. 2011-156-R. Surface Acres Affected: 64.6. Underground Acres Affected 2,130.0. Receiving stream: Two Unnamed Tributaries to Taylors Run, classified for the following use: WWF. Monongahela River Watershed. The application was considered administratively complete on March 17, 2015. Application received: December 6, 2013.

Outfall 003 discharges to: UNT B to Taylors Run

The proposed effluent limits for Outfall 003 (Lat: 40° 09' 22" Long: 79° 57' 21") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.585	-
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Total Suspended Solids (mg/l)		35	70	90
Sulfate (mg/l)		-	-	Report
Total Dissolved Solids (mg/l)		-	-	Report
Chlorides (mg/l)		-	-	Report

Outfall 004 discharges to: UNT A to Taylors Run

The proposed effluent limits for Outfall 004 (Lat: 40° 09' 32" Long: 79° 57' 25") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	1.22	-
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
Osmotic Pressure (mos/kg)		50	50	50
Sulfate (mg/l)		-	-	Report
Total Dissolved Solids (mg/l)		-	-	Report
Bromides (mg/l)		-	-	Report
Chlorides (mg/l)		-	-	Report

Outfall 005 discharges to: UNT A to Taylors Run

The proposed effluent limits for Outfall 005 for DRY WEATHER discharges (Lat: 40° 09' 36" Long: 79° 57' 16") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	Report	-
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Total Suspended Solids (mg/l)		35	70	90
Aluminum (mg/l)		-	-	Report
Sulfates (mg/l)		-	-	Report
Total Dissolved Solids (mg/l)		-	-	Report

Outfall 005 discharges to: UNT A to Taylors Run

The proposed effluent limits for Outfall 005 for discharges from precipitation events less than or equal to the 10-year/24-hour event (Lat: 40° 09' 36" Long: 79° 57' 16") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	Report	-
Iron (mg/l)		-	-	7.0
Settleable Solids (ml/l)		-	-	0.5

Outfall 006 discharges to: UNT B to Taylors Run

The proposed effluent limits for Outfall 006 for DRY WEATHER discharges (Lat: 40° 09' 19" Long: 79° 57' 19") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	Report	-
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Total Suspended Solids (mg/l)		35	70	90
Aluminum (mg/l)		-	-	Report
Sulfates (mg/l)		-	-	Report
Total Dissolved Solids (mg/l)		-	-	Report

Outfall 006 discharges to: UNT B to Taylors Run

The proposed effluent limits for Outfall 006 for discharges from precipitation events less than or equal to the 10-year/24-hour event (Lat: 40° 09' 19" Long: 79° 57' 19") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	Report	-
Iron (mg/l)		-	-	7.0
Settleable Solids (ml/l)		-	-	0.5

NPDES No. PA0110914 (Mining Permit No. 56841310), Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). A revision to the NPDES permit for the Solar No. 7 Mine in Quemahoning Township, **Somerset County** to revise the NPDES effluent limits. Surface Acres Affected 32.0, Underground Acres Affected 2,728.5. Receiving stream: Higgins Run, classified for the following use: CWF. Kiskiminetas-Conemaugh River. The application was considered administratively complete on March 13, 2015. Application received: March 13, 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.

Outfall 001 discharges to: Higgins Run

The proposed effluent limits for Outfall 001 (Lat: 40° 08' 11" Long: 78° 58' 40") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	1.44	-
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 Dissolved Solids (ml/l)		932	1,863	2,329
Total Suspended Solids (mg/l)		35	70	90
Sulfates (mg/l)		466	931	1164
Osmotic Pressure (mos/kg)		95	190	238
Chlorides (mg/l)		-	-	Report

NPDES No. PA0235865 (Mining Permit No. 56091301), Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). A revision to the NPDES permit for the Stonycreek Mine in Quemahoning Township, **Somerset County** to revise the NPDES effluent limits. Surface Acres Affected 92.5, Underground Acres Affected 1,403.0. Receiving stream: Unnamed Tributary to Beaverdam Creek, classified for the following use: CWF. Kiskiminetas-Conemaugh River. Receiving stream: Beaverdam Creek, classified for the following use: HQ-CWF. Kiskiminetas-Conemaugh River. Receiving stream: Unnamed Tributary to Stonycreek River, classified for the following use: CWF. Kiskiminetas-Conemaugh River. The application was considered administratively complete on March 13, 2015. Application received: March 13, 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.

Outfall 001 is subject to the following numeric effluent limits if the non-degrading narrative limits are exceeded while the site is stabilized:

Outfall 001 discharges to: UNT Beaverdam Creek

The proposed effluent limits for Outfall 001 (Lat: 40° 05' 20.4" Long: 78° 58' 37.9") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.627	-
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
Suspended Solids (mg/l)		35	70	90
Sulfates (mg/l)		-	-	Report
Osmotic Pressure (mos/kg)		-	-	Report
Total Dissolved Solids (mg/l)		-	-	Report

Outfall 001 is subject to the following narrative effluent limits when the non-degrading option is being utilized while the site is stabilized:

Outfall 001 discharges to: UNT Beaverdam Creek

The proposed effluent limits for Outfall 001 (Lat: 40° 05' 20.4" Long: 78° 58' 37.9") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	Report
Iron (mg/l)		-	-	Report
Manganese (mg/l)		-	-	Report
Aluminum (mg/l)		-	-	Report
Suspended Solids (mg/l)		-	-	Report
Sulfates (mg/l)		-	-	Report
Osmotic Pressure (mos/kg)		-	-	Report
Total Dissolved Solids (mg/l)		-	-	Report

Outfall 002 is subject to the following numeric effluent limits if the non-degrading narrative limits are exceeded while the site is stabilized:

Outfall 002 discharges to: Beaverdam Creek

The proposed effluent limits for Outfall 002 (Lat: 40° 05' 17.0" Long: 78° 58' 19.6") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.150	-
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
Suspended Solids (mg/l)		35	70	90

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Sulfates	(mg/l)		-	-	Report
Osmotic Pressure	(mos/kg)		-	-	Report
Total Dissolved Solids	(mg/l)		-	-	Report

Outfall 002 is subject to the following narrative effluent limits when the non-degrading option is being utilized while the site is stabilized:

Outfall 002 discharges to: Beaverdam Creek

The proposed effluent limits for Outfall 002 (Lat: 40° 05' 17.0" Long: 78° 58' 19.6") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)		-	-	Report
Iron	(mg/l)		-	-	Report
Manganese	(mg/l)		-	-	Report
Aluminum	(mg/l)		-	-	Report
Suspended Solids	(mg/l)		-	-	Report
Sulfates	(mg/l)		-	-	Report
Osmotic Pressure	(mos/kg)		-	-	Report
Total Dissolved Solids	(mg/l)		-	-	Report

Outfall 003 is subject to the following numeric effluent limits if the non-degrading narrative limits are exceeded while the site is stabilized:

Outfall 003 discharges to: Beaverdam Creek

The proposed effluent limits for Outfall 003 (Lat: 40° 05' 23.7" Long: 78° 58' 9.5") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)		-	0.240	-
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
Suspended Solids	(mg/l)		35	70	90
Sulfates	(mg/l)		-	-	Report
Osmotic Pressure	(mos/kg)		-	-	Report
Total Dissolved Solids	(mg/l)		-	-	Report

Outfall 003 is subject to the following narrative effluent limits when the non-degrading option is being utilized while the site is stabilized:

Outfall 003 discharges to: Beaverdam Creek

The proposed effluent limits for Outfall 003 (Lat: 40° 05' 23.7" Long: 78° 58' 9.5") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)		-	-	Report
Iron	(mg/l)		-	-	Report
Manganese	(mg/l)		-	-	Report
Aluminum	(mg/l)		-	-	Report
Suspended Solids	(mg/l)		-	-	Report
Sulfates	(mg/l)		-	-	Report
Osmotic Pressure	(mos/kg)		-	-	Report
Total Dissolved Solids	(mg/l)		-	-	Report

Outfall 004 discharges to: UNT Stonycreek River

The proposed effluent limits for Outfall 004 (Lat: 40° 05' 52.7" Long: 78° 57' 9.25") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)		-	1.0	-
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
Suspended Solids	(mg/l)		35	70	90
Sulfates	(mg/l)		-	-	Report
Osmotic Pressure	(mos/kg)		-	-	Report
Total Dissolved Solids	(mg/l)		-	-	Report

Outfall 005 is subject to the following numeric effluent limits if the non-degrading narrative limits are exceeded while the site is stabilized:

Outfall 005 discharges to: Beaverdam Creek

The proposed effluent limits for Outfall 005 (Lat: 40° 05' 20.0" Long: 78° 58' 16.5") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.072	-
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
Suspended Solids (mg/l)		35	70	90
Sulfates (mg/l)		-	-	Report
Osmotic Pressure (mos/kg)		-	-	Report
Total Dissolved Solids (mg/l)		-	-	Report

Outfall 005 is subject to the following narrative effluent limits when the non-degrading option is being utilized while the site is stabilized:

Outfall 005 discharges to: Beaverdam Creek

The proposed effluent limits for Outfall 005 (Lat: 40° 05' 20.0" Long: 78° 58' 16.5") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	Report
Iron (mg/l)		-	-	Report
Manganese (mg/l)		-	-	Report
Aluminum (mg/l)		-	-	Report
Suspended Solids (mg/l)		-	-	Report
Sulfates (mg/l)		-	-	Report
Osmotic Pressure (mos/kg)		-	-	Report
Total Dissolved Solids (mg/l)		-	-	Report

Outfall 006 is subject to the following numeric effluent limits if the non-degrading narrative limits are exceeded while the site is stabilized:

Outfall 006 discharges to: Beaverdam Creek

The proposed effluent limits for Outfall 006 (Lat: 40° 05' 20.0" Long: 78° 58' 16.5") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.144	-
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
Suspended Solids (mg/l)		35	70	90
Sulfates (mg/l)		-	-	Report
Osmotic Pressure (mos/kg)		-	-	Report
Total Dissolved Solids (mg/l)		-	-	Report

Outfall 006 is subject to the following narrative effluent limits when the non-degrading option is being utilized while the site is stabilized:

Outfall 006 discharges to: Beaverdam Creek

The proposed effluent limits for Outfall 006 (Lat: 40° 05' 20.0" Long: 78° 58' 16.5") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	Report
Iron (mg/l)		-	-	Report
Manganese (mg/l)		-	-	Report
Aluminum (mg/l)		-	-	Report
Suspended Solids (mg/l)		-	-	Report
Sulfates (mg/l)		-	-	Report
Osmotic Pressure (mos/kg)		-	-	Report
Total Dissolved Solids (mg/l)		-	-	Report

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931-4119, 814-472-1900

NPDES No. PA0605921 (Mining Permit No. 56663125), PBS Coals, Inc., 1576 Stoystown Road Friedens, PA 15541, renewal of an NPDES permit for surface coal mining in Stonycreek Township, **Somerset County**, affecting 27.5 acres. Receiving stream: Schrock Run classified for the following use: cold water fishery. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: January 16, 2015.

The outfalls listed below discharge to Schrock Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
003 (SP1)	N
004 (SP10A & 10B)	N
007 (SPE)	N

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

Outfalls: 003, 004 & 007 (All Weather Conditions)

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.8
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the Commonwealth to certify that the involved projects will not violate the sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA, the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment shall submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before an application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E39-534. Liberty Property, L.P., 74 West Broad Street, Bethlehem, PA 18018, in Lower Macungie Township, **Lehigh County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain two stormwater outfalls in the floodway of Little Lehigh Creek (HQ-CWF, MF) associated with the Spring Creek Properties Settlement Subdivision in Lower Macungie Township, Lehigh County. The first outfall consists of a 54-inch reinforced concrete pipe, concrete endwalls, and an R-7 riprap lined outfall channel in the floodway of Little Lehigh Creek (HQ-CWF, MF). The outfall is located on the west side of Smith Lane, approximately 0.09 mile south of its intersection with Mertztown Road (Allentown West, PA Quadrangle Latitude: 40° 31' 28.3"; Longitude: -75° 37' 19.7") in Lower Macungie Township, Lehigh County. The second outfall consists of an 18-inch reinforced concrete pipe, concrete endwalls, and an R-6 riprap lined outfall channel in the floodway of Little Lehigh Creek (HQ-CWF, MF). The outfall is located on the south side of Mertztown Road, approximately 0.08 mile east of its intersection with Locust Lane (Allentown West, PA Quadrangle Latitude: 40° 31' 31.4"; Longitude: -75° 36' 54.9") in Lower Macungie Township, Lehigh County. (Allentown West, PA Quadrangle, Latitude: 40°31'24.4"; Longitude: -75°37' 17.2").

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

E22-612: Steelton Borough Authority, 123 N. Front St., Steelton, PA 17113 in Steelton Borough, **Dauphin County**, U.S. Army Corps of Engineers Baltimore District

To install and maintain an Electrical Generator with pad within the floodplain of the Susquehanna River (WWF, MF). The project proposes 522 sq. feet of impact.

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

E41-665. Pennsylvania Department of General Services, Bureau of Engineering and Architecture, Room 307, Harrisburg, PA 17125. New Pine Creek Trail Infrastructure in McHenry Township, **Lycoming County**, ACOE Baltimore District (Jersey Mills PA Quadrangle; Lat: 41° 21' 35"; Long: -77° 24' 36").

PA Department of General Services has applied for a Joint Permit Application to construct, operate and maintain two (2) new permanent buildings along State Route

414 & Pine Creek Rail Trail in McHenry Township, Lycoming County. The work involves the construction of two (2) new buildings (maintenance and storage), gravel paving for parking, utility installation and stormwater management. The proposed 5 bay storage building footprint is 3,561 ft² and proposed maintenance building footprint is 5,683 ft². Mass grading for the site will consist of 266 cubic yards of cut and 3,490 cubic feet of fill.

The total estimated floodway impacts for the project are approximately 65,439 ft² of permanent impacts. The proposed project will not permanently impact wetlands, cultural or archaeological resources, national/state/local parks, forests recreational areas, landmarks wildlife refuge or historical sites. Pine Creek is classified with a designated use of High Quality-Trout Stocked Fishery (HQ-TSF) and with an existing use of Exceptional Value (EV).

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

E65-969 Arnold Palmer Regional Airport, 148 Aviation Lane, Suite #103, Latrobe, PA 15650; Unity Township, **Westmoreland County**; ACOE: Pittsburgh District

The applicant is proposing to place and maintain fill in (0.08 acre) of PEM wetlands in association with the construction of a hangar. The project is situated along S.R. 981, approximately 1,000 linear feet south from its intersection with Gravel Hill Road (USGS Latrobe, PA topographic quadrangle; Latitude: 40° 16' 18"; Longitude: -79° 24' 17"), in Unity Township, Westmoreland County. The applicant is proposing to replace (0.08 acre) of PEM wetlands along S.R. 30, approximately 2,000 linear feet east from its intersection with West Old Lincoln Highway (USGS Derry, PA topographic quadrangle; Latitude 40° 15' 18"; Longitude: -79° 15' 41"), in Ligonier Township, Westmoreland County.

District Oil & Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA 17701

E0829-105: Appalachia Midstream, LLC, 400 IST Center Suite 404, Horseheads, NY 14845, Wilmot Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. an 8 inch diameter natural gas line impacting 297 square feet of a Palustrine Scrub-Shrub Wetland (Wyalusing, PA Quadrangle, Latitude: 41°37'37", Longitude: -76° 16'42");

2. an 8 inch diameter natural gas line impacting 92 square feet of a Palustrine Emergent Wetland (Wyalusing, PA Quadrangle, Latitude: 41°37'38", Longitude: -76° 16'32");

3. an 8 inch diameter natural gas line impacting 88 linear feet of Sugar Run (CWF) and impacting 324 square feet of an adjacent Palustrine Forested Wetland (Wyalusing, PA Quadrangle, Latitude: 41°37'38", Longitude: -76° 16'29");

The project will result in 88 linear feet or 88 square feet of temporary stream impacts and 713 square feet (0.02 acre) of temporary PEM, PSS and PFO wetland impacts all for the purpose of installing a natural gas pipeline with associated access roadways for Marcellus shale development in Wilmot Township, Bradford County.

E4129-098: Regency Marcellus Gas Gathering, LLC, 101 West Third Street, Williamsport, PA 17701, McNett Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) one 8-inch gas pipeline, one 8-inch water pipeline, and a temporary bridge impacting 53 linear feet of an unnamed tributary to Rock Run (EV) (Grover, PA Quadrangle 41°33'15"N 76°48'23"W);

2) one 8-inch gas pipeline, one 8-inch water pipeline, and a timber mat bridge impacting 50 linear feet of an unnamed tributary to Rock Run (EV) (Grover, PA Quadrangle 41°33'10"N 76°48'37"W);

3) one 8-inch gas pipeline and one 8-inch water pipeline impacting 3,806 square feet within the floodway of an unnamed tributary to Rock Run (EV) (Grover, PA Quadrangle 41°33'06"N 76°49'11"W);

4) one 8-inch gas pipeline, one 8-inch water pipeline, and a timber mat bridge impacting 50 linear feet of an unnamed tributary to Rock Run (EV) (Grover, PA Quadrangle 41°33'09"N 76°49'15"W).

The project will result in a total of 153 linear feet of stream impacts and 0.09 acre of additional floodway impacts all for the purpose of installing water line, natural gas gathering line, and access roadway to natural gas well sites for Marcellus well development.

E5829-101: Springville Township, Williams Field Services Company, LLC; Park Place Corporate Center 2, 2000 Commerce Drive, Pittsburgh, PA 15275; Springville Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 16 inch diameter steel natural gas gathering pipeline and temporary timber bridge crossing impacting 50 linear feet of Meshoppen Creek (CWF-MF) (Springville, PA Quadrangle; Latitude: 41° 38' 48", Longitude: -75° 54' 20"),

2) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,411 square feet (0.03 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 38' 47", Longitude: -75° 54' 18"),

3) a 16 inch diameter steel natural gas gathering pipeline and temporary timber bridge crossing impacting 54 linear feet of an unnamed tributary to Meshoppen Creek (CWF-MF) (Springville, PA Quadrangle; Latitude: 41° 38' 47", Longitude: -75° 54' 18"),

4) a temporary timber mat crossing impacting 138 square feet (0.01 acre) of a PFO wetland (Springville, PA Quadrangle; Latitude: 41° 38' 46", Longitude: -75° 54' 15"),

5) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 2,926 square feet (0.07 acre) of a PFO wetland (Springville, PA Quadrangle; Latitude: 41° 38' 46", Longitude: -75° 54' 15"),

6) a 16 inch diameter steel natural gas gathering pipeline and temporary timber bridge crossing impacting 81 linear feet of an unnamed tributary to Meshoppen Creek (CWF-MF) (Springville, PA Quadrangle; Latitude: 41° 38' 46", Longitude: -75° 54' 08"),

7) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 24

square feet (0.01 acre) of a PFO wetland (Springville, PA Quadrangle; Latitude: 41° 38' 46", Longitude: -75° 54' 08"),

8) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,110 square feet (0.03 acre) of a PFO wetland (Springville, PA Quadrangle; Latitude: 41° 38' 46", Longitude: -75° 54' 07"),

9) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 6,216 square feet (0.14 acre) of a PSS wetland (Springville, PA Quadrangle; Latitude: 41° 38' 53", Longitude: -75° 53' 37"),

10) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,788 square feet (0.04 acre) of a PSS wetland (Springville, PA Quadrangle; Latitude: 41° 38' 53", Longitude: -75° 53' 34"),

11) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 2,210 square feet (0.05 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 38' 54", Longitude: -75° 53' 32"),

12) a 16 inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 4,308 square feet (0.10 acre) of a PEM wetland (Springville, PA Quadrangle; Latitude: 41° 39' 02", Longitude: -75° 53' 12").

The project consists of constructing approximately 1.6 mile of 16" steel natural gas gathering line located in Springville Township, Susquehanna County, connecting Cabot's Bishop Well Pad to the Williams' Pijanowski Pipeline. The project will result in 185 lineal feet of temporary stream impacts, 8,114 square feet (0.19 acre) of temporary wetland impacts, and 15,157 square feet (0.35 acre) of permanent wetland impacts all for the purpose of providing safe reliable conveyance of Marcellus Shale natural gas to market.

ENVIRONMENTAL ASSESSMENT

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

EA59-019 WL 5915511. Tioga County Concerned Citizen Committee, PO Box 124, Blossburg PA, 16912-0124. Acid Mine Drainage Treatment Project in Ward Township, **Tioga County**, ACOE Baltimore District.

To construct and maintain two passive acid mine drainage treatment systems intercepting polluted discharges to Fall Brook, a Cold Water Fishes and Migratory Fishes stream as designated in Chapter 93 of the Department's Water Quality Standards. Construction activities associated with source collection and treatment will permanently impact 1,958 linear feet of stream and 3,659 square feet of wetland. Temporary impacts will consist of 30 linear feet of stream and 200 square feet of wetland. Mitigation for environmental impacts is to be achieved through water quality improvements to the Fall Brook watershed.

(Gleason, PA Quadrangle Latitude: 41° 40' 44.2"; Longitude: -76° 59' 10.5").

Southwest Region: Watershed Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

EA11-005. Clearfield Creek Watershed Association, 216 Beldin Hollow Road; Ashville, PA 16613; Dean Township, **Cambria County**; ACOE Baltimore District

ACOE: Baltimore

The applicant is proposing to construct and maintain a passive treatment system for acid mine drainage along Little Laurel Run (CWF, MF). The applicant proposes to collect the base flow from an unnamed tributary of Little Laurel Run (AKA Unnamed Tributary 1) (CWF, MF), affecting 475 LF of channel, treat the water through a series of five treatment ponds (including a forebay, two limestone cells and two settling basins), and discharge the water into a second unnamed tributary to Little Laurel Run (AKA Unnamed Tributary 2) (CWF, MF), which flows into Little Laurel Run, approximately 800 lf downstream of Unnamed Tributary 1. The project is located approximately 2.5 miles east of the intersection of SR 53 and SR 36 (Ashville, PA U.S.G.S. Topographic Quadrangle; N:11.9 inches; W:0.5 inches; Latitude: 40° 33' 59.55"; Longitude: -78° 30' 6.68"; Sub-basin 8C), in Dean Township, Cambria County.

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and NOIs for coverage under General Permits. This notice of final action is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.101) and the Federal Clean Water Act (33 U.S.C.A. § 1251—1376).

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

Sections I—VI contain actions regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains notices for parties who have submitted NOIs for Coverage under General NPDES Permits. The approval for coverage

under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions in each General Permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions in the respective permit. The permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

I. NPDES Renewal Permit Actions

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0246646 (Sewage)	Copart Auto Auction 8 Park Drive Grantville, PA 17028-8210	Lebanon County/ East Hanover Township	UNT Swatara Creek/7-D	Y
PA0110442 (Sewage)	Florence E. Shockey Trust (Brookwood Countryside Community MHP) PO Box 1233 Falling Waters, WV 25419	Bedford County/ Bedford Township	Brush Run/11-C	Y
PA0246727 (Sewage)	Dudley-Carbon-Coalmont Joint Municipal Authority PO Box 276 Dudley, PA 16634-0276	Huntingdon County/ Carbon Township	Shoup Run/11-D	Y
PA0085871 (Industrial Waste)	Mount Joy Borough Authority PO Box 25 Mount Joy, PA 17552	Lancaster County/ East Donegal Township	UNT Donegal Creek/7-G	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0208825 (Sewage)	Austin Borough Sewage Plant 122 Costello Road Austin, PA 16720-1905	Potter County Portage Township	Freeman Run (8-A)	Y
PA0039144 (Industrial Waste)	Oswayo Fish Culture Station 96 State Route 244 East Coudersport, PA 16915-9646	Potter County Oswayo Township	Oswayo Creek (16-C)	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0091413 (Sewage)	84 Industrial Park STP Eighty Four Industrial Park Eighty Four, PA 15330	Washington County North Strabane Township	Unnamed Tributary to Chartiers Creek (20-F)	Y
PA0204528	Vanport Township Municipal Authority 285 River Avenue Vanport, PA 15009	Beaver County Brighton Township	Twomile Run (20-B)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0221325 (Sewage)	Abbey Woods Development Street Ives Way Zelienople, PA 16063	Butler County Jackson Township	Unnamed Tributary to Brush Creek (20-C)	Y
PA0037893 (Sewage)	East Brady STP 300 Verner Street East Brady, PA 16028	Clarion County East Brady Borough	Allegheny River (17-C)	Y
PA0034720 (Sewage)	Lakeview Manor MHP 8775 Hemlock Street Meadville, PA 16335	Crawford County Union Township	Unnamed Tributary of French Creek (16-D)	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. PA0053082, Sewage, **Alexander Hionis & Partners**, P. O. Box 208, Mendenhall, PA 19357.

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

Description of Action/Activity: To discharge from a facility known as Mendenhall Inn STP to Craigs Mill Run tributary to Brandywine Creek in Watershed(s) 3-H.

NPDES Permit No. PA0057088, Industrial, **Exelon Generation Company, LLC**, 1 Industrial Highway, Eddystone, PA 19222.

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

Description of Action/Activity: To discharge from a facility known as Exelon Fairless Hills Generating Station to Delaware River in Watershed (s) 2-E.

NPDES Permit No. PA0058831, Industrial, **Queens Produce, LLC**, 554 Creek Road, Kennett Square, PA 19348-2620.

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

Description of Action/Activity: To discharge from a facility known as Queens Produce to East Branch Red Clay Creek in Watershed (s) 3-I.

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

NPDES Permit No. PA0275697, Storm Water, SIC Code 3429, **Dent Design Hardware Ltd**, 298 Keystone Drive, Bethlehem, PA 18020-9464.

This proposed facility is located in Lower Nazareth Township, **Northampton County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated Storm Water.

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

PA0272931, Sewage, SIC Code 8800, **Kashmer Steven**, 330 Main Street, Imperial, PA 15126. Facility Name: Steve Kashmer SRSTP.

This proposed facility is located in Howe Township, **Forest County**.

Description of Proposed Activity: A new NPDES permit for a new discharge of treated sewage from a small flow treatment facility.

PA0272612 A-1, Pesticides, **US DOI Fish & Wildlife Service**, 3090 Wright Street, Marquette, MI 49855-9649.

Description of Existing Activity: Amendment for an existing discharge associated with the application of pesticides in Summerhill and Summit Townships, **Crawford County**.

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. WQG02151501, Sewage, **Willistown Township**, 40 Lloyd Avenue, Suite 204/206, Malvern, PA 19355.

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

Description of Action/Activity: Permitting and existing low pressure sewer system.

WQM Permit No.4602408, Sewage, Amendment, **Upper Gwynedd Towamencin Municipal Authority**, 2225 Kriebel Road, Lansdale, PA 19446.

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

Description of Action/Activity: To amend permit to allow a hydraulic rerate influent flow capacity from 15.2 mgds to 20 mgds.

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

WQM Permit No. 6415401, Sewage, SIC Code 4952, **Newbury LLC**, PO Box 32669, Palm Beach Gardens, FL 33420.

This proposed facility is located in Preston Township, **Wayne County**.

Description of Proposed Action/Activity: For the installation of Phosphorous removal, additional aeration, and effluent dechlorination equipment for the existing Newbury LLC's (Camp Weequahic) wastewater treatment lagoon system.

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

WQM Permit No. WQG01211501, Sewerage, **J. Thomas Derick, Jr.**, 1011 Roxbury Road, Newburg, PA 17240.

This proposed facility is located in Upper Mifflin Township, **Cumberland County**.

Description of Proposed Action/Activity: Permit approval for the construction/operation of a small flow treatment system to serve their single family residence.

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

WQM Permit No. 2714401, Sewage, **Steven Kashmer**, 330 Main Street, Imperial, PA 15126.

This proposed facility is located in Howe Township, **Forest County**.

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

WQM Permit No. 2514404, Sewage, **Summit Township Sewer Authority**, 8890 Old French Road, Erie, PA 16509-5459.

This proposed facility is located in Summit Township, **Erie County**.

Description of Proposed Action/Activity: Construction of sewage pump station, gravity sewers, and force main.

WQM Permit No. WQG01331501, Sewage, **Buffalo & Pittsburgh RR, Inc.**, 201 North Penn Street, Punxsutawney, PA 15767.

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

Description of Proposed Action/Activity: Small Flow Treatment Facility.

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAG133641	Royalton Borough 101 Northumberland Street Middletown, PA 17057-1612	Dauphin	Royalton Borough	UNT 82381 to Susquehanna River and Swatara Creek/WWF, MF
PAG133696	Penn Township 100 Municipal Building Road Duncannon, PA 17020	Perry	Penn Township	Susquehanna River/WWF, MF
PAG133695	Jonestown Borough PO Box 446 295 S. Mill Street Jonestown, PA 17038-0446	Lebanon	Jonestown Borough	Little Swatara Creek and Swatara Creek/WWF, MF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01091108(1)	Bucks County Airport Authority 3879 Old Easton Road P. O. Box 1185 Doylestown, PA 18901	Bucks	Milford Township	Unami Creek HQ
PAI011508051-R	Hellings Properties, L.P. 950 Ridge Road, Suite D-3 Claymont, DE 19703	Chester	East Whiteland Township	Valley Creek EV
PAI011514048	Lionville Retail Center, LLC 120 Arrandale Boulevard Exton, PA 19341	Chester	Uwchlan Township	Pickering Creek HQ-TSF-MF

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011514043	Swedesford Partners, L.P. 1875 Church Road Malvern, PA 19355	Chester	East Whiteland Township	Valley Creek EV
PAI011509037-R	Mr. Samuel Nemroff P. O. Box 240 Wynnewood, PA 19096-0240	Chester	Honey Brook Township	Unnamed Tributary to West Branch of the Brandywine Creek HQ-TSF-MF
PAI011508026-R	Big Elk Associates, L.P. P. O. Box 374 West Grove, PA 19390	Chester	Penn Township	Big Elk Creek HQ-TSF-MF
PAI011514053	Uwchlan Township 715 North Ship Road Exton, PA 19341	Chester	Uwchlan Township	Shamona Creek HQ-TSF Pine Creek HQ-TSF
PAI011514045 (Phase 1 only)	Phoenixville Area School District 386 City Line Avenue Phoenixville, PA 19460	Chester	Schuylkill Township	Unnamed Tributary to Pickering Creek HQ-TSF-MF

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

Lycoming County Conservation District: 542 County Farm Road Suite 202, Montoursville, PA 17754, (570) 433-3003

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI044114006	Hoon Won Compass Natural Gas Partners LP 1865 Center St Camp Hill, PA 17011	Lycoming	Upper Fairfield Township	Loyalsock Creek EV, TSF

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

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

List of NPDES and/or Other General Permit Types

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

*General Permit Type—PAG-02**Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5160.*

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Bensalem Township Bucks County	PAG02000903046(3)	Keystone Turf Club, Inc. & Bensalem Racing Association DBA Philadelphia Park 3001Street Road Bensalem, PA 19020	Unnamed Tributary to Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Northampton Township Bucks County	PAG02000915004	Northampton Township 55 Township Line Road Richboro, PA 18954	Unnamed Tributary to Neshaminy Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Doylestown Township Bucks County	PAG02000915023	Casa Bella Development, LLC 403 Appian Way Doylestown, PA 18901	Unnamed Tributary to Pine Run WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Warrington Township Bucks Township	PAG02000914078	Arvind Bhakta 1409 Grasshopper Lane Gwynedd, PA 19437	Unnamed Tributary to Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Richland Township Bucks County	PAG02000914010	Select Properties 2312 North Broad Street Colmar, PA 18915	Morgan Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Plumstead Township Bucks County	PAG02000915016	Anthony Ventresca 4000 Saw Mill Road Doylestown, PA 18901	Pine Run To North Branch Neshaminy Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Bradford Township Chester County	PAG02001511037-R	Timberlake Townes Bright Glade, LP 55 Country Club Road Downingtown, PA 19335	Unnamed Tributary to East Branch Brandywine Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Easttown Township Chester County	PAG02001514038	John Smirga 7 Village Circle Newtown Square, PA 19073	Unnamed Tributary to Darby Creek CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Nottingham Township Chester County	PAG02001514036	R. Samuel McMichael P. O. Box 296 Oxford, PA 19363	Unnamed Tributary to Northeast Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Vincent, Upper Uwchlan, Uwchlan, East Brandywine, Caln, & West Bradford Townships	ESG00029140001	Melissa Dettling, Principal Natural Resource Permitting Columbia Pipeline Group 5151 San Felipe, Suite 2400 Houston, TX 77056	Multiple	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
New Garden Township Chester County	PAG02001515002	Spencer J. Andress Interim Manager New Garden Township 299 Starr Road Landenberg, PA 19350	Unnamed Tributary to Trout Run CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Caln Township Chester County	PAG02001514023	Leroy J. Lapp 283 Beacon Light Road Parkesburg, PA 19365	Unnamed Tributary to Indian Spring Run CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Highland Township Chester County	PAG02001514041	David Lantz 81 Old Racetrack Road Coatesville, PA 19320	Unnamed Tributary to Birch Run TSF and Birch Run TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
East Bradford Township Chester County	PAG02001514043	Thomas Ciccarone 931 Lenape Road West Chester, PA 19382	Plum Run WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
East Fallowfield Township Chester County	PAG02001515005	Richard W. Tull 80 Rokeby Road Coatesville, PA 19320 Co-Applicant Nadine M. Tull Same address as above	Buck Run TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
New Garden Township Chester County	PAG02001515007	Jonathan Martin, New Garden Township Airport Manager 1235 Newark Road Toughkenamon, PA 19374	East Branch White Clay Creek CWF and Trout Run CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Radnor Township Delaware County	PAG02002314030	Southeastern Pennsylvania Transportation Authority 1234 Market Street Philadelphia, PA 19107	Mill Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Haverford & Upper Darby Townships Delaware County	PAG02002315001	Westport Holdings Company 1200 S. Church Street, Suite 4 Mt. Laurel, NJ 08054	Darby Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Merion Township Montgomery County	PAG02004614068	BAP Bryn Mawr Development, L.P. 300 Conshohocken State Road Suite 360 West Conshohocken, PA 19428	Mill Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lansdale Borough Montgomery County	PAG02004615007	SEPTA 1234 Market Street Philadelphia, PA 19107	West Branch Neshaminy Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Upper Providence Township Montgomery County	PAG02004614012(2)	Providence Corporate Center, LP 100 Springhouse Drive Suite 105 Collegeville, PA 19426	Doe Run TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Waverly Township Dalton Borough Lackawanna County	PAG02003514010	Albert Hazzouri 600 Lackawanna Avenue Scranton, PA 18503	UNT to Ackerly Creek (CWF-MF)	Lackawanna County Conservation District 570-392-3086
City of Allentown Lehigh County	PAG02003914012(1)	Allentown Parking Authority 110 North 6th Street Allentown, PA 18101	Jordan Creek (TSF, MF)	Lehigh County Conservation District 610-391-9583
Polk Township Monroe County	PAG02004514003	Kresgeville DG, LLC 361 Summit Boulevard Suite 110 Birmingham, AL 35243	UNT to Pohopoco Creek (CWF, MF)	Monroe County Conservation District 570-629-3060

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

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Tyrone Township Adams County	PAG02000114034 Issued	Hillandale Gettysburg L.P. 3910 Oxford Road Gettysburg, PA 17325	UNT to Conewago Creek/WWF	Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325 717-334-0636
Todd Township Fulton County	PAG02002914007 Issued	DCNR PO Box 8451, RCSOB 8th Floor Harrisburg, PA 17105-8451	UNT to Licking Creek/CWF	Fulton County Conservation District 216 North Second Street, Suite 15 McConnellsburg, PA 17233 717-485-3547, x121
Lebanon City Lebanon County	PAG02003815003 Issued	Todd M. Shutter 831 Patmar Drive Lebanon, PA 17046	Quittapahilla Creek/TSF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-277-5275
North Cornwall Township Lebanon County	PAG02003815002 Issued	Thomas Long 320 South 18th Street Lebanon, PA 17042	Quittapahilla Creek/TSF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-277-5275
North Lebanon Township Lebanon County	PAG02003814039 Issued	Jason Horowitz 9010 Overlook Boulevard Brentwood, TN 37027	UNT to Swatara Creek/WWF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-277-5275

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<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
South Lebanon Township Lebanon County	PAG02003814041 Issued	Daryl Reiff 500 Killinger Road Annville, PA 17003	Killinger Creek/TSF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-277-5275
Jackson Township Lebanon County	PAG02003814032 Issued	Patrick J. Durning 401 Weavertown Road Myerstown, PA 17067	Tulpehocken Creek/TSF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-277-5275
North Cornwall Township Lebanon County	PAG02003414042 Issued	Kenneth Beuley 5935 Carnegie Boulevard Suite 200 Charlotte, NC 28209	Snitz Creek/TSF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-277-5275
Fairview Township York County & Steelton Borough, Dauphin County	PAG02006714007-1 Issued	UGI Utilities, Inc. 2525 North 12th Street Suite 360 PO Box 12677 Reading, PA 19612	Susquehanna River/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430
East Manchester Township York County	PAG02006714019 Issued	Kinsley Equities II, LP 6259 Reynolds Mill Road Seven Valleys, PA 17360	Little Conewago Creek/TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430

Northcentral Region: Waterways & Wetlands Program Manager; 208 West Third Street, Williamsport, PA 17701, 570.327.3636

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Centre County Ferguson Twp	PAG02001415001	Mr Wes Rogers 455 Epps Bridge Pkwy Bldg 100 Ste 201 Athens, GA 30606	UNT to Slab Cabin Run CWF, MF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817
Centre County Harris Twp	PAG02001415004	Mr. Kris Oliver 616 Channel Court Newark, DE 19702	UNT to Slab Cabin Run CWF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817
Clearfield County Cooper Twp	PAG02001714013	Midwest XV LLC 403 Oak St Spring Lake, MI 49456	Sulphur Run CWF	Clearfield County Conservation District 511 Spruce St Ste 6 Clearfield, PA 16830 (814) 765-2629
Columbia County Town of Bloomsburg	PAG02001914010	Richard Kisner Bloom Mills LP 700 Sawmill Rd Ste 101 Bloomsburg, PA 17815	UNT to Fishing Creek CWF, MF	Columbia County Conservation District 702 Sawmill Rd Ste 204 Bloomsburg, PA 17815 (570) 784-1310 X 102

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Union County Kelly Twp	PAG02006015003	Heath & Jessica Oberlis 3013 Hoffa Mill Rd Lewisburg, PA 17837	UNT to Little Buffalo Creek CWF	Union County Conservation District Union County Government Center 155 N 15th St Lewisburg, PA 17837 (570) 524-3860

Northwest Regional Office—Waterways and Wetlands, 230 Chestnut Street, Meadville, PA 16335

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Penn Township Butler County	PAG02001013011(1)	RES Water—Butler LLC 215 Hicks Road Renfrew, PA 16053	Connoquenessing Creek WWF	Butler County Conservation District 724-284-5270
Adams Township Butler County	PAG02001015007	Weaver Master Builders, Inc. c/o Mr. William J. Weaver PO Box 449 Mars, PA 16046	UNT Kaufmann Run WWF	Butler County Conservation District 724-284-5270
Penn Township Butler Township	PAG02001015008	Diehl Automotive Group 258 Pittsburgh Road Butler, PA 16002	UNT Thorn Creek CWF and UNT Connoquenessing Creek WWF	Butler County Conservation District 724-284-5270
Fairview Township Erie County	PAG02002514025	EGR Properties LLC 6610 West Lake Road Fairview, PA 16415	Lake Erie CWF	Erie County Conservation District 814-825-6403
Washington Township Jefferson County	PAG02003314003	Russell Real Estate LLC 2640 Greenville Pike Grampain, PA 16838	Wolf Run CWF; TSF	Jefferson County Conservation District 814-849-7463

General Permit Type—PAG-03

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Parryville Borough Carbon County	PAR212216	Rock Hill Concrete Inc. Rock Hill Parryville Plant 339 School Street Suite #001 Catasauqua, PA 18032-1832	Unnamed Tributary to Pohopoco Creek—2-B	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Luzerne Township Fayette County	PAG036134	Fenner Dunlop Americas, Inc. 120 Mine Street Allison, PA 15413	Dunlap Creek—19-C	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Quemahoning Township Somerset County	PAR606158	Kantner Iron & Steel Inc. 365 Bassett Road Hooversville, PA 15936-7608	Stonycreek River—18-E	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</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Cumberland County/ Upper Mifflin Township	PAG043943	J. Thomas Derick, Jr. 1011 Roxbury Road Newburg, PA 17240	UNT Three Square Hollow Run/ WWF, MF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Bell Township Jefferson County	PAG041184	Buffalo & Pittsburgh RR Inc. 201 N Penn Street Punxsutawney, PA 15767-2135	Mahoning Creek—17-D	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street, Meadville, PA 16335-3481 814.332.6942

General Permit Type—PAG-12

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Lancaster County/ Paradise Township	PAG123679	Terry Hershey 573 Strasburg Road Paradise, PA 17562	Eshelman Run/CWF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Lancaster County/ Sadsbury Township	PAG123674	Keith Beiler 2185 Smyrna Road Paradise, PA 17562	Williams Run/TSF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Lancaster County/ West Cocalico Township	PAG123766	Edward Hartman (Scattered Acres Farm) 900 Galen Hall Road Reinholds, PA 17569	UNT Little Cocalico Creek/TSF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

General Permit Type—PAG-13

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>DEP Protocol (Y/N)</i>
PAG133548	Carroll Township 555 Chestnut Grove Road Dillsburg, PA 17019	York	Carroll Township	Dogwood Run, Fishers Run, Stony Run and Yellow Breeches Creek/ CWF, MF	Y
PAG133591	Annville Township 36 North Lancaster Street PO Box 178 Annville, PA 17003	Lebanon	Annville Township	Quittapahilla Creek/ TSF, MF	Y
PAG133500	South Hanover Township 111 W. Third Street Hershey, PA 17033	Dauphin	South Hanover Township	Swatara Creek, Kellock Run and Beaver Creek/ WWF, MF	Y

PUBLIC WATER SUPPLY PERMITS

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be

sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to

the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

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

Permit No. 4615502, Minor Amendment. Public Water Supply.

Applicant	Aqua Pennsylvania, Inc. 762 West Lancaster Avenue Bryn Mawr, PA 19010
Township	Upper Moreland
County	Montgomery
Type of Facility	PWS
Consulting Engineer	Gannett Fleming, Inc. P. O. Box 1963 Harrisburg, PA 17105
Permit to Construct Issued	March 17, 2015

Permit No. 2315503, Minor Amendment. Public Water Supply.

Applicant	Aqua Pennsylvania, Inc. 762 West Lancaster Avenue Bryn Mawr, PA 19010
Township	Middletown
County	Delaware
Type of Facility	PWS
Consulting Engineer	Aqua Pennsylvania, Inc. 762 West Lancaster Avenue Bryn Mawr, PA 19010
Permit to Operate Issued	March 17, 2015

Permit No. 2315504, Minor Amendment. Public Water Supply.

Applicant	Aqua Pennsylvania, Inc. 762 West Lancaster Avenue Bryn Mawr, PA 19010
Township	Middletown
County	Delaware
Type of Facility	PWS
Consulting Engineer	Aqua Pennsylvania, Inc. 762 West Lancaster Avenue Bryn Mawr, PA 19010
Permit to Operate Issued	March 17, 2015

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

Permit No. 3515502MA, Public Water Supply.

Applicant	PA American Water 800 W. Hershey Park Drive Hershey, PA. 17033
[Borough or Township]	Scott Township
County	Lackawanna
Responsible Official	Mr. David Kaufman Vice-President—Engineering
Type of Facility	PWS
Consulting Engineer	Mr. John P. Scheuer, PE Cardno BCM 1001 Lackawanna Trail Clarks Summit, PA 18411
Permit to Construct Issued	March 9, 2015

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

Permit No. 2115501 MA, Minor Amendment, Public Water Supply.

Applicant	United States Army Carlisle Barracks
Municipality	Federal Borough
County	Cumberland
Responsible Official	Thomas J. Kelly, Director 309 Engineer Avenue Attn; ATZE-DPW Carlisle, PA 17013-5059
Type of Facility	Rehabilitation and refinishing of Tank No. 117.
Consulting Engineer	Chi S. Lee, P.E. Chi S. Lee, P.E., S.E. 5801 Lorraine Avenue Sioux City, IA 51106
Permit to Construct Issued	3/13/2015

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

Permit No. 4115501—Construction—Public Water Supply.

Applicant	Foxcroft Manor Mobile Home Park
Township/Borough	Muncy Creek Township
County	Lycoming
Responsible Official	Mr. Jon P. Hall Foxcroft Manor Mobile Home Park P. O. Box 438 Montoursville, PA 17754
Type of Facility	Public Water Supply
Consulting Engineer	Charles Axtman, P.E. Axtman Engineering, Inc. P. O. Box 62 Turbotville, PA 17772

Permit Issued March 19, 2015
 Description of Action Installation of a wellhead pellet chlorine injection system to reduce iron bacteria and provision of an additional 3,000 gallon storage tank.

Permit No. 4114506MA—Construction—Public Water Supply.

Applicant **Montgomery Water and Sewer Authority**
 Township/Borough Clinton Township
 County **Lycoming**
 Responsible Official John N. Lynch, Sr., Executive Director
 Montgomery Water and Sewer Authority
 35 South Main Street
 Montgomery, PA 17752

Type of Facility Public Water Supply
 Consulting Engineer Paul Krizan, P.E.
 Larson Design Group
 1000 Commerce Park Drive
 Williamsport, PA 17701

Permit Issued March 20, 2015
 Description of Action Construction of 1 MG per-cast concrete water storage tank meeting AWWA Standard D-110 and relocation of the skid-mounted LCRMS booster pump.

Permit No. 1415501MA—Construction and Operation—Public Water Supply.

Applicant **SCI Rockview**
 Township/Borough Benner Township
 County **Centre**
 Responsible Official Steven Glunt, Superintendent
 Department of Corrections—SCI
 Rockview
 Box A, Rockview Place
 Bellefonte, PA 16823

Type of Facility Public Water Supply
 Consulting Engineer Carol A. Piontkowski, P.E.
 Department of Corrections
 Bureau of Operations
 1920 Technology Parkway
 Mechanicsburg, PA 17050

Permit Issued March 23, 2015
 Description of Action Addition of caustic soda to increase the pH at the Rockview Filtration Plant.

Permit No. 4114507MA—Construction—Public Water Supply.

Applicant **Jersey Shore Area Joint Water Authority**
 Township/Borough Benner Township
 County **Centre**

Responsible Official Michael C. Zellers, Manager
 Jersey Shore Area Joint Water Authority
 P. O. Box 5046
 1111 Bardo Avenue
 Jersey Shore, PA 17740

Type of Facility Public Water Supply
 Consulting Engineer Paul A. Krizan, P.E.
 Larson Design Group
 1000 Commerce Park Drive
 Suite 201
 Williamsport, PA 17701

Permit Issued March 24, 2015
 Description of Action Repainting and improvements to the settling tank and clearwell at Pine Creek Filter Plant.

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

Permit No. 0214541, Public Water Supply.

Applicant **Fawn-Frazer Joint Water Authority**
 326 Donnellsville Road
 Natrona Heights, PA 15065

[Borough or Township] Fawn Township
 County **Allegheny**
 Type of Facility Burtner water storage tank
 Consulting Engineer Bankson Engineers, Inc.
 267 Blue Run Road
 Suite 200
 Cheswick, PA 15024

Permit to Construct Issued March 16, 2015

Permit No. 0214542, Public Water Supply.

Applicant **Fawn-Frazer Joint Water Authority**
 326 Donnellsville Road
 Natrona Heights, PA 15065

[Borough or Township] Fawn Township
 County **Allegheny**
 Type of Facility Yutes Run #1 water storage tank
 Consulting Engineer Bankson Engineers, Inc.
 267 Blue Run Road
 Suite 200
 Cheswick, PA 15024

Permit to Construct Issued March 16, 2015

Permit No. 0214543, Public Water Supply.

Applicant **Fawn-Frazer Joint Water Authority**
 326 Donnellsville Road
 Natrona Heights, PA 15065

[Borough or Township] Fawn Township
 County **Allegheny**
 Type of Facility Yutes Run #2 water storage tank

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

Permit to Construct March 16, 2015
Issued

Operations Permit issued to: **Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033 (PWSID #5020039) Cecil Township, **Washington County** on March 16, 2015 for the operation of facilities approved under Construction Permit # 0214508MA.

Operations Permit issued to: **Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033 (PWSID #5020039) Cecil Township, **Washington County** on March 16, 2015 for the operation of facilities approved under Construction Permit # 0214512MA.

Operations Permit issued to: **Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033 (PWSID #5020039) Cecil Township, **Washington County** on March 16, 2015 for the operation of facilities approved under Construction Permit # 0214513MA.

Operations Permit issued to: **Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033 (PWSID #5020039) Cecil Township, **Washington County** on March 16, 2015 for the operation of facilities approved under Construction Permit # 0214515MA.

Operations Permit issued to: **Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033 (PWSID #5020039) Cecil Township, **Washington County** on March 16, 2015 for the operation of facilities approved under Construction Permit # 0214517MA.

Operations Permit issued to: **Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033 (PWSID #5020039) Cecil Township, **Washington County** on March 16, 2015 for the operation of facilities approved under Construction Permit # 0214518MA.

Operations Permit issued to: **Kittanning Suburban Joint Water Authority**, 710 Tarrtown Road, Kittanning, PA 16210 (PWSID #5030043) East Franklin Township, **Armstrong County** on March 16, 2015 for the operation of facilities approved under Construction Permit #0313504.

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

Permit No., 1014507 Public Water Supply

Applicant **Francis and Cynthia Thompson d/b/a Thompson's Country Market**

Township or Borough West Sunbury Borough
County **Butler**

Type of Facility Public Water Supply

Consulting Engineer William P. Deemer, P.E.
William P. Deemer & Associates
205-B South Duffy Road
Butler, PA 16001

Permit to Construct March 20, 2015
Issued

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Valley Township	Valley Township Supervisors 5 Indian Run Road Danville, PA 17821	Montour

Plan Description: The approved plan provides for revising their original 537 plan approval of conveying their sewage through Danville Borough's conveyance system to construction of their own forcemain through Danville directly to the Danville Sewage 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.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Tilden Township	874 Hex Highway Hamburg, PA 19526	Berks

Plan Description: The Request for a Planning Exemption for the Cabela's Outparcel Subdivision, DEP Code No. A3-06965-126-3E, APS Id 866009, which proposes two new commercial lots generating sewage flows of 800 gallons per day to be served by Tilden Township Sewers and the Hamburg Municipal Authority Wastewater Treatment Plant is disapproved. The proposed development is located off of Cabela Drive, west of PA Route 61. The submission does not qualify as an exemption from the requirement to revise the Official Plan because the subdivision proposes the connection to or an extension of public sewers where the existing collection, conveyance or treatment facilities have an existing or a 5-year projected hydraulic or organic overload under Chapter 94 and as per Chapter 71, Section 71.51(b)(2)(ii).

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Fayette Township	181 Bunkertown Rd McAlisterville, PA 17049	Dauphin

Plan Description: The Request for a Planning Exemption for the Chubb Subdivision, DEP Code No. A3-34903-218-3E, APS Id 866424, which proposes one new single family residential lot to be served by the McAlisterville Area Joint Authority's Sewers and Wastewater Treatment Plant, is disapproved. The proposed subdivision is located northwest of the junction of McAlister Street and Dunn Valley Road. The submission does not qualify as an

exemption from the requirement to revise the Official Plan because the subdivision proposes the connection to or an extension of public sewers where the existing collection, conveyance or treatment facilities have an existing or a 5-year projected hydraulic or organic overload under Chapter 94 and as per Chapter 71, Section 71.51(b)(2)(ii).

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 2

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

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

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

The Department has received the following plans and reports:

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

Metric Transport, I-80 @ MM 219W, Liberty Township, **Montour County**. Northridge Group, Inc., P. O. Box 231, Northumberland, PA 17857, on behalf of Metric

Transport, 16 West 10th Street, Linden, NJ 07036 has submitted a Final Report concerning remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Cumene, Naphthalene, 1,3,5-Trimethylbenzene, 1,2,4-Trimethylbenzene, Methyl Tertiary Butyl Ether, Benzo(a)anthracene, Benzo(a)pyrene, Benzo(b)fluoranthene, Benzo(g,h,i)perylene, Chrysene, Indeno (1,2,3-cd) pyrene, Pyrene, Lead. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

Majestic Bethlehem Center—Lot 3, 3419 Commerce Center Boulevard, City of Bethlehem, **Northampton County**, Thomas Nowlan, O'Brien & Gere Engineers, Inc., has submitted a Final Report on behalf of his client, Mr. Edward P. Roski, Jr., Bethlehem Commerce Center, LLC, 13191 Crossroads Parkway North, 6th Floor, City of Industry, CA 91746, concerning the remediation of soil contaminated with, Boron, Thallium, Benzo[a]pyrene, Lead, Arsenic, Antimony, and Iron. The report is intended to document remediation of the site to meet the SIA and Non-Residential Site Specific Standards for soils. The intended future use of the property will be industrial.

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

Former Armstrong Environmental Services Facility, 205 Greenfield Road, Lancaster, PA, East Lampeter Township, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of 205 Greenfield Road LLP, 5 Holland Street, Salunga, PA 17538, submitted a Remedial Investigation Report and Cleanup Plan concerning remediation of site soils and groundwater contaminated with No. 2 fuel oil. The site is being remediated to a combination of Residential Statewide Health and Site Specific Standards.

4532 East Prospect Road Property, York, PA 17402, Lower Windsor Township, **York County**. Geo-Technology Associates, Inc., 3445-A Box Hill Corporate Center Drive, Abingdon, MD 21009, on behalf of Estate of Horace Heindel, c/o Donald Heindel, 685 Stonewood Road, York, PA 17402, submitted a Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with gasoline and kerosene released from unregulated underground storage tanks. The site is being remediated to the Site Specific Standard.

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

JA Trucking, Inc./Geshinsky Right of Way, 212 County Lane, West Newton, South Huntingdon Township, **Westmoreland County**. JA Trucking, Inc., 212 Country Lane, West Newton, PA 15089 has submitted a Final Report concerning the remediation of site soils contaminated with diesel fuel. The Final Report is intended to document remediation of the site to meet the residential Statewide Health standard. Notice of the Final Report was published in the *Times Sun* on February 19, 2015.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995
PREAMBLE 3

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

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

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

The Department has received the following plans and reports:

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

Norfolk Southern Lucknow Terminal, 3322 Industrial Road, Harrisburg, PA 17110, City of Harrisburg, **Dauphin County**. AECOM Technical Services, Inc., 100 Sterling Parkway, Suite 205, Mechanicsburg, PA 17050,

on behalf of Norfolk Southern Corporation, 1200 Peachtree Street, NE, Box 13, Atlanta, GA 30309, submitted a Final Report concerning remediation of site soils contaminated with diesel fuel. The Final Report demonstrated attainment of the Nonresidential Statewide Health Standard, and was approved by the Department on March 19, 2015.

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

Richard E. Feldman Property, 5552 West Ridge Road, Millcreek Township, **Erie County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412, on behalf of Jon M. & Janet E. Skrabacz, 5404 Pinehurst Drive, Erie, PA 16509, submitted a Final Report concerning the remediation of site soils contaminated with Benzene, Ethylbenzene, Isopropylbenzene (Cumene), Methyl-tert-butyl-ether, Naphthalene, 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene, and Toluene. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on March 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.

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

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

GP5-58-014A: Susquehanna Gathering Company I, LLC (1429 Oliver Road, New Milford, PA 18834) on February 23, 2015, to construct and operate 12 IC Engines, one (1) generator, two (2) dehydrators, and two (2) condensate tanks at a Natural Gas Compressor Station site in New Milford Twp., **Susquehanna County**.

GP9-39-007: DVS Enterprises (5285 West Coplay Road, Whitehall, PA 18052) on January 29, 2015, to install and operate one (1) Diesel I/C engines at their facility in Whitehall Township, **Lehigh County**.

GP11-58-007: Bluestone Pipeline Co. of PA (1429 Oliver Road, New Milford, PA 18834) on February 23, 2015, to operate three (3) nonroad engines at their Harmony Compressor Station in Harmony Township, **Susquehanna County**.

GP3-40-009: Pennsy Supply, Inc. (1001 Paxton Street, Harrisburg, PA 17104) on March 23, 2015, to construct and operate a Portable Crushing Operation with water sprays at Route 81 Mile Marker 178 in Jenkins Township, **Luzerne County**.

GP11-40-009: Pennsy Supply, Inc. (1001 Paxton Street, Harrisburg, PA 17104) on March 23, 2015, to install and operate three (3) nonroad engines at Route 81 Mile Marker 178 in Jenkins Township, **Luzerne County**.

GP3-66-002: Meshoppen Stone, Inc. (P. O. Box 127, Meshoppen, PA 18630) on January 29, 2015, to construct and operate a Portable Crushing Operation with water sprays at Carter Quarry in Meshoppen Township, **Wyoming County**.

GP9-66-002: Meshoppen Stone, Inc. (P. O. Box 127, Meshoppen, PA 18630) on January 29, 2015, to install and operate eight (8) Diesel I/C engines at the Carter Quarry in Meshoppen Township, **Wyoming County**.

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

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

GP14-80-304: Darlene H. Barber d/b/a Southern Tier Crematory (17219 Berwick Turnpike, Gillett, PA 16925) on March 18, 2015, for the operation of a Crematory Manufacturing & Services, Inc. Millennium III human crematory incinerator under the General Plan Approval and/or General Operating Permit for Human or Animal Crematories (BAQ-GPA/GP-14) at a site in Ridgebury Township, **Bradford County**.

GP3-18-216: Liberty Excavators, Inc. (4402 Gettysburg Road, Camp Hill, PA 17011) on March 12, 2015, to construct and operate a portable non-metallic mineral jaw crusher with associated water spray dust suppression systems pursuant to the General Plan Approval and/or General Operating Permit for Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at First Quality Warehouse Building 10 in Wayne Township, **Clinton County**.

GP11-18-216: Liberty Excavators, Inc. (4402 Gettysburg Road, Camp Hill, PA 17011) on March 12, 2015, to construct and operate three (3) diesel-fired engines (a Caterpillar model C-12 BDL03201 425 horsepower (hp) engine to power the Trakpactor crusher, a Deutz model BFM2012 109 hp engine to power the Powerscreen 2100 and a Cummins 85 hp engine to power the Powerscreen M85 stacking conveyor) pursuant to the General Plan Approval and/or General Operating Permit (BAQ-GPA/GP-11): Nonroad Engines at First Quality Warehouse Building 10 in Wayne Township, **Clinton County**.

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

Contact: M. Gorog & B. Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226

GP5-30-00222B: Appalachia Midstream Services, LLC (P. O. Box 54382, Oklahoma City, OK 73154-1382) on March 20, 2015, to allow the construction and operation of one (1) proposed TEG Dehydrator, rated at 100 MMscf/ds attached to a flash tank, a BTEX condenser, and a natural gas fired reboiler rated at 2.0 MMBtus/hr and continued operation of the previously installed sources which include two (2) TEG dehydrators each rated at 55 MMscf/ds attached to two (2) flash tanks, two (2) BTEX condensers, and two (2) natural gas fired reboilers each rated at 1.0 MMBtu/hr, two (2) natural gas fired lineheaters each rated at 3.5 MMBtus/hr, and one (1) 400 bbls storage tank at their Wind Ridge Gathering Facility, located in Richhill Township, **Greene County**.

GP5-63-00993: Rover Pipeline LLC (1300 Main Street, Houston, TX 77002) on March 20, 2015, to allow the construction and operation of new proposed three (3) Caterpillar, Model G3520B, 4-S LB, natural gas fired compressor engines, each rated at 1,725 bhps, controlled by Miratech oxidation catalysts, and regulated by air/fuel ratio controllers, and five (5) storage tanks of various capacities at their Burgettstown Compressor Station, located in Smith Township, **Washington County**.

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

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

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

39-00011B: Lafarge North America, Inc. (5160 Main Street, Whitehall, PA 18052) on January 19, 2015, for installation of a natural gas burner to be used for kiln startup only on Kiln 2 and Kiln 3 at their Whitehall Plant in Whitehall Township, **Lehigh County**.

54-00009A: Omnova Solutions Inc. (95 Hicory Drive Auburn, PA 17922) on January 26, 2015, to construct a new coating station and drying oven at their facility in West Brunswick Township, **Schuylkill County**.

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

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

67-03162C: Church & Dwight, Inc. (5197 Commerce Drive, York, PA 17408) on March 10, 2015, for construction of a new vitamin and mineral supplements production line at the Davies Facility located in Jackson Township, **York County**.

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

Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6636

25-1011A: Dusckas-Martin Funeral Home Inc. (4216 Sterrettania Road, Erie, PA 16506) on March 17, 2015, issued a plan approval for the continuance of operation of their existing human crematory located in Millcreek Township, **Erie County**.

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

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

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

09-0226: Nosco ODSC, Inc. (1504 Grundy Lane, Units 4-8, Bristol, PA 19007) on March 13, 2015, to manufacturing commercial printing in Bristol Township, **Bucks County**.

23-0066C: Pyromet (5 Commerce Dr. Aston, PA 19014-3201) on March 19, 2015, to manufacturing secondary nonferrous metals in Chester Township, **Delaware County**.

46-0279: West Laurel Hill Cemetery (215 Belmont Avenue, Bala Cynwyd, PA 19004) on March 19, 2015, to services of funeral and crematories in Lower Merion Township, **Montgomery County**.

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

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

07-05021B: Albemarle Corporation (2858 Back Vail Road, Tyrone, PA 16686-8100) on March 13, 2015, for the installation of two (2) scrubbers. The scrubbers will be used to control emissions generated from existing chemical processing equipment at their Tyrone Facility in Tyrone Borough, **Blair County**. The plan approval was extended.

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

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

08-313-004K: Global Tungsten & Powders Corp. (1 Hawes Street, Towanda, PA 18848) on March 19, 2015, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from April 23, 2015, to October 20, 2015, at their facility located in Towanda Borough, **Bradford County**. The plan approval has been extended.

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

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

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

15-00005: West Chester University of PA (201 Carter Drive, Suite, 100, West Chester, PA 19383) on March 18, 2015, for a Title V Operating Permit in West Chester Borough, **Chester County**. This action is a renewal of the Title V Operating Permit. The existing permit was initially renewed on July 7, 2004, and was subsequently renewed on September 25, 2009. The facility is a university campus that operates boilers and emergency generators. As a result of potential emissions of oxides of nitrogen and oxides of sulfur, the facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments, and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The proposed Title V Operating Renewal includes any change in air emissions from the facility. The facility is not subject to Compliance Assurance Monitoring (CAM) pursuant to 40 CFR Part 64.

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

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

05-05027: Corle Building Systems, Inc. (404 Sarah Furnace Road, Imler, PA 16655-8438) on March 18, 2015, for the metal building panel manufacturing facility in King Township, **Bedford County**.

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

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

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

39-00013: Kraft Foods Group, Inc. (7352 Industrial Blvd., Allentown, PA 18106-9344) on February 17, 2015, for dressing and other prepared sauce, coffee and tea manufacturing in Upper Macungie Township, **Lehigh County**. The sources consist of boilers, emergency generators, and mustard seed silo and transfers. The control devices for the mustard seed silo and transfers are baghouses. The sources are considered minor emission sources of oxides of nitrogen (NO_x), oxides of sulfur (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and volatile organic compounds (VOC). This is a renewal of the State-Only Synthetic Minor operating permit. The State-Only operating permit includes applicable state and federal requirements, work practice standards, testing, monitoring, recordkeeping and reporting requirements.

48-00038: Specialty Minerals, Inc. (640 N. 13th Street, Easton, PA 18042-1431) on March 20, 2015, for commercial physical research services in Easton, **Northampton County**. The primary sources are boilers and machine shops. The control devices are baghouses. The sources are considered minor emission sources of NO_x, SO_x, CO, total suspended particulate (TSP) and VOCs. This is a renewal of the State-Only Natural Minor operating permit. The State-Only operating permit includes applicable state and federal requirements, work practice standards, testing, monitoring, recordkeeping and reporting requirements.

54-00072: JELD-WEN Inc./Pottsville (1162 Keystone Blvd., Pottsville, PA 17901-9055) on March 20, 2015, for manufacturing of wood products located in Cass Township, **Schuylkill County**. The primary sources consist of layup lines, routers, and paint booths. The control devices are baghouses and panel filters. The sources are considered minor emission sources of NO_x, SO_x, CO, TSP, and VOC emissions. This is a renewal State-Only Natural Minor operating permit. The State-Only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

54-00075: D.G. Yuengling and Sons, Inc. (310 Mill Creek Avenue, Pottsville, PA 17901) issued on March 24, 2015, for the operation of a brewing operation located in Pottsville Borough, **Schuylkill County**. The sources at the facility consist of three (3) boilers and an aerobic reactor. The control devices for the reactor are a packed tower scrubber and carbon absorber unit. This is a renewal of a State-Only Operating Permit. The State-Only operating permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

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

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

06-05151: PA State System of Higher Education-Kutztown University (15200 Kutztown Road, PO Box 730, Kutztown, PA 19530-0730) on March 10, 2015, for the boilers, heaters, generators and other air emission sources at the Kutztown University in Maxatawny Township, **Berks County**.

07-03043: McLanahan Corporation (200 Wall Street, Hollidaysburg, PA 16648-1637) on March 17, 2015, for their gray iron foundry located in Hollidaysburg Borough, **Blair County**. The State-Only permit was renewed.

07-03051: Sheetz, Inc. (242 Sheetz Way, Claysburg, PA 16625-9700) on March 16, 2015, for the baked products manufacturing facility in Greenfield Township, **Blair County**. The State-Only permit was renewed.

38-03001: Lebanon Chemical Corp. (1600 E. Cumberland Street, Lebanon, PA 17042-8323) on March 16, 2015, for the fertilizer mixing, drying and bagging operation located in South Lebanon Township, **Lebanon County**. The State-Only permit was renewed.

67-03031: Pennex Aluminum Co. (PO Box 100, Wellsville, PA 17365-0100) on March 17, 2015, for the secondary aluminum re-melting and extrusion facility in Wellsville Borough, **York County**. The State-Only permit was renewed.

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

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

49-00036: Anthracite Industries, Inc. (P. O. Box 112, Sunbury, PA 17801-0112) on March 17, 2015, for operation of their Sunbury facility located in Upper Augusta Township, **Northumberland County**. The State-Only operating permit contains requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations.

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

Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-616636

42-00192: IA Construction Corporation, McKean Plant (7024 Highway 59, Lewis Run, PA 16738) on March 18, 2015, for renewal of a Synthetic Minor Permit to operate a hot mix asphalt plant located in Lafayette Township, **McKean County**. The emitting sources are: 1) Hot mix asphalt batch plant, 2) Fugitives from transfer point, 3) Propane storage tank (30,000 gallons) and, 4) Portable Crusher, Screen and Diesel Generator. The facility has taken a restriction on production not exceeding 495,000 tons per year to qualify as a Synthetic Minor facility. The emission inventory submitted by the facility for 2013: CO: 12.04 Tons per year, NO_x: 1.40 TPY, Particulate matter less than 10 micron size (PM₁₀): 3.97 TPY, SO_x: 0.14 TPY, VOC: 0.25 TPY, Carbon Dioxide (CO₂): 1,163.42 TPY, Particulate Matter, Condensable: 1.26 TPY, Benzaldehyde: 0.0030 TPY.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19428

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

46-00001: JBS Souderton, Inc. (741 Souder Road, Souderton, PA 18964) located in Franconia Township, **Montgomery County**. The Title V facility is a meat-packing and rendering plant, which emits major levels of Nitrogen Oxides (NO_x). The Minor Modification of Title V Operating Permit is issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.462. The modification addresses a change to the chemistry of the existing scrubbing system (Control Devices: C02—Batch Packed Tower 1, C03—Batch Packed Tower 2, C06—Continuous Packed Tower 1, C07—Continuous Packed Tower 2). The permit contains all applicable requirements including monitoring, recordkeeping and reporting. Sources at this facility are not subject to Compliance Assurance Monitoring (CAM) pursuant to 40 CFR Part 64 because the existing control devices are not used to reduce emissions for which the facility is major (NO_x).

09-00142: ML 35 LLC (35 Runway Road, Levittown, PA 19057-4700) has been amended to incorporate the requirements of Plan Approval No. 09-0142C into the State Only Operating Permit for a plant in Bristol Township, **Bucks County**. The amended State-Only Operating Permit contains all of the applicable regulatory requirements including monitoring, recordkeeping, reporting, work practice requirements, and emission limits.

De Minimis Emissions Increase Authorized.

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

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

22-05012: ArcelorMittal Steelton, LLC (215 S. Front Street, Steelton, PA 17113-2538). Pursuant to 25 Pa. Code § 127.449(i), this *PA Bulletin* Notice is for the de minimis emissions increase of 0.17 tpy PM₁₀, 0.41 tpy SO_x, 0.94 tpy CO, 0.39 tpy NO_x, & 0.01 tpy VOC resulting from the modification of Source IDs 032A & 035A in Steelton Borough, **Dauphin County**. The modification allows the boilers to combust a limited amount of No. 2 fuel oil during periods of gas curtailment, gas supply interruption, startups, or periodic testing. This is the first de minimis emissions increase at the facility during the term of the current operating permit.

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

Contact: Barbara Hatch, Facilities Permitting Chief—Telephone: 412-442-4174

63-00154: MCC International, Inc. (110 Centrifugal Court, McDonald, PA 15231). Per 25 Pa. Code § 127.449(i), this Notice is for the following de minimis emission increase at the MCC International facility, located in Cecil Township, **Washington County**:

Project to install and operate two (2) new electric induction furnaces each rated at a melt capacity of 2,000 pounds of alloys and controlled by an existing dust collector rated at 10,000 acfms at 100°F. Emissions from the existing dust collector shall not exceed 0.005gr/dscf. The total emissions from a single source will not exceed 0.6 tpy; and that the total PM₁₀ emissions from this project will not exceed 0.6 tpy.

The list of de minimis increases for this facility includes only this project.

Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act and 25 Pa. Code §§ 127.431 and 127.461.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19428

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

23-00049: PPL Interstate Energy Company (1111 Ridge Road, Linwood, PA 19061) located in Lower Chichester Township, **Delaware County**, for revocation of State-Only (Synthetic Minor) Operating Permit No. 23-00049. The mainline fuel heaters and maintenance heater at the facility historically functioned to facilitate the transport via pipeline of No. 6 fuel oil from Sunoco, Inc. (R&M)'s former Marcus Hook refinery to PPL's Martins Creek Power Plant. Since No. 6 fuel oil is no longer consumed at PPL's Martins Creek Power Plant, the mainline fuel heaters and maintenance heater will no longer be used.

While the three (3) mainline fuel heaters and maintenance heater are still located at the facility, all associated fuel sources have been removed and/or disconnected, and all associated electrical lines have been disconnected. Since the three (3) mainline fuel heaters and maintenance heater have each been out of operation for more than one (1) year, PPL is no longer eligible to apply for Emission Reduction Credits for the shutdown of these sources.

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

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

30841316 and NPDES No. PA0213535. Consol Pennsylvania Coal Company LLC, (1525 Pleasant

Grove Road, PO Box J, Claysville, PA 15323). To revise the permit for the Bailey Mine & Prep Plant in Richhill Township, **Greene County** and related NPDES to install the 2L-1 degas borehole. Surface Acres Proposed 3.5. No additional discharges. The application was considered administratively complete on October 23, 2014. Application received August 18, 2014. Permit issued: March 16, 2015.

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931-4119, 814-472-1900

Permit No. 56080104 and NPDES PA0262625, Rosebud Mining Co., 301 Market Street, Kittanning, PA 16201, renewal for the continued operation and restoration of a bituminous surface and auger mine in Paint and Adams Townships, **Somerset and Cambria Counties**, affecting 252.9 acres. Receiving stream: unnamed tributary to/and Paint Creek classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: September 30, 2014. Permit issued: March 16, 2015.

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

16140104 and NPDES Permit No. PA0259519. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001) Commencement, operation and restoration of a bituminous surface mine and associated NPDES permit in Limestone Township, **Clarion County**, affecting 78.0 acres. Receiving streams: Unnamed tributaries to Sloan Run and Parsons Run. Application received: August 12, 2014. Permit Issued: March 16, 2015.

1475-16140104-E-1. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001) Application for a stream encroachment to conduct mining activities within 100 feet of unnamed tributary No. 9 to Parsons Run in Limestone Township, **Clarion County**. Receiving streams: Unnamed tributaries to Sloan Run and Parsons Run. Application received: August 12, 2014. Permit Issued: March 16, 2015.

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

65990101 and NPDES Permit No. PA0202428. Coal Loaders, Inc. (210 East Main Street, Ligonier, PA 15658). Renewal permit issued for reclamation only to an existing bituminous surface mine, located in South Huntingdon Township, **Westmoreland County**, affecting 19 acres. Receiving stream: unnamed tributary to the Youghiogheny River. Application received: January 15, 2015. Permit issued: March 18, 2015.

Noncoal Permits Issued

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

37940302-GP-104. Three Rivers Aggregates, LLC (1807 Shenango Road, New Galilee, PA 16141) General NPDES permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 37940302 in Scott & Plain Grove Townships, **Lawrence County**. Receiving streams: Unnamed tributary to Slippery Rock Creek. Application received: January 14, 2015.

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

14140801. Robert D. Confer (359 Mill Street Ext, Howard, PA 16841). Commencement, operation and restoration of a small noncoal (sandstone and shale) operation in Burnside Township, **Centre County** affecting 4.8

acres. Receiving stream(s): Unnamed Tributaries to Sevenmile Run. Application received: September 3, 2014. Permit issued: March 17, 2015.

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

03972301, Earl Houser, 547 Calhoun School Road, New Bethlehem, PA 16242. Final bond release for a small noncoal mining operation in Wayne Township, **Armstrong County**. Restoration of 2 acres completed. Receiving streams: Unnamed tributary to Scrubgrass Creek. Request to release bond received: December 3, 2014. Final bond release approved: February 19, 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 17901-2522, 570-621-3118

Permit No. 36154107. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Lamar Weaver basement in West Earl Township, **Lancaster County** with an expiration date of August 29, 2015. Permit issued: March 17, 2015.

Permit No. 35154101. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting for Nick Racht dwelling in Mayfield Borough, **Lackawanna County** with an expiration date of March 16, 2016. Permit issued: May 18, 2015.

Permit No. 40154102. Hayduk Enterprises, Inc., (257 Riverside Drive, Factoryville, PA 18419), construction blasting for NPOC Jenkins to Acahela Line in Buck, Plains, Bear Creek and Jenkins Townships, **Luzerne County** with an expiration date of March 31, 2017. Permit issued: March 18, 2015.

Permit No. 06154101. American Rock Mechanics, Inc., (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for High Meadows Estates in Amity Township, **Berks County** with an expiration date of March 17, 2016. Permit issued: March 19, 2015.

Permit No. 36154108. Abel Construction Co., Inc., (PO Box 476, Mountville, PA 17554), construction blasting for Landis Farm in East Hempfield Township, **Lancaster County** with an expiration date of March 17, 2016. Permit issued: March 19, 2015.

Permit No. 51154101. Ed Wean Drilling & Blasting, Inc., (112 Ravine Road, Stewartsville, NJ 08886), construction blasting for Latter Day Saint Parking Garage in the City of Philadelphia, **Philadelphia County** with an expiration date of December 30, 2015. Permit issued: March 20, 2015.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

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

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

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

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E18-492. Woodward Township Board of Supervisors, 86 Riverside Terrace, Lock Haven, PA 17745. Riverview Municipal Park in Woodward Township, **Clinnton County**, ACOE Baltimore District (Lock Haven, PA Quadrangle N: 41° 08' 36.43"; W: -77° 26' 58.71").

To construct and maintain: 1) a 24-foot by 40-foot open-sided wood post ADA accessible pavilion with an at-grade concrete slab floor, 2) a 25-foot by 138-foot at-grade ADA accessible gravel parking lot, 3) a 5-foot wide at-grade concrete sidewalk between the parking lot, pavilion and a pre-existing paved walking track located at the up-river end of Riverview Municipal Park along West River Drive in the 100-year left flood fringe of the West Branch Susquehanna River. This permit was issued under Section 105.13(e) "Small Projects."

E19-306. Transcontinental Gas Pipe Line Company, LLC, 2800 Post Oak Blvd, Houston, TX 77056. Geotechnical Testing in Franklin and Montour Townships,

Columbia County, ACOE Baltimore District (Catawissa, PA Quadrangle Latitude: 40° 56' 57"; Longitude: -76° 29' 2"

To conduct geotechnical testing within the Susquehanna River, Warm Water Fishery. The testing shall utilize a barge mounted drill rig, placement of a 6 inch diameter bore casing submerged several inches into the bed of the river allowing all drilling operations to be contained within the casing. All waste materials shall be extracted through the casing and placed into containers upon the barge for disposal. Upon completion of sampling, the bore hole shall be filled with a grout material to the mud line (surface of submerged river sediments). This project is located on the Franklin and Montour Township municipal boundary line directly downstream from the Existing PPL Power Line. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

District Oil and Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA 17701

E4129-095: Range Resources—Appalachia, LLC, 100 Throckmorton Street, Suite 1200, Fort Worth, TX 76102, Cummings Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) an 65-foot long, 73 x 55-inch pipe arch culvert and associated fill impacting 111 linear feet of an unnamed tributary to First Fork Larrys Creek (EV) (Waterville, PA Quadrangle 41°20'37"N 77°18'39"W).

The project will result in a total of 111 linear feet of stream impacts all for the purpose of installing a permanent access roadway to a natural gas well site for Marcellus well development.

E0829-102: Appalachia Midstream, LLC, 400 IST Center Suite 404, Horseheads, NY 14845, Wilmot Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 16 inch diameter natural gas line and a temporary timber mat bridge impacting 1,119 square feet of a Palustrine Scrub-Shrub Wetland (Colley, PA Quadrangle, Latitude: 41°35'33", Longitude: -76°18'06");

2. a 16 inch diameter natural gas line and a temporary timber mat bridge impacting 2,037 square feet of a Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°35'42", Longitude: -76°18'08");

3. a 16 inch diameter natural gas line and a temporary timber mat bridge impacting 1,767 square feet of a Palustrine Emergent Wetland (EV) and impacting 204 square feet of a Palustrine Scrub-Shrub Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°35'55", Longitude: -76°17'58");

4. a 16 inch diameter natural gas line and a temporary timber mat bridge impacting 120 linear feet of an unnamed tributary to Foster Branch Sugar Run (CWF, MF) (Colley, PA Quadrangle, Latitude: 41°36'02", Longitude: -76°18'00");

5. a 16 inch diameter natural gas line and a temporary timber mat bridge impacting 13,400 square feet of a Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°36'38", Longitude: -76°17'42");

The project will result in 120 linear feet or 793 square feet of temporary stream impacts and 17,204 square feet (0.39 acre) of temporary PEM and 1,323 square feet (0.03

acre) of temporary PSS wetland impacts all for the purpose of installing a natural gas pipeline with associated access roadways for Marcellus shale development in Wilmot Township, Bradford County.

ENVIRONMENTAL ASSESSMENTS

Southcentral Region: Watershed Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.

EA67-025, North Muddy Fish and Game Association, 14390 Laurel Road, Felton, PA 17322 in East Hopewell and Chanceford Townships, **York County**, U.S. Army Corps of Engineers Baltimore District

To construct and maintain (1) six (6) digger logs in and along North Branch Muddy Creek (CWF, MF), (2) three (3) random boulder placements in and along North Branch Muddy Creek (CWF, MF), (3) four (4) J-hook log vanes in and along North Branch Muddy Creek (CWF, MF), (4) two (2) modified mud sills in and along approximately 200 linear feet of North Branch Muddy Creek (CWF, MF), (5) two (2) J-Hook rock vanes in and along North Branch Muddy Creek (CWF, MF), (6) removal of two (2) gravel bars in and along approximately 0.07 acre of North Branch Muddy Creek (CWF, MF), (7) two (1) gravel toe benches in and along approximately 240 linear feet of North Branch Muddy Creek (CWF, MF), (8) seven (7) toe wood habitat structures and associated stream bank grading in and along approximately 1,150 linear feet of North Branch Muddy Creek (CWF, MF), (9) one (1) saw tooth deflector in and along approximately 130 linear feet of North Branch Muddy Creek (CWF, MF), (10) two (2) cross rock vanes in and along the North Branch Muddy Creek (CWF, MF), (11) one (1) cross log vane in and along the North Branch Muddy Creek (CWF, MF), and (12) six (6) cross rock vanes in and along an Unnamed Tributary to North Branch Muddy Creek (CWF, MF), all temporarily and permanently impacting 2,010 linear feet of North Branch Muddy Creek (CWF, MF) and an Unnamed Tributary to North Branch Muddy Creek (CWF, MF), and all for the purpose of improving fish habitat and restoring 3,300 feet of North branch Muddy Creek (CWF, MF) and an Unnamed Tributary to North Branch Muddy Creek (CWF, MF). The project location is between Laurel Road and Fenmore Road on the property of North Muddy Fish and Game Association (Stewartstown, PA Quadrangle beginning at Latitude: 39°49' 40.9"N, Longitude: 76°31'4.4"W and terminates at Latitude: 39°49'35.9"N, Longitude: 76°30'45.2"W) in East Hopewell and Chanceford Townships, York County.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to

the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

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

ESCGP-2 #ESX14-073-0024—Neshannock Pomerico Well Site

Applicant Hilcorp Energy Company
Contact Stephanie McMurray
Address 1201 Louisiana Street, Suite 1400
City Houston State TX Zip Code 77002
County Lawrence Township(s) Neshannock(s)
Receiving Stream(s) and Classification(s) 2 UNT's to Shenango River WWF, Shenango River

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

ESCGP-2 # ESG29-081-15-0006

Applicant Name Anadarko Marcellus Midstream LLC
Contact Person Rane Wilson
Address 33 W Third St, Suite 200
City, State, Zip Williamsport, PA 17701
County Lycoming
Township(s) Cummings

Receiving Stream(s) and Classification(s) UNT English Run, English Run, UNT Lawshe Run, Carsons Run (EV, MF)
Secondary—English Run & Lawshe Run (EV, MF), Little Pine Ck (EV), Little Pine Ck (HW-TSF)

ESCGP-2 # ESG29-015-14-0095

Applicant Name Appalachia Midstream Svcs LLC
Contact Person Randy DeLaune
Address 400 1st Center, Suite 404
City, State, Zip Horseheads, NY 14845
County Bradford
Township(s) Overton
Receiving Stream(s) and Classification(s) Black Creek (EV, MF)

ESCGP-2 # ESG29-115-15-0009

Applicant Name Angelina Gathering Co LLC
Contact Person Danny Spaulding
Address 2350 N Sam Houston Parkway, Suite 125
City, State, Zip Houston, TX 77032
County Susquehanna
Township(s) New Milford
Receiving Stream(s) and Classification(s) Meylert Creek (CWF)
Secondary—Susquehanna River

ESCGP-2 # ESX10-115-0029(02)

Applicant Name Carrizo Marcellus LLC
Contact Person Gary Byron
Address 251 Drain Lick Rd
City, State, Zip Drifting, PA 16834
County Susquehanna
Township(s) Forest Lake
Receiving Stream(s) and Classification(s) Middle Branch Wyalusing Creek (CWF)
Secondary—Wyalusing Creek

ESCGP-2 # ESX10-131-0008(01)

Applicant Name Warren E & P Inc
Contact Person Heather Burkhart
Address 39 Washington Park Rd
City, State, Zip Tunkhannock, PA 18657
County Wyoming
Township(s) Washington
Receiving Stream(s) and Classification(s) #6539 UNT to Susquehanna River (CWF, MF)

ESCGP-2 # ESX13-115-0011(01)

Applicant Name Williams Field Services Co LLC
Contact Person Chad Johnson
Address 310 SR 29 North
City, State, Zip Tunkhannock, PA 18657
County Susquehanna
Township(s) Gibson
Receiving Stream(s) and Classification(s) Tunkhannock Creek (CWF, MF), Bear Swamp Creek (CWF, MF), Idlewild Creek and UNT to Idlewild Creek (CWF, MF), Watershed—Upper Susquehanna—Tunkhannock Secondary—Tunkhannock Creek and East Branch Tunkhannock Creek

ESCGP-2 # ESX29-015-15-0011

Applicant Name Talisman Energy USA Inc
Contact Person Benjamin Younkin
Address 337 Daniel Zenker Dr
City, State, Zip Horseheads, NY 14845
County Bradford
Township(s) Columbia
Receiving Stream(s) and Classification(s) Unnamed Tributaries Sugar Creek #30667 (Other—TSF, MF)
Secondary—Sugar Creek

ESCGP-2 # ESX10-015-0005(01)

Applicant Name Chesapeake Appalachia LLC
Contact Person Eric Haskins
Address 14 Chesapeake Lane
City, State, Zip Sayre, PA 18840
County Bradford
Township(s) West Burlington
Receiving Stream(s) and Classification(s) UNT Sugar Creek (Other—TSF, MF)
Secondary—Sugar Creek (TSF-MF)

ESCGP-2 # ESG29-113-14-0018

Applicant Name Regency Marcellus Gas Gathering LLC
Contact Person Kevin Roberts
Address 101 W Third St
City, State, Zip Williamsport, PA 17701
County Sullivan
Township(s) Fox
Receiving Stream(s) and Classification(s) UNTs to Schrader Creek, UNTs to Hoagland Branch, UNTs to Elk Creek, and Elk Creek—EV
Secondary—Schrader Creek and Hoagland Branch

ESCGP-2 # ESG29-081-15-0001

Applicant Name Regency Marcellus Gas Gathering LLC
Contact Person Kevin Roberts
Address 101 W Third St
City, State, Zip Williamsport, PA 17701
County Lycoming
Township(s) Mifflin
Receiving Stream(s) and Classification(s) UNT to Larry's Creek—EV
Secondary—Larry's Creek (EV)

ESCGP-2 # ESX10-015-0075(01)

Applicant Name Chesapeake Appalachia LLC
Contact Person Eric Haskins
Address 14 Chesapeake Lane

City, State, Zip Sayre, PA 18840
 County Bradford
 Township(s) Rome
 Receiving Stream(s) and Classification(s) Surface drainage to UNT to Bullard Creek, Trib to Wysox Creek (Other—CWF, MF)
 Secondary—Wysox Creek (CWF, MF)

ESCGP-2 # ESX29-081-15-0008
 Applicant Name Chief Oil & Gas LLC
 Contact Person Jeffrey Deegan
 Address 6051 Wallace Rd Ext, Suite 300
 City, State, Zip Wexford, PA 15090-7383
 County Lycoming
 Township(s) Penn
 Receiving Stream(s) and Classification(s) Sugar Run (Other—CWF, MF)
 Secondary—Muncy Creek

Republish Correction—county listed was incorrect

ESCGP-2 # ESG29-115-15-0012
 Applicant Name Southwestern Energy Production Co
 Contact Person Jeff Whitehair
 Address 917 SR 92 N
 City, State, Zip Tunkhannock, PA 18657
 County Susquehanna
 Township(s) Great Bend
 Receiving Stream(s) and Classification(s) UNT Susquehanna River—Other (CWF, MF)
 Secondary—Susquehanna River

Southwest Region: Oil & Gas Program Mgr. 400 Waterfront Dr., Pittsburgh, PA

ESCGP-2 No: ESX14-007-0016
 Applicant Name: Utica Gas Services LLC
 Contact Person Toby Lattea
 Address: 190 Midstream Way
 City: Jane Lew State: WV Zip Code: 25378
 County: Beaver Township: Chippewa
 Receiving Stream (s) and Classifications: UNT to North Branch Brady Run TSF; North Branch Brady Run TSF; Other TSF

ESCGP-2 No.: ESX14-125-0079
 Applicant Name: Rice Drilling B LLC
 Contact Person: Joseph C Mallow
 Address: 171 Hillpointe Drive Suite 301
 City: Canonsburg State: PA Zip Code: 15317
 County: Washington Township(s): North Bethlehem
 Receiving Stream(s) and Classifications: Daniels Run/Monongahela; Seven (7) UNT to Daniels Run/Monongahela; Other TSF

ESCGP-2 No.: ESX14-125-0080
 Applicant Name: Range Resources Appalachia LLC
 Contact Person: Laura M Rusmisl
 Address: 3000 Town Center Boulevard
 City: Canonsburg State: PA Zip Code: 15317
 County: Robinson Township(s): Washington
 Receiving Stream(s) and Classifications: UNT to Robinson Run WWF/Chartiers Creek Watershed; Other WWF; Siltation-Impaired

ESCGP-2 No.: ESG14-005-0010
 Applicant Name: Apex Energy (PA) LLC
 Contact Person: Ed Long
 Address: 6041 Wallace Road Extension Suite 100
 City: Wexford State: PA Zip Code: 15090
 County: Armstrong Township(s): Sugarcreek
 Receiving Stream(s) and Classifications: UNT Buffalo Creek HQ-TSF, MF; UNTs Patterson Creek HQ-TSF-MF; HQ; Siltation-Impaired

ESCGP-2 No.: ESG14-125-0083
 Applicant Name: EQT Gathering LLC
 Contact Person: Brian M Clauto
 Address: 455 Racetrack Road
 City: Washington State: PA Zip Code: 15301
 County Washington Township(s): Somerset
 Receiving Stream(s) and Classifications: Mingo Creek and North Branch Pigeon Creek; HQ; Other HQ-TSF-WWF

ESCGP-2 No.: ESX14-125-0053
 Applicant Name: Rice Drilling B LLC
 Contact Person: Joseph C Mallow
 Address: 171 Hillpointe Drive Suite 301
 City: Canonsburg State: PA Zip Code: 15317
 County: Washington Township(s): South Franklin
 Receiving Stream(s) and Classifications: UNT to Chartiers Creek/Chartiers Creek; Other WWF

ESCGP-2 No.: ESX11-129-0018
 Applicant Name: Chevron Appalachia LLC
 Contact Person: Alex Genovese
 Address: 800 Mountain View Drive
 City: Smithfield State: PA Zip Code 15478
 County: Westmoreland Township(s): Sewickley
 Receiving Stream(s) and Classifications: UNT to little Sewickley creek (TSF)/Lower Youghiogheny River Watershed; Other TSF

ESCGP-2 No.: ESX14-059-0087
 Applicant Name: Laurel Mountain Midstream LLC
 Contact Person: Stephanie L Ranker
 Address: 111 Enterprise Lane
 City: Connellsville State: PA Zip Code: 15425
 County: Greene Township(s): Greene
 Receiving Stream(s) and Classifications: Tribs 41452, 41454 & 41456 to Meadow Run/Lower Monongahela Watershed; Other WWF

ESCGP-2 No.: ESG14-007-0011
 Applicant Name: Utica Gas Services LLC
 Contact Person: John T Lattea
 Address: 190 Midstream Way
 City: Jane Lew State: WV Zip Code: 26378
 County: Beaver Township(s): South Beaver and Darlington
 Receiving Stream(s) and Classifications: Trib 33392 to Painter Run, North Fork Little Beaver Creek, Dilworth Run, McCautry Run; HQ; Other CWF; Siltation-Impaired

ESCGP-2 NO.: ESG14-125-0096
 Applicant Name: Range Resources Appalachia LLC
 Contact Person: Glenn D Truzzi
 Address: 3000 Town Center Blvd
 City: Canonsburg State: PA Zip Code: 15317
 County: Washington Township(s): Amwell
 Receiving Stream(s) and Classifications: #29600 Chartiers Creek; HQ; Other WWF

SPECIAL NOTICES

Categorical Exclusion

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

Location: Renovo Borough Water Authority, 128 Fifth Street, Renovo, PA 17764

Description: The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. Renovo Borough Water Authority proposes to replace approximately 10,000 LF of 8" and 10"

waterline, including service lines. The project also includes repainting a 300,000 gallon aboveground water storage tank and replacing and installing service connection meters. A meter pit is also proposed to be installed on the Drury Run waterline. The Department's review of the project concluded that the project is eligible to be categorically excluded from the environmental review process, and a subsequent public review confirmed that there are no exceptional circumstances that warrant an Environmental Assessment.

Regional Source Water Protection Plan for Lower Monongahela Regional Partnership

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

River Alert Information Network—RAIN (Public Water Supply), Fayette and Washington County: On March 11, 2015, the Safe Drinking Water Program approved the Regional Source Water Protection (SWP) Plan for Lower Monongahela Regional Partnership. The Lower Monongahela Regional Partnership includes the following five Public Water Supplies: Authority of the Borough of Charleroi, Belle Vernon Borough Municipal Authority, Municipal Authority of Washington Township, Newell Municipal Authority, and PA-American Water Co—Brownsville, and RAIN. The personnel involved with the development of this Regional SWP Plan are to be commended for taking these proactive steps to protect these water sources for all of their communities. Development of the Regional SWP Plan was completed with assistance from PA DEP's Source Water Protection Technical Assistance Program.

[Pa.B. Doc. No. 15-606. Filed for public inspection April 3, 2015, 9:00 a.m.]

Aggregate Advisory Board Meeting

The Aggregate Advisory Board (Board) will hold its initial meeting on Wednesday, May 13, 2015, from 10 a.m. until 12 p.m. in the 6th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning the meeting can be directed to Daniel E. Snowden, DEd, Bureau of Mining Programs, (717) 783-8846, dsnowden@pa.gov. The agenda for the meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at www.dep.state.pa.us (select "Public Participation Center," then "Advisory Committees," then "Aggregate Advisory Board").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Daniel E. Snowden, DEd at (717) 783-8846, through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

JOHN QUIGLEY,
Acting Secretary

[Pa.B. Doc. No. 15-607. Filed for public inspection April 3, 2015, 9:00 a.m.]

Alternative Compliance Option Transport Rule Allowance Retirement Option for Excess Nitrous Oxides (NO_x) Emissions under 25 Pa. Code §§ 129.201—129.205, Nonelectric Generating Units Subject to 25 Pa. Code § 145.8(d), Stationary Internal Combustion Units Subject to 25 Pa. Code §§ 145.111— 145.113 and Portland Cement Kilns Subject to 25 Pa. Code §§ 145.141—145.146.

This notice applies to the owners and operators of units subject to the requirements of 25 Pa. Code §§ 129.201—129.205 (relating to additional NO_x requirements), non-electric generating units subject to 25 Pa. Code § 145.8(d) (relating to transition to CAIR NO_x trading programs), stationary internal combustion units subject to 25 Pa. Code §§ 145.111—145.113 (relating to emissions of NO_x from stationary internal combustion engines) and Portland cement kilns subject to 25 Pa. Code §§ 145.141—145.146 (relating to emissions of NO_x from cement manufacturing). These sections of 25 Pa. Code Chapters 129 and 145 (relating to standards for sources; and interstate pollution transport reduction) are incorporated into the Commonwealth's Federally-enforceable State Implementation Plan (SIP) codified in 40 CFR 52.2020 (relating to identification of plan). Prior to the 2015 ozone season, affected owners and operators were able to surrender at the end of each ozone season, for compliance purposes, an annual Clean Air Interstate Rule (CAIR) NO_x allowance and an ozone season CAIR NO_x allowance for each ton of NO_x emitted in excess of an applicable NO_x emission standard specified in these sections.

Starting January 1, 2015, the Cross-State Air Pollution Rule, or Transport Rule (TR), codified in 40 CFR Part 97, Subparts AAAAA and BBBBB (relating to TR NO_x annual trading program; and TR NO_x ozone season trading program) replaced the CAIR requirements codified in 40 CFR 96, Subparts AA and AAAA (relating to CAIR NO_x annual trading program general provisions; and CAIR NO_x ozone season trading program general provisions). See 79 FR 71663 (December 3, 2014). In light of the fact that CAIR NO_x allowances will no longer be available, the Department of Environmental Protection (Department) intends to accept the surrender of TR NO_x allowances as a compliance alternative. Subsequently, the Department will pursue regulatory amendments to the existing NO_x trading programs in 25 Pa. Code Chapters 129 and 145.

Specifically, for each ozone season beginning after January 1, 2015, the Department intends to accept the surrender of annual and ozone season TR NO_x allowances as a compliance alternative to the surrender of annual and ozone season CAIR NO_x allowances if the TR allowances are surrendered for compliance purposes in a manner consistent with the surrender provisions for CAIR allowances set forth in the applicable sections specified in this notice. The Department consulted with staff in the United States Environmental Protection Agency (EPA) Region III Office in developing an alternative allowance surrender approach for compliance with the applicable SIP-approved requirements. To this end, the EPA has confirmed, in writing, that TR NO_x allowances may be surrendered as set forth in the applicable regulations in 25 Pa. Code Chapters 129 and 145.

TR NO_x allowances and TR NO_x Ozone Season allowances do not constitute property rights, and action at the

Federal or State level, including Federal court proceedings in a legal challenge to the TR, could affect the allowances and their use.

Persons aggrieved by an action may appeal, 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), 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. For individuals who wish to challenge an action, appeals must reach the Environmental Hearing Board (Board) within 30 days of the date of publication of this notice in the *Pennsylvania Bulletin*, unless the applicable statute provides a different time period. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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 to the Board at (717) 787-3483 for more information.

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

Questions concerning this notice should be directed to Randy Bordner, Chief, Stationary Sources Section, Division of Air Resource Management, Bureau of Air Quality, Rachel Carson State Office Building, P.O. Box 8468, Harrisburg, PA 17105-8468, (717) 772-3921. Persons with a disability who require an auxiliary aid or service, including TDD users or other accommodation, to seek additional information may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

JOHN QUIGLEY,
Acting Secretary

[Pa.B. Doc. No. 15-608. Filed for public inspection April 3, 2015, 9:00 a.m.]

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 Document: Substantive Revision

DEP ID: 383-0400-114. *Title:* Pennsylvania's Capability Enhancement Program. *Description:* This document provides guidance to all community, nontransient noncommunity and transient noncommunity drinking water systems and Department staff on the guidelines and procedures for implementation of Pennsylvania's Capability Enhancement Program. The purpose of this document is to establish a rational methodology to implement, track and allocate appropriate resources needed to meet Federal requirements for a State capacity development strategy for all public water systems. Substantive revisions are proposed to the guidance to facilitate more effective use of grant funds from the United States Environmental Protection Agency by incorporating principles for long-term sustainability.

Written Comments: Interested persons may submit written comments on this draft technical guidance document by May 4, 2015. Comments submitted by facsimile will not be accepted. Comments, including comments submitted by e-mail, must include the originator's name and address. Written comments should be submitted to Kevin Anderson, Department of Environmental Protection, Bureau of Safe Drinking Water, P.O. Box 8467, Harrisburg, PA 17105-8467, keanderson@pa.gov.

Contact: Questions regarding this action should be directed to Kevin Anderson, (717) 783-9764, keanderson@pa.gov.

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

JOHN QUIGLEY,
Acting Secretary

[Pa.B. Doc. No. 15-609. Filed for public inspection April 3, 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. 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.

Mining and Reclamation Advisory Board Meeting Location Change

The location of the April 23, 2015, meeting of the Mining and Reclamation Advisory Board has been changed. The meeting will be held on Thursday, April 23, 2015, from 10 a.m. to 12 p.m. in the Delaware Room, 16th Floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning the April 23, 2015, meeting should be directed to Daniel E. Snowden, DEd, Bureau of Mining Programs, (717) 783-8846, dsnowden@pa.gov. The agenda and meeting materials will be available on the Department of Environmental Protection's (Department) web site at www.dep.state.pa.us (Select "Public Participation Center," then "Advisory Committees," then "Mining and Reclamation Advisory Board").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Daniel E. Snowden, DEd at (717) 783-8846 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users), or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

JOHN QUIGLEY,
Acting Secretary

[Pa.B. Doc. No. 15-610. Filed for public inspection April 3, 2015, 9:00 a.m.]

Lease Retail Space to the Commonwealth Centre County

Proposals are invited to provide the Department of General Services with 5,000 to 7,000 usable square feet of retail space for the Liquor Control Board in State College, Centre County. For more information on SFP No. 94709, which is due on Friday, May 22, 2015, visit www.dgs.state.pa.us or contact the Bureau of Real Estate at (717) 787-4394.

CURTIS M. TOPPER,
Acting Secretary

[Pa.B. Doc. No. 15-613. Filed for public inspection April 3, 2015, 9:00 a.m.]

Oil and Gas Technical Advisory Board Additional 2015 Meeting Dates

The Oil and Gas Technical Advisory Board (Board) is scheduled to meet on Thursday, April 23, 2015, Tuesday, August 25, 2015, and Tuesday, October 27, 2015. Meetings will begin at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning the scheduled meetings should be directed to Kurt Klappkowski, (717) 772-2199, kklappkowsk@pa.gov. The agenda and meeting materials for these meetings will be available through the Board webpage on the Department of Environmental Protection's (Department) web site at www.dep.state.pa.us (Select "Public Participation Center," then "Advisory Committees," then "Oil and Gas Technical Advisory Board").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 772-2199 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users), or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

JOHN QUIGLEY,
Acting Secretary

[Pa.B. Doc. No. 15-611. Filed for public inspection April 3, 2015, 9:00 a.m.]

Real Estate for Sale Elk County

The Department of General Services (Department) will accept bids for the purchase of 0.23 acre ± of land and building formerly known as the Ridgway Armory located at 72 North Broad Street, Borough of Ridgway, Elk County. Bids are due Thursday, April 23, 2015. Interested parties wishing to receive a copy of Solicitation No. 94713 should view the Department's web site at www.dgs.pa.gov or call Lisa Kettering, (717) 787-1321.

CURTIS M. TOPPER,
Acting Secretary

[Pa.B. Doc. No. 15-614. Filed for public inspection April 3, 2015, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

Lease Retail Space to the Commonwealth Bedford County

Proposals are invited to provide the Department of General Services with 3,500 to 6,000 usable square feet of retail space for the Liquor Control Board in Bedford, Bedford County. For more information on SFP No. 94708, which is due on Friday, May 22, 2015, visit www.dgs.state.pa.us or contact the Bureau of Real Estate at (717) 787-4394.

CURTIS M. TOPPER,
Acting Secretary

[Pa.B. Doc. No. 15-612. Filed for public inspection April 3, 2015, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Penn Highlands DuBois Surgery Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Penn Highlands DuBois Surgery Center has requested an exception to the requirements of 28 Pa. Code § 569.35(7) (relating to general safety precautions), regarding flammable agents in an ambulatory surgical facility.

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation

to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Acting Secretary

[Pa.B. Doc. No. 15-615. Filed for public inspection April 3, 2015, 9:00 a.m.]

Application of Reading Hospital SurgiCenter at Spring Ridge for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Reading Hospital SurgiCenter at Spring Ridge has requested an exception to the requirements of 28 Pa. Code § 555.22 (relating to preoperative care).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Acting Secretary

[Pa.B. Doc. No. 15-616. Filed for public inspection April 3, 2015, 9:00 a.m.]

Application of St. Luke's Hospital—Anderson Campus for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that St. Luke's Hospital—Anderson Campus has requested an exception to the requirements of 28 Pa. Code § 107.64 (relating to administration of drugs).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be

reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Acting Secretary

[Pa.B. Doc. No. 15-617. Filed for public inspection April 3, 2015, 9:00 a.m.]

Application of St. Luke's Hospital Bethlehem for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that St. Luke's Hospital Bethlehem has requested an exception to the requirements of 28 Pa. Code § 107.64 (relating to administration of drugs).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Acting Secretary

[Pa.B. Doc. No. 15-618. Filed for public inspection April 3, 2015, 9:00 a.m.]

Application of St. Luke's Quakertown Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that St. Luke's Quakertown Hospital has requested an exception to the requirements of 28 Pa. Code § 107.64 (relating to administration of drugs).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Acting Secretary

[Pa.B. Doc. No. 15-619. Filed for public inspection April 3, 2015, 9:00 a.m.]

Application of Tyrone Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Tyrone Hospital has requested exceptions to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *2014 Guidelines for Design and Construction of Health Care Facilities*. The facility specifically requests exemptions from the following standards contained in this publication: 3.1-7.2.2.8 and 3.1-7.2.2.3(4)(b) (relating to hand-washing stations; and doors and door hardware).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Acting Secretary

[Pa.B. Doc. No. 15-620. Filed for public inspection April 3, 2015, 9:00 a.m.]

Health Policy Board Meeting

The Health Policy Board is scheduled to hold a meeting on Wednesday, April 15, 2015, at 10 a.m. in Room 812, 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, audiotape, Braille) should contact Katrina Kyle, Bureau of Health Planning at (717) 772-5298, or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

This meeting is subject to cancellation without notice.

KAREN M. MURPHY, PhD, RN,
Acting Secretary

[Pa.B. Doc. No. 15-621. Filed for public inspection April 3, 2015, 9:00 a.m.]

Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

Kingston Health Care Center
702 Third Avenue
Kingston, PA 18704
FAC ID # 068502

St. Luke's Villa
80 East Northampton Street
Wilkes-Barre, PA 18701
FAC ID # 600602

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the address or phone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Acting Secretary

[Pa.B. Doc. No. 15-622. Filed for public inspection April 3, 2015, 9:00 a.m.]

Special Supplemental Nutrition Program for Women, Infants and Children (WIC) Public Meeting

The Department of Health has scheduled a meeting on May 5, 2015, from 10 a.m. to 3 p.m. at Adagio Health, Natrona Heights WIC Office, 2418 Freeport Road, Natrona Heights, PA 15065. The meeting is open to the public for the purpose of obtaining comments and recommendations for the development of the 2016 State Plan of Program Operation and Administration for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) in this Commonwealth. Persons wishing to give testimony at the meeting are requested to preregister with the State WIC Program office by calling (717) 783-1289. Anyone unable to attend the meeting but wishing to express their views may submit written comments by May 31, 2015, to the Department of Health, Bureau of Women, Infants and Children (WIC), 625 Forster Street, 7 West Health and Welfare Building, Harrisburg, PA 17120.

For additional information, or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact William R. Cramer, Director, (717) 783-1289, or for a speech and/or hearing impaired persons call VTT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984. Pennsylvania WIC is funded by the United States Department of Agriculture (USDA). The USDA is an equal opportunity provider and employer.

This meeting is subject to cancellation without notice.

KAREN M. MURPHY, PhD, RN,
Acting Secretary

[Pa.B. Doc. No. 15-623. Filed for public inspection April 3, 2015, 9:00 a.m.]

Special Supplemental Nutrition Program for Women, Infants and Children (WIC) Public Meeting

The Department of Health has scheduled a meeting on May 8, 2015, from 10 a.m. to 3 p.m. at Community Progress Council, Inc., 160 Roosevelt Avenue, Suite 100, 1st Floor, York, PA 17401. The meeting is open to the public for the purpose of obtaining comments and recommendations for the development of the 2016 State Plan of Program Operation and Administration for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) in this Commonwealth. Persons wishing to give testimony at the meeting are requested to preregister with the State WIC Program office by calling (717) 783-1289. Anyone unable to attend the meeting but wishing to express their views may submit written comments by May 31, 2015, to the Department of Health, Bureau of Women, Infants and Children (WIC), 625 Forster Street, 7 West Health and Welfare Building, Harrisburg, PA 17120.

For additional information, or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact William R. Cramer, Director, (717) 783-1289, or for a speech and/or hearing impaired persons call VTT (717) 783-6514 or the Pennsylvania AT&T Relay

Service at (800) 654-5984. Pennsylvania WIC is funded by the United States Department of Agriculture (USDA). The USDA is an equal opportunity provider and employer.

This meeting is subject to cancellation without notice.

KAREN M. MURPHY, PhD, RN,
Acting Secretary

[Pa.B. Doc. No. 15-624. Filed for public inspection April 3, 2015, 9:00 a.m.]

Special Supplemental Nutrition Program for Women, Infants and Children (WIC) Public Meeting

The Department of Health has scheduled a meeting on May 8, 2015, from 10 a.m. to 3 p.m. at Crozer Chester Medical Center, Community Hospital, 1 Southeast Conference Room, 2600 West Ninth Street, Chester, PA 19013. The meeting is open to the public for the purpose of obtaining comments and recommendations for the development of the 2016 State Plan of Program Operation and Administration for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) in this Commonwealth. Persons wishing to give testimony at the meeting are requested to preregister with the State WIC Program office by calling (717) 783-1289. Anyone unable to attend the meeting but wishing to express their views may submit written comments by May 31, 2015, to the Department of Health, Bureau of Women, Infants and Children (WIC), 625 Forster Street, 7 West Health and Welfare Building, Harrisburg, PA 17120.

For additional information, or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact William R. Cramer, Director, (717) 783-1289, or for a speech and/or hearing impaired persons call VTT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984. Pennsylvania WIC is funded by the United States Department of Agriculture (USDA). The USDA is an equal opportunity provider and employer.

This meeting is subject to cancellation without notice.

KAREN M. MURPHY, PhD, RN,
Acting Secretary

[Pa.B. Doc. No. 15-625. Filed for public inspection April 3, 2015, 9:00 a.m.]

Special Supplemental Nutrition Program for Women, Infants and Children (WIC) Public Meeting

The Department of Health has scheduled a meeting on May 8, 2015, from 10 a.m. to 3 p.m. at Hamilton Health Center, Inc., 110 South 17th Street, 2nd Floor, Harrisburg, PA 17104. The meeting is open to the public for the purpose of obtaining comments and recommendations for the development of the 2016 State Plan of Program Operation and Administration for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) in this Commonwealth. Persons wishing to give testimony at the meeting are requested to preregister

with the State WIC Program office by calling (717) 783-1289. Anyone unable to attend the meeting but wishing to express their views may submit written comments by May 31, 2015, to the Department of Health, Bureau of Women, Infants and Children (WIC), 625 Forster Street, 7 West Health and Welfare Building, Harrisburg, PA 17120.

For additional information, or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact William R. Cramer, Director, (717) 783-1289, or for a speech and/or hearing impaired persons call V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984. Pennsylvania WIC is funded by the United States Department of Agriculture (USDA). The USDA is an equal opportunity provider and employer.

This meeting is subject to cancellation without notice.

KAREN M. MURPHY, PhD, RN,
Acting Secretary

[Pa.B. Doc. No. 15-626. Filed for public inspection April 3, 2015, 9:00 a.m.]

Special Supplemental Nutrition Program for Women, Infants and Children (WIC) Public Meeting

The Department of Health has scheduled a meeting on May 11, 2015, from 10 a.m. to 3 p.m. at Family Health Council of Central PA, Inc., 3461 Market Street, 3rd Floor, Camp Hill, PA 17011. The meeting is open to the public for the purpose of obtaining comments and recommendations for the development of the 2016 State Plan of Program Operation and Administration for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) in this Commonwealth. Persons wishing to give testimony at the meeting are requested to preregister with the State WIC Program office by calling (717) 783-1289. Anyone unable to attend the meeting but wishing to express their views may submit written comments by May 31, 2015, to the Department of Health, Bureau of Women, Infants and Children (WIC), 625 Forster Street, 7 West Health and Welfare Building, Harrisburg, PA 17120.

For additional information, or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact William R. Cramer, Director, (717) 783-1289, or for a speech and/or hearing impaired persons call V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984. Pennsylvania WIC is funded by the United States Department of Agriculture (USDA). The USDA is an equal opportunity provider and employer.

This meeting is subject to cancellation without notice.

KAREN M. MURPHY, PhD, RN,
Acting Secretary

[Pa.B. Doc. No. 15-627. Filed for public inspection April 3, 2015, 9:00 a.m.]

Special Supplemental Nutrition Program for Women, Infants and Children (WIC) Public Meeting

The Department of Health has scheduled a meeting on May 13, 2015, from 10 a.m. to 3 p.m. at Home Nursing Agency, 20 Sheraton Drive, Altoona, PA 16601. The meeting is open to the public for the purpose of obtaining comments and recommendations for the development of the 2016 State Plan of Program Operation and Administration for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) in this Commonwealth. Persons wishing to give testimony at the meeting are requested to preregister with the State WIC Program office by calling (717) 783-1289. Anyone unable to attend the meeting but wishing to express their views may submit written comments by May 31, 2015, to the Department of Health, Bureau of Women, Infants and Children (WIC), 625 Forster Street, 7 West Health and Welfare Building, Harrisburg, PA 17120.

For additional information, or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact William R. Cramer, Director, (717) 783-1289, or for a speech and/or hearing impaired persons call V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984. Pennsylvania WIC is funded by the United States Department of Agriculture (USDA). The USDA is an equal opportunity provider and employer.

This meeting is subject to cancellation without notice.

KAREN M. MURPHY, PhD, RN,
Acting Secretary

[Pa.B. Doc. No. 15-628. Filed for public inspection April 3, 2015, 9:00 a.m.]

Special Supplemental Nutrition Program for Women, Infants and Children (WIC) Public Meeting

The Department of Health has scheduled a meeting on May 13, 2015, from 10 a.m. to 3 p.m. at Maternal and Family Health Services, Inc., 15 Public Square, Suite 600, Conference Room, Wilkes-Barre, PA 18701. The meeting is open to the public for the purpose of obtaining comments and recommendations for the development of the 2016 State Plan of Program Operation and Administration for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) in this Commonwealth. Persons wishing to give testimony at the meeting are requested to preregister with the State WIC Program office by calling (717) 783-1289. Anyone unable to attend the meeting but wishing to express their views may submit written comments by May 31, 2015, to the Department of Health, Bureau of Women, Infants and Children (WIC), 625 Forster Street, 7 West Health and Welfare Building, Harrisburg, PA 17120.

For additional information, or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact William R. Cramer, Director, (717) 783-1289, or for a speech and/or hearing impaired persons call V/TT (717) 783-6514 or the Pennsylvania AT&T Relay

Service at (800) 654-5984. Pennsylvania WIC is funded by the United States Department of Agriculture (USDA). The USDA is an equal opportunity provider and employer.

This meeting is subject to cancellation without notice.

KAREN M. MURPHY, PhD, RN,
Acting Secretary

[Pa.B. Doc. No. 15-629. Filed for public inspection April 3, 2015, 9:00 a.m.]

Special Supplemental Nutrition Program for Women, Infants and Children (WIC) Public Meeting

The Department of Health has scheduled a meeting on May 21, 2015, from 10 a.m. to 3 p.m. at Fayette County Community Action Agency, Inc., 108 North Beeson Boulevard, Uniontown, PA 15401. The meeting is open to the public for the purpose of obtaining comments and recommendations for the development of the 2016 State Plan of Program Operation and Administration for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) in this Commonwealth. Persons wishing to give testimony at the meeting are requested to preregister with the State WIC Program office by calling (717) 783-1289. Anyone unable to attend the meeting but wishing to express their views may submit written comments by May 31, 2015, to the Department of Health, Bureau of Women, Infants and Children (WIC), 625 Forster Street, 7 West Health and Welfare Building, Harrisburg, PA 17120.

For additional information, or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact William R. Cramer, Director, (717) 783-1289, or for a speech and/or hearing impaired persons call V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984. Pennsylvania WIC is funded by the United States Department of Agriculture (USDA). The USDA is an equal opportunity provider and employer.

This meeting is subject to cancellation without notice.

KAREN M. MURPHY, PhD, RN,
Acting Secretary

[Pa.B. Doc. No. 15-630. Filed for public inspection April 3, 2015, 9:00 a.m.]

Special Supplemental Nutrition Program for Women, Infants and Children (WIC) Public Meeting

The Department of Health has scheduled a meeting on May 22, 2015, from 10 a.m. to 3 p.m. at Bucks County Health Department, Neshaminy Manor Center, 1282 Almshouse Road, Doylestown, PA 18901. The meeting is open to the public for the purpose of obtaining comments and recommendations for the development of the 2016 State Plan of Program Operation and Administration for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) in this Commonwealth. Per-

sons wishing to give testimony at the meeting are requested to preregister with the State WIC Program office by calling (717) 783-1289. Anyone unable to attend the meeting but wishing to express their views may submit written comments by May 31, 2015, to the Department of Health, Bureau of Women, Infants and Children (WIC), 625 Forster Street, 7 West Health and Welfare Building, Harrisburg, PA 17120.

For additional information, or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact William R. Cramer, Director, (717) 783-1289, or for a speech and/or hearing impaired persons call V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984. Pennsylvania WIC is funded by the United States Department of Agriculture (USDA). The USDA is an equal opportunity provider and employer.

This meeting is subject to cancellation without notice.

KAREN M. MURPHY, PhD, RN,
Acting Secretary

[Pa.B. Doc. No. 15-631. Filed for public inspection April 3, 2015, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Disproportionate Share and Supplemental Hospital Payments

The Department of Human Services (Department) is providing final notice of its continued funding for inpatient disproportionate share hospital (DSH), outpatient supplemental and direct medical education payments for Fiscal Year (FY) 2014-2015 at the same levels as was allocated for FY 2013-2014. The Department is not changing the qualifying criteria or payment methodology for these payments for FY 2014-2015. The Department is also continuing to allocate an annualized amount of \$1.464 million for FY 2014-2015 for certain DSH and supplemental payments to new hospitals.

The Department published notice of its intent to allocate funding for these DSH and supplemental payments at 44 Pa.B. 6163 (September 27, 2014). The Department received no public comments during the 30-day comment period, and will implement the changes as described in its notice of intent.

Fiscal Impact

The FY 2014-2015 impact is \$263.805 million (\$125.986 million in State general funds).

THEODORE DALLAS,
Acting Secretary

Fiscal Note: 14-NOT-942. (1) General Fund;

(7) Medical Assistance—Inpatient; (2) Implementing Year 2014-15 is \$97,149,000; (3) 1st Succeeding Year 2015-16 through 5th Succeeding Year 2019-20 are \$0; (4) 2013-14 Program—\$163,862,000; 2012-13 Program—\$268,112,000; 2011-12 Program—\$325,685,000;

(7) Medical Assistance—Outpatient; (2) Implementing Year 2014-15 is \$28,837,000; (3) 1st Succeeding Year 2015-16 through 5th Succeeding Year 2019-20 are \$0; (4) 2013-14 Program—\$264,179,000; 2012-13 Program—\$450,835,000; 2011-12 Program—\$645,095,000;

(8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 15-632. Filed for public inspection April 3, 2015, 9:00 a.m.]

Federal Poverty Income Guidelines for 2015

The Department of Human Services (Department) announces the implementation in this Commonwealth of the 2015 Federal Poverty Income Guidelines (FPIG) which were issued by the Department of Health and Human Services and published at 80 FR 3236 (January 22, 2015).

The FPIGs are the basis for the income eligibility limits for several categories of Medicaid whose regulations are codified in 55 Pa. Code (relating to public welfare) and administered by the Department. These categories include Healthy Horizons for the Elderly and Disabled (55 Pa. Code Chapter 140, Subchapter B) and the Modified Adjusted Gross Income (MAGI) based eligibility categories for pregnant women, children, parent/caretakers and

adults. The MAGI categories were established by the Department’s implementation of the Affordable Care Act at 43 Pa.B. 4035 (July 13, 2013).

The percentages for the Medicaid categories of MAGI and Healthy Horizons are set forth as follows:

MAGI:

- a. 215% for pregnant women and infants up to 1 year of age.
- b. 157% for children 1 through 5 years of age.
- c. 133% for children 6 through 18 years of age and for adults 19 through 64 years of age.
- d. 33% for parents/caretakers and children 0 through 18 years of age.

* MAGI FPIGs represent the MAGI converted standards which will be valid until September 2019.

Healthy Horizons:

- a. 100% for persons eligible for the categorically needy, Medicare Buy-In and Medicare cost-sharing benefits.
- b. 120% for persons eligible for the Specified Low-Income Medicare Beneficiaries.
- c. 135% for persons eligible for the Qualifying Individuals Beneficiaries benefits.

There are different resource limits for each of the Healthy Horizons programs.

Persons	33% of FPIG		100% of FPIG		120% of FPIG		133% of FPIG	
	Month	Annual	Month	Annual	Month	Annual	Month	Annual
1	\$324	\$3,885	\$981	\$11,770	\$1,177	\$14,124	\$1,305	\$15,655
2	\$439	\$5,257	\$1,328	\$15,930	\$1,593	\$19,116	\$1,766	\$21,187
3	\$553	\$6,630	\$1,675	\$20,090	\$2,009	\$24,108	\$2,227	\$26,720
4	\$667	\$8,003	\$2,021	\$24,250	\$2,425	\$29,100	\$2,688	\$32,253
5	\$782	\$9,376	\$2,368	\$28,410	\$2,841	\$34,092	\$3,149	\$37,786
6	\$896	\$10,749	\$2,715	\$32,570	\$3,257	\$39,084	\$3,610	\$43,319
7	\$1,011	\$12,121	\$3,061	\$36,730	\$3,673	\$44,076	\$4,071	\$48,851
8	\$1,125	\$13,494	\$3,408	\$40,890	\$4,089	\$49,068	\$4,532	\$54,384
Each Additional Person	\$115	\$1,373	\$347	\$4,160	\$416	\$4,992	\$462	\$5,533

Persons	135% of FPIG		157% of FPIG		185% of FPIG		200% of FPIG	
	Month	Annual	Month	Annual	Month	Annual	Month	Annual
1	\$1,325	\$15,890	\$1,540	\$18,479	\$1,815	\$21,775	\$1,962	\$23,540
2	\$1,793	\$21,506	\$2,085	\$25,011	\$2,456	\$29,471	\$2,655	\$31,860
3	\$2,261	\$27,122	\$2,629	\$31,542	\$3,098	\$37,167	\$3,349	\$40,180
4	\$2,729	\$32,738	\$3,173	\$38,073	\$3,739	\$44,863	\$4,042	\$48,500
5	\$3,197	\$38,354	\$3,717	\$44,604	\$4,380	\$52,559	\$4,735	\$56,820
6	\$3,665	\$43,970	\$4,262	\$51,135	\$5,022	\$60,255	\$5,429	\$65,140
7	\$4,133	\$49,586	\$4,806	\$57,667	\$5,663	\$67,951	\$6,122	\$73,460
8	\$4,601	\$55,202	\$5,350	\$64,198	\$6,304	\$75,647	\$6,815	\$81,780
Each Additional Person	\$468	\$5,616	\$545	\$6,532	\$642	\$7,696	\$694	\$8,320

Persons	215% of FPIG		235% of FPIG		250% of FPIG	
	Month	Annual	Month	Annual	Month	Annual
1	\$2,109	\$25,306	\$2,305	\$27,660	\$2,453	\$29,425
2	\$2,855	\$34,250	\$3,120	\$37,436	\$3,319	\$39,825
3	\$3,600	\$43,194	\$3,935	\$47,212	\$4,186	\$50,225
4	\$4,345	\$52,138	\$4,749	\$56,988	\$5,053	\$60,625
5	\$5,091	\$61,082	\$5,564	\$66,764	\$5,919	\$71,025

Persons	215% of FPIG		235% of FPIG		250% of FPIG	
	Month	Annual	Month	Annual	Month	Annual
6	\$5,836	\$70,026	\$6,379	\$76,540	\$6,786	\$81,425
7	\$6,581	\$78,970	\$7,193	\$86,316	\$7,653	\$91,825
8	\$7,327	\$87,914	\$8,008	\$96,092	\$8,519	\$102,225
Each	\$746	\$8,944	\$815	\$9,776	\$867	\$10,400
Additional Person						

Additional information on the programs is available at the county assistance offices.

This notice shall take effect upon publication in the *Pennsylvania Bulletin* and apply retroactively to January 22, 2015.

Public Comments

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Income Maintenance, Cathy Buhrig, Acting Director, Bureau of Policy, Room 431, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 calendar 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,
Acting Secretary

Fiscal Note: 14-NOT-946. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 15-633. Filed for public inspection April 3, 2015, 9:00 a.m.]

Medical Assistance Reliant Hospital Supplemental Payment

The Department of Human Services (Department) is providing final notice of its continuation of supplemental payments to certain acute care general hospitals (hospitals) that provide a substantial portion of their inpatient services to Pennsylvania Medical Assistance (MA) beneficiaries. Hospitals with a patient population consisting largely of MA beneficiaries provide access to hospital services that otherwise may not be available to these individuals.

The Department published notice of its intent to continue funding these supplemental payments at 44 Pa.B. 6169 (September 27, 2014). The Department received no public comments during the 30-day comment period, and will implement the changes as described in its notice of intent.

Fiscal Impact

The Fiscal Year 2014-2015 impact as a result of the continued funding allocation for this payment is \$0.300 million (\$0.145 million in State general funds and \$0.155 million in Federal funds upon approval by the Centers for Medicare and Medicaid Services).

THEODORE DALLAS,
Acting Secretary

Fiscal Note: 14-NOT-944. (1) General Fund; (2) Implementing Year 2014-15 is \$145,000; (3) 1st Succeeding Year 2015-16 through 5th Succeeding Year 2019-20 are \$0; (4) 2013-14 Program—\$163,862,000; 2012-13 Program—\$268,112,000; 2011-12 Program—\$325,685,000; (7) MA—Inpatient; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 15-634. Filed for public inspection April 3, 2015, 9:00 a.m.]

DEPARTMENT OF REVENUE

Cash4Life™ Terminal-Based Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 875.4 (relating to notice of terminal-based lottery game rules), the Secretary of Revenue hereby provides public notice of the rules for the following terminal-based lottery game:

1. *Name:* The name of the terminal-based lottery game is Cash4Life. The game will commence at the discretion of the Secretary of Revenue and will continue until the Secretary publicly announces a suspension or termination date.

2. *Definitions:* The following words and phrases, when used in this notice, have the following meanings, unless the context clearly indicates otherwise:

Annuity Option—The manner in which the Cash4Life Top Prize and Second Level Prize may be paid in annual installments for the Annuitant’s Measuring Life.

Annuitant—The person or Entity who receives the benefits of an annuity resulting from a Cash4Life winning play for the Top Prize or Second Level Prize paid under the Annuity Option.

Cash Ball Number—The number selected from the field of numbers one (1) through four (4), which is selected by the player or randomly generated using the Quick Pick option, which forms the last number of a Cash4Life Play. The Cash Ball Number may be the same number as one of the five numbers a player selects from the Player Number Sequence.

Cash Option—The manner in which the Cash4Life Top Prize or Second Level Prize may be paid in a lump sum single payment.

Cash4Life—A terminal-based lottery game offered by the Pennsylvania Lottery as a Party Lottery to the Cash4Life Regional Game Agreement.

Cash4Life Drawing—The drawing conducted during which the Cash4Life Winning Numbers are selected.

Cash4Life Play or Play—The six numbers imprinted on a Cash4Life ticket, prefixed by letters A through E, to be played by a player in Cash4Life. The six numbers are comprised of a Player Number Sequence and a Cash Ball Number.

Cash4Life Official Game Rules—The governing rules for the Cash4Life game offered in accordance with the Cash4Life Regional Game Agreement.

Cash4Life Regional Game Agreement—The agreement between the Party Lotteries which establishes the terms for selling the Cash4Life game in the Party Lotteries' jurisdictions.

Cash4Life Winning Numbers—The six numbers, the first five (5) of which are comprised of a Winning Number Sequence and the sixth of which is comprised of a Winning Cash Ball Number, that are randomly selected during each Cash4Life Drawing and that shall be used to determine winning Cash4Life Plays.

Drawing Officials—The personnel authorized by the Party Lotteries to conduct and ensure the integrity of the Cash4Life Drawings.

Finance and Operating Procedures for Cash4Life—Administrative procedures for the operation of the Cash4Life game.

Guaranteed Annuity Portion—The portion of the Annuity Option where the prizewinner is guaranteed annuity payments for the first twenty (20) years of the Claimant's Measuring Life.

Leap Day—February 29, occurs every fourth year.

Measuring Life or Life—The period over which a Top Prize or Second Level Prize is paid out under the Annuity Option. Except as provided below, for each Top Prize winning Play or Second Level Winning Play, the Measuring Life shall be the natural life of the individual who a Party Lottery determines to be a valid prizewinner. However, under the following circumstances the Measuring Life shall be fixed at twenty (20) years: (1) a claim by a minor under the age of 18 at the time the claim is submitted; (2) a claim by a person other than an individual; or (3) a claim by more than one person for the same winning Cash4Life Play.

Party Lottery or Lotteries—The group of state lotteries that joined together to offer the Cash4Life game under the terms of the Cash4Life Regional Game Agreement, the Cash4Life Official Game Rules and the Finance and Operating Procedures for Cash4Life.

Player Number Sequence—A sequence of five (5) numbers ranging from one (1) through sixty (60), which are selected by the player or randomly generated using the Quick Pick option, that form the first five (5) numbers of a Cash4Life Play.

Prize Fund—The portion of Cash4Life gross sales set aside for the payment of prizes. The Prize Fund for any drawing is expected to be 55% of sales, but may be higher or lower based upon the number of winners at each prize level and the funding required to contribute to the Top Prize and Second Level Prize.

Second Level Prize—The Cash4Life prize awarded for matching the Player Number Sequence with the Winning Number Sequence.

Top Prize—The Cash4Life prize awarded for matching the Player Number Sequence and the Cash Ball Number with the Winning Number Sequence and the Winning Cash Ball Number.

Winning Number Sequence—The sequence of five (5) numbers ranging from one (1) through sixty (60) that are randomly selected during a Cash4Life Drawing that comprise a portion of the Cash4Life Winning Numbers.

Winning Cash Ball Number—The one (1) number ranging from one (1) through four (4) that is randomly selected during a Cash4Life Drawing that comprises the last number of the Cash4Life Winning Numbers.

3. *Price*: The price of a Cash4Life Play is \$2.

4. *Description of the Cash4Life lottery game*:

(a) Cash4Life is designed to give players the opportunity to win one prize for each Cash4Life Play.

(b) Cash4Life Plays may be purchased from an authorized retailer or at a Pennsylvania Lottery self-service terminal that sells terminal-based lottery game tickets.

(1) To purchase a Cash4Life Play at an authorized retailer, a player must remit the purchase price and select their Player Number Sequence and Cash Ball Number by submitting a completed Cash4Life bet slip to the authorized retailer, by verbally selecting their numbers, or by requesting the Quick Pick option by relaying the same to the authorized retailer.

(2) To purchase a Cash4Life Play at a Lottery self-service terminal, a player must insert into the self-service terminal the total purchase price and select their Player Number Sequence and Cash Ball Number by inserting a completed Cash4Life bet slip, by manually entering their number selections, or by selecting the Quick Pick option.

(c) Players can win prizes as provided in section 7 (relating to prizes available to be won and determination of prize winners).

(d) Players may purchase Cash4Life Plays for the next available Cash4Life Drawing or up to ten (10) consecutive Cash4Life Drawings, commencing with the next available Cash4Life Drawing.

(e) A Cash4Life Play may not be canceled or voided once printed by a Lottery terminal or a Pennsylvania Lottery self-service terminal that sells terminal-based lottery game tickets, even if it is printed in error.

5. *Cash4Life bet slip and ticket characteristics and restrictions*:

(a) *Cash4Life bet slip characteristics and restrictions*.

(1) Cash4Life bet slips are optically readable cards issued by the Pennsylvania Lottery that a player may use to select up to five (5) Cash4Life Plays. It features five (5) game areas each containing sixty (60) numbered squares from one (1) to sixty (60) where a player selects their Player Number Sequence and four (4) numbered squares from one (1) to four (4) where a player selects their Cash Ball Number and one square which is used to select the Quick Pick option.

(2) Cash4Life bet slips shall be available at no cost to the player.

(3) A Cash4Life Play must be selected in accordance with the instructions printed on the Cash4Life bet slip.

(4) A Cash4Life bet slip has no pecuniary or prize value, does not constitute evidence of the purchase of a Cash4Life Play or the Player Number Sequence or Cash Ball Number selected, and may not be used to claim a prize.

(5) A Cash4Life bet slip must be completed manually. The use of mechanical, electronic, computer generated, or any other non-manual method of marking bet slips is prohibited.

(6) Using a Cash4Life bet slip, the player may make number selections for up to five separate Cash4Life Plays. For each separate Cash4Life Play desired, a player must complete their number selections in a separate GAME area on the bet slip (GAME A, GAME B, GAME C, GAME D, and/or GAME E).

(7) A player may choose to have their number selection(s) made using the Quick Pick option by marking the box for Quick Pick on the bet slip under each desired GAME area.

(b) *Cash4Life ticket characteristics and restrictions.*

(1) A Cash4Life ticket will contain between one to five Cash4Life Plays, the purchase date, the drawing date or range of dates of the Cash4Life Drawing or Drawings in which the Cash4Life Play(s) is/are entered, the total cost of the Plays purchased, and validation data.

(2) A Cash4Life ticket shall be the only valid evidence of the purchase of a Cash4Life Play, and the only valid documentation for claiming a prize.

(3) The Cash4Life Plays recorded on a Cash4Life ticket shall only be valid for the Cash4Life Drawing date or range of dates printed on the ticket.

6. *Time, place and manner of conducting drawings:*

(a) *Time of drawing.* A Cash4Life Drawing will be held at a time as determined by the Party Lotteries and publicly announced by the Secretary.

(b) *Place of drawing.* Cash4Life Drawings will be conducted at a location selected by the Party Lotteries.

(c) *Manner of conducting drawings.* The Drawing Officials will select, at random, with the aid of mechanical devices or any other selection methodology as authorized by the Party Lotteries, the Cash4Life Winning Numbers.

7. *Prizes available to be won and determination of prize winners:*

(a) Cash4Life prize winners will be determined as follows:

(1) *Top Prize.* Holders of tickets upon which the Cash4Life Play matches the Cash4Life Winning Numbers selected by the Drawing Officials for the Cash4Life Drawing in which the Cash4Life Play is entered, shall be the winner of the Top Prize.

(i) Shares of the Top Prize shall be determined as follows:

(A) If there is one Top Prize winning play among the Party Lotteries, the annuitized Prize value will be \$1,000 per day for Life, paid in annual installments of \$365,000, or a one-time lump sum cash prize payment. If there is one Top Prize winning play among the Party Lotteries, the value of the Cash Option will be \$7,000,000.

(B) If there is more than one and less than or equal to fourteen Top Prize winning plays among the Party Lotteries, the annuitized payment based on an annuitized prize value of \$1,000 per day will be divided by the total number of Top Prize winning Plays. The minimum an-

nuitized Prize value for this category will be \$500 a week for Life, paid in annual installments. The two to fourteen Top Prize winning Play winners may choose the Cash Option as an alternative to the Annuity Option. The amount of the Cash Option shall be the amount of the Cash Option if there were only one prize winning Play, specified in section 7(a)(1)(i)(A), divided by the total number of Top Prize winning Plays.

(C) In the event there are fifteen or more Top Prize winning Plays among the Party Lotteries, no Annuity Option shall be available. Rather, the prize money for the Top Prize shall be divided equally among all Top Prize winning Plays and paid in one lump sum payment to each winner. The minimum Top Prize shall not be less than any prize payout for the second through the ninth prize levels for the same Cash4Life Drawing.

(ii) The Top Prize will be paid as an Annuity Option unless a player elects in writing to receive the Top Prize as a Cash Option payment. The election must be made in writing within sixty (60) days from the date the Lottery determines the player is entitled to a Top Prize, and is irrevocable.

(iii) The Top Prize amount may be subject to the provisions of section 7(b) below.

(2) *Second Level Prize.* Holders of tickets upon which the Player Number Sequence portion of a player's Cash4Life Play matches the Winning Number Sequence portion of the Cash4Life Winning Numbers selected by the Drawing Officials, for the drawing in which the Cash4Life Play is entered, shall be the winner of a Second Level Prize.

(i) Except as provided in these Cash4Life game rules, the Second Level Prize will be paid either as an Annuity Option or Cash Option. For each Second Level Prize winning Play, the annuitized prize value will be \$1,000 per week for Life, paid in annual installments of \$52,000, or a one-time lump sum cash prize payment, unless a liability limit, established in section 7(b), would be exceeded. The Cash Option for a Second Level Prize winning Play shall be \$1,000,000, unless a liability limit, established in section 7(b), would be exceeded.

(ii) If a liability limit, established in section 7(b), is exceeded and the annuity prize value of a Second Level Prize falls below \$500 per week for Life, then all Second Level Prize winning Plays will be paid in a single lump sum cash payment and no annuitized payment option will be available. The minimum Second Level Prize shall not be less than any prize payout for the third through the ninth prize levels for the same Cash4Life Drawing.

(3) *Third Level Prize.* Holders of tickets upon which four of the numbers of the Player Number Sequence portion of a player's Cash4Life Play match four of the numbers of the Winning Number Sequence portion of the Cash4Life Winning Numbers selected by the Drawing Officials and the Cash Ball Number portion of the player's Cash4Life Play matches the Winning Cash Ball Number portion of the Cash4Life Winning Numbers selected by the Drawing Officials, for the Cash4Life Drawing in which the Cash4Life Play is entered, shall be entitled to a prize of \$2,500.

(4) *Fourth Level Prize.* Holders of tickets upon which four of the numbers of the Player Number Sequence portion of a player's Cash4Life Play match four of the numbers of the Winning Number Sequence portion of the Cash4Life Winning Numbers selected by the Drawing

Officials, for the Cash4Life Drawing in which the Cash4Life Play is entered, shall be entitled to a prize of \$500.

(5) *Fifth Level Prize.* Holders of tickets upon which three of the numbers of the Player Number Sequence portion of a player's Cash4Life Play match three of the numbers of the Winning Number Sequence portion of the Cash4Life Winning Numbers selected by the Drawing Officials and the Cash Ball Number portion of the player's Cash4Life Play matches the Winning Cash Ball Number portion of the Cash4Life Winning Numbers selected by Drawing Officials, for the Cash4Life Drawing in which the Cash4Life Play is entered, shall be entitled to a prize of \$100.

(6) *Sixth Level Prize.* Holders of tickets upon which three of the numbers of the Player Number Sequence portion of a player's Cash4Life Play match three of the numbers of the Winning Number Sequence portion of the Cash4Life Winning Numbers selected by the Drawing Officials, for the Cash4Life Drawing in which the Cash4Life Play is entered, shall be entitled to a prize of \$25.

(7) *Seventh Level Prize.* Holders of tickets upon which two of the numbers of the Player Number Sequence portion of a player's Cash4Life Play match two of the numbers of the Winning Number Sequence portion of the Cash4Life Winning Numbers selected by the Drawing Officials and the Cash Ball Number portion of the player's Cash4Life Play matches the Winning Cash Ball Number portion of the Cash4Life Winning Numbers selected by the Drawing Officials, for the Cash4Life Drawing in which the Cash4Life Play is entered, shall be entitled to a prize of \$10.

(8) *Eighth Level Prize.* Holders of tickets upon which two of the numbers of the Player Number Sequence portion of a player's Cash4Life Play match two of the numbers of the Winning Number Sequence portion of the Cash4Life Winning Numbers selected by the Drawing Officials, for the Cash4Life Drawing in which the Cash4Life Play is entered, shall be entitled to a prize of \$4.

(9) *Ninth Level Prize.* Holders of tickets upon which one of the numbers of the Player Number Sequence portion of a player's Cash4Life Play matches one of the numbers of the Winning Number Sequence portion of the Cash4Life Winning Numbers selected by the Drawing Officials, and the Cash Ball Number portion of the player's Cash4Life Play matches the Winning Cash Ball Number portion of the Cash4Life Winning Numbers selected by the Drawing Officials, for the Cash4Life Drawing in which the Cash4Life Play is entered, shall be entitled to a prize of \$2.

(b) *Liability Limit.*

(i) For a Cash4Life Drawing, if the total prize liability for the Second Level Prize exceeds the amount available in the Prize Fund for the Second Level Prize plus five million dollars (\$5,000,000), then each Second Level Prize shall be paid on a pari-mutuel basis.

(ii) For a Cash4Life Drawing, if there are more than seven Top Prize winning Plays sharing the Top Prize and at least one Second Level Prize winning Play, the Top Prize and Second Level Prizes shall become pari-mutuel. In this situation the Top Prize and Second Level Prize winning Plays shall equally share a Prize Fund comprised of the Cash Option amount of the Top Prize, established in section 7(a)(1)(i)(A), and the lesser of either the Prize Fund for the Second Level Prize plus five million dollars

(\$5,000,000) or the Cash Option of the Second Level Prize, established in section 7(a)(2), multiplied by the number of winning plays eligible for a Second Level Prize.

(iii) The Party Lotteries may establish a liability limit for the third through the ninth prize levels. In the event that the third through the ninth prize levels liability limit would be exceeded for a particular Cash4Life Drawing, the prize amounts for the prize levels established in section 7 shall be adjusted in accordance with a formula established by the Party Lotteries so that the aggregate liability for prizes in such Cash4Life Drawing shall not exceed the Liability Limit. This prize liability limitation, if employed, will be posted on the Lottery's publically accessible website.

8. *Prize Restrictions.*

(a) All Cash4Life prize payments, other than the Top Prize and the Second Level Prize, will be made as a lump-sum cash payment.

(b) A holder of a ticket evidencing a winning Cash4Life Play is entitled only to the highest prize won by those numbers for the drawing in which the Cash4Life Play is entered.

(c) All prize levels will be rounded down to the nearest whole dollar.

(d) The number of prize categories and the allocation of the Prize Fund among the prize categories may be changed at the discretion of the Party Lotteries and any such change will be published in a notice in the *Pennsylvania Bulletin*, and announced publicly. Any such changes will apply prospectively to Cash4Life Drawings as of the date specified in the notice published in the *Pennsylvania Bulletin*.

(e) Cash4Life Winning Numbers are certified by the independent auditor responsible for auditing the Cash4Life Drawing. The Lottery shall not be responsible for Cash4Life Winning Numbers reported in error.

(f) An Annuitant will be paid their appropriate Top Prize share or Second Level Prize share on an annual basis for their Measuring Life, or for the twenty (20) year term of the Guaranteed Annuity Portion whichever is longer. In the event that an Annuitant dies within the twenty (20) year Guaranteed Annuity Portion, any remaining prize payments in the Guaranteed Annuity Portion will be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of prize winner). The initial payment under the Annuity Option will be paid as soon as possible upon the completion of internal validation procedures and in accordance with 61 Pa. Code § 875.10 (relating to terminal-based lottery game ticket validation and requirements).

(g) Prizes shall be redeemed or claimed only in the jurisdiction of the Party Lottery where the Cash4Life play was purchased.

(h) The Top Prize and Second Level Prize calculations shall not include Leap Day.

9. *Probability of winning.* The following table sets forth the prizes, the probability of winning each prize, and the percent of each dollar in sales anticipated to be paid in prizes in each prize level:

<i>Prize Level</i>	<i>Prize</i>	<i>Probability Of Winning Per Play:</i>	<i>Percent (%) Of Prize Fund Anticipated To Be Paid In Prizes*</i>
Top Prize	Annuity Option* \$1,000/Day for Life (Paid Annually) Cash Option**	1:21,846,048	32.90%
Second	Annuity Option* \$1,000/Week for Life (Paid Annually) Cash Option**	1:7,282,016	13.80%
Third	\$2,500	1:79,440	2.90%
Fourth	\$500	1:26,480	1.70%
Fifth	\$100	1:1,471	6.20%
Sixth	\$25	1:490	4.60%
Seventh	\$10	1:83	10.90%
Eighth	\$4	1:28	13.00%
Ninth	\$2	1:13	14.00%

* Leap Day does not count for purposes of prize calculation.

** The value of the Cash Option is posted at www.palottery.com and is subject to change.

10. *Unclaimed Prizes.* For winning Cash4Life plays for which no claim or redemption is made within the specified claim period, the corresponding prize monies shall be returned to the other Party Lotteries in accordance with the Finance and Operating Procedures for Cash4Life. The portion of the unclaimed prize or expired prize money that is returned to the Lottery will be paid into the State Lottery Fund and used for the purposes provided for by the State Lottery Law.

11. *Ineligible Players.* A Cash4Life play may not be purchased by, and a prize will not be paid to, a lottery board member, commissioner, officer or employee of a Party Lottery, or a spouse, child, brother, sister or parent residing as a member of the same household in the principle place of residence of any such person. A Cash4Life play may not be purchased by, and a prize will not be paid to, individuals identified in 72 P. S. § 3761-309 or 61 Pa. Code. § 875.15 (relating to purchase and prize restrictions).

12. *Applicable Law.* In purchasing a Cash4Life play, the purchaser agrees to comply with and be bound by all applicable Pennsylvania statutes and regulations, the Pennsylvania Lottery's policies and procedures, the Cash4Life Official Game Rules and these Cash4Life game rules. Claims arising from Cash4Life game sales occurring in the Commonwealth shall be resolved exclusively with the Pennsylvania Lottery according to the laws of Pennsylvania. Conflicts between the Cash4Life Official Game Rules and the Cash4Life game rules as published in the *Pennsylvania Bulletin* shall be resolved in favor of the Cash4Life Official Game Rules. In the event the Cash4Life game rules as published in the *Pennsylvania Bulletin* are silent, the applicable Cash4Life Official Game Rules shall apply.

13. *Retailer Incentive and Marketing Promotion Programs.*

(a) The Lottery may conduct a separate retailer incentive program for retailers who sell the Cash4Life lottery game as authorized 61 Pa. Code § 875.17 (relating to retailer promotional programs).

(b) Retailer incentive and marketing promotion programs, including the use of unfunded free tickets, may be implemented at the discretion of the Secretary. If needed, funds for the programs, including the payment of prizes resulting from the programs, will be drawn from the Lottery Fund.

(c) The Pennsylvania Lottery may conduct promotional drawings associated with the Cash4Life game. The Cash4Life game tickets will be imprinted with a unique code to be used by players to enter the promotional drawings. The promotional drawings may be held independently of or in conjunction with the regular Cash4Life Drawings. The Secretary will announce the existence of the promotional drawings. Winners of promotional drawings will be randomly selected from the group of qualified entries. A description of the available prize(s) and the specific rules and other information necessary for the conduct of the promotional drawings will be posted to the Lottery's publicly accessible website. A copy of the same will also be kept on file with the Lottery and will be available upon request.

EILEEN H. McNULTY,
Acting Secretary

[Pa.B. Doc. No. 15-635. Filed for public inspection April 3, 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 March 9, 2015, the following access route for use by the types of truck combinations as indicated:

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-cube.

<i>Route Identification</i>	<i>Route Description</i>	<i>County</i>	<i>Length Miles</i>
SR 3002 (Williamson Road)	from US 11 to 3840 Williamson Road	Franklin	3.9

The following municipalities approved the access route within their jurisdiction:

Greencastle Borough
Antrim Township

Questions should be directed to Matthew Hedge at (717) 772-5462.

LESLIE S. RICHARDS,
Acting Secretary

[Pa.B. Doc. No. 15-636. Filed for public inspection April 3, 2015, 9:00 a.m.]

Contemplated Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation (Department), under the Sale of Transportation Lands Act (71 P. S. §§ 1381.1—1381.3), intends to sell certain land owned by the Department.

The following is a list of the properties available for sale by the Department.

1. Westmoreland County Tax Map Parcel Number 49-15-00-0-017. Located in the Municipality of Murrysville, Westmoreland County. This parcel contains approximately 24,877 ± square feet of unimproved land situated on the east bound side of SR 0022, between Humes Court and Berlin Farm Road/Harrison City Road. The estimated fair market value is \$44,000. It has been determined that the land is no longer needed for present or future transportation purposes.

2. Located in the Municipality of Murrysville, Westmoreland County. This parcel contains approximately 8,540.5 ± square feet of unimproved land situated at the southwest corner of Prospect Avenue at the intersection with Laird Drive. The estimated fair market value is \$3,900. It has been determined that the land is no longer needed for present or future transportation purposes.

3. Westmoreland County Tax Map Parcel Number 57-17-00-0-188. Located in Ligonier Township, Westmoreland County on the south side of SR 711 in the Town of Oak Grove. This parcel contains 2.99 ± acres of improved land with a 5,720 square feet ± decorative block office building. Building includes approximately 3,457 square feet ± of office space and 2,263 square feet ± heated six-bay garage area. Site is also improved with 19,000 square feet ± of asphalt pavement and fencing with gate. The estimated fair market value is \$250,000. It has been determined that the land is no longer needed for present or future transportation purposes.

Interested public agencies are invited to express their interest in purchasing a site within 30 calendar days

from the date of publication of this notice to Vincent M. Komacko, Jr., Right of Way Administrator 2, Department of Transportation, Engineering District 12-0, P. O. Box 459, Uniontown, PA 15401.

LESLIE S. RICHARDS,
Acting Secretary

[Pa.B. Doc. No. 15-637. Filed for public inspection April 3, 2015, 9:00 a.m.]

Medical Advisory Board Meeting

The Medical Advisory Board (Board) will meet on Friday, April 17, 2015. The meeting will begin at 10 a.m. at the Riverfront Office Center, Transportation University, 1101 South Front Street, Harrisburg, PA. Chairperson Kara N. Templeton will preside. The meeting is open to the public.

Members of the public interested in addressing the Board with a concern relating to medical regulations must contact John Zimmerman at (717) 783-4534 by Friday, April 10, 2015. These concerns will be discussed during "Items from the Floor" on the agenda, which will open at 12 p.m.

The meeting location is accessible to persons with disabilities. Persons with special needs or who require special aids are also requested to contact John Zimmerman at (717) 783-4534 prior to the meeting so that disability needs may be accommodated.

LESLIE S. RICHARDS,
Acting Secretary

[Pa.B. Doc. No. 15-638. Filed for public inspection April 3, 2015, 9:00 a.m.]

Transportation Advisory Committee Meeting

The Transportation Advisory Committee will hold a meeting on Thursday, April 9, 2015, from 10 a.m. to 12 p.m. in Conference Room 8N1 of the Commonwealth Keystone Building, Harrisburg, PA. For more information, contact Julie Harmantzi at (717) 787-2913, jharmantzi@pa.gov.

LESLIE S. RICHARDS,
Acting Secretary

[Pa.B. Doc. No. 15-639. Filed for public inspection April 3, 2015, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Merger of Coventry Health Care of the Carolinas, Inc. with and into Aetna Health, Inc.

An application has been received requesting approval of the merger of Coventry Health Care of the Carolinas, Inc. (CHC-NC), a corporation organized under the laws of the State of North Carolina, with and into Aetna Health, Inc. (AHI-PA), a corporation organized under the laws of the Commonwealth. AHI-PA is licensed in this Commonwealth to operate a health maintenance organization. CHC-NC is not licensed to operate in this Commonwealth. The initial filing was received on March 12, 2015, and was made under Article XIV of The Insurance Company Law of 1921 (40 P. S. §§ 991.1401—991.1413).

Persons wishing to comment on the grounds of public or private interest in this merger are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, cbybee@pa.gov.

TERESA D. MILLER,
Acting Insurance Commissioner

[Pa.B. Doc. No. 15-640. Filed for public inspection April 3, 2015, 9:00 a.m.]

Application for Merger of Coventry Health Care of Delaware, Inc. with and into Aetna Health, Inc.

An application has been received requesting approval of the merger of Coventry Health Care of Delaware, Inc. (CHC-DE), a corporation organized under the laws of the State of Delaware, with and into Aetna Health, Inc. (AHI-PA), a corporation organized under the laws of the Commonwealth. AHI-PA is licensed in this Commonwealth to operate a health maintenance organization. CHC-DE is not licensed to operate in this Commonwealth. The initial filing was received on March 12, 2015, and was made under Article XIV of The Insurance Company Law of 1921 (40 P. S. §§ 991.1401—991.1413).

Persons wishing to comment on the grounds of public or private interest in this merger are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, cbybee@pa.gov.

TERESA D. MILLER,
Acting Insurance Commissioner

[Pa.B. Doc. No. 15-641. Filed for public inspection April 3, 2015, 9:00 a.m.]

Application for Merger of Coventry Health Care of Pennsylvania, Inc. with and into Aetna Health, Inc.

An application has been received requesting approval of the merger of Coventry Health Care of Pennsylvania, Inc. (CHC-PA), a corporation organized under the laws of the Commonwealth, with and into Aetna Health, Inc. (AHI-PA), a corporation organized under the laws of the Commonwealth. AHI-PA is licensed in this Commonwealth to operate a health maintenance organization. CHC-PA is licensed in this Commonwealth to operate a health maintenance organization. The initial filing was received on March 12, 2015, and was made under Article XIV of The Insurance Company Law of 1921 (40 P. S. §§ 991.1401—991.1413).

Persons wishing to comment on the grounds of public or private interest in this merger are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, cbybee@pa.gov.

TERESA D. MILLER,
Acting Insurance Commissioner

[Pa.B. Doc. No. 15-642. Filed for public inspection April 3, 2015, 9:00 a.m.]

Application for Merger of HealthAmerica Pennsylvania, Inc. with and into Aetna Health, Inc.

An application has been received requesting approval of the merger of HealthAmerica Pennsylvania, Inc. (HAPA), a corporation organized under the laws of the Commonwealth, with and into Aetna Health, Inc. (AHI-PA), a corporation organized under the laws of the Commonwealth. AHI-PA is licensed in this Commonwealth to

operate a health maintenance organization. HAPA is licensed in this Commonwealth to operate a health maintenance organization. The initial filing was received on March 12, 2015, and was made under Article XIV of the Insurance Company Law of 1921 (40 P. S. §§ 991.1401—991.1413).

Persons wishing to comment on the grounds of public or private interest in this merger are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, cbybee@pa.gov.

TERESA D. MILLER,
Acting Insurance Commissioner

[Pa.B. Doc. No. 15-643. Filed for public inspection April 3, 2015, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insured has requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) (Act 68) in connection with the termination of the insured's automobile insurance policy. The hearing will be held in accordance with the requirements of Act 68; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's regional office in Harrisburg, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Lesa Marie Davis; file no. 15-119-181158; State Farm Mutual Automobile Insurance Company; Doc. No. P15-03-009; May 6, 2015, 9:30 a.m.

Parties may appear with or without counsel and offer relevant testimony and other relevant evidence, or both. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce docu-

mentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

TERESA D. MILLER,
Acting Insurance Commissioner

[Pa.B. Doc. No. 15-644. Filed for public inspection April 3, 2015, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insured has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (act) (40 P. S. § 1171.8) in connection with the company's termination of the insured's homeowners policy. The hearing will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's regional office in Harrisburg, PA. Failure by the appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Jack T. Ledbetter; file no. 15-119-181638; The Phoenix Insurance Company; Doc. No. P15-03-010; May 5, 2015, 10 a.m.

Parties may appear with or without counsel and offer relevant testimony and other relevant evidence, or both. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

TERESA D. MILLER,
Acting Insurance Commissioner

[Pa.B. Doc. No. 15-645. Filed for public inspection April 3, 2015, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Cybersecurity Tabletop Exercise; Postponement

The Pennsylvania Public Utility Commission (Commission) appreciates the interest expressed by participants regarding the joint industry-government tabletop exercise scheduled for April 28, 2015. The Commission is encouraged to know that participants are dedicated to the continual improvement of their security profile and are committed to work closely with other entities to enhance that effort. New information is being developed that could provide the opportunity for further collaboration on this project.

Therefore, the April 28, 2015, exercise has been postponed to allow for further development of material that could enhance the tabletop exercise and subsequently bring more value. The Commission will provide more information in the coming months.

Individuals with questions should contact the Office of Commissioner Pamela A. Witmer at (717) 783-1763.

ROSEMARY CHIAVETTA
Secretary

[Pa.B. Doc. No. 15-646. Filed for public inspection April 3, 2015, 9:00 a.m.]

Electric Distribution Companies; Plan Filings for Seamless Moves and Instant Connects

Doc. Nos. M-2014-2401127 Duquesne Light Company;
M-2014-2401085 PECO Energy Company;
M-2014-2401103 PPL Electric Utilities; M-2014-2401119
Pike County Light and Power; M-2014-2401130
Metropolitan Edison Company; M-2014-2401155
Pennsylvania Electric Company; M-2014-2401151
Pennsylvania Power Company; M-2014-2401148 West
Penn Power Company; M-2014-2401126 UGI
Utilities—Electric Division

The purpose of this Secretarial Letter is to inform all interested parties of the modification of the implementation timelines for Electric Distribution Companies (EDCs) and the plans for seamless moves and instant connects.

Seamless moves and instant connects arose from the RMI End State Final Order.¹ In this Order, the Pennsylvania Public Utility Commission (Commission) directed

¹ See, Investigation of Pennsylvania's Retail Electricity Market: End State of Default Service, Doc. No. L-2011-2237952 (Order entered February 15, 2013), pages 69–75 and 112.

the EDCs to file, by the end of 2013, plans for implementing seamless moves and instant connects in their service territories by June 2015. A “seamless move” is the ability of a customer to move to a new address and retain its current electric generation supplier (EGS) without interruption. “Instant connect” is the ability of competitive generation supply service to start on “day one” of new utility service—without the customer first having to go on default service.

The filings submitted by the EDCs in response to the Commission's directives concerning these processes are available for review on the Commission's web site by using the “Search For Documents” webpage (link: http://www.puc.pa.gov/about_puc/search_results.aspx?advanced=true) and inputting the appropriate docket number (the document numbers are previously listed for each EDC).

Subsequent events caused the Commission to modify the implementation timelines for these new market enhancements. Specifically, on April 3, 2014, the Commission promulgated new regulations directing the EDCs to develop 3-business day supplier switching time frames.² Implementation of the 3-business day switch went into effect on December 14, 2014. The Commission acknowledged that the implementation of 3-day supplier switching required significant effort by the EDCs and that the timely development of 3-business day switching was a priority over instant connects and seamless moves. As such, by means of an August 13, 2014, Secretarial Letter served at the previously-referenced dockets, the Commission permitted the EDCs to delay the development of instant connects and seamless moves if an EDC determined that developing these processes could hinder or delay the development of 3-business day supplier switching (the previous June 2015 deadline is no longer in effect). The EDCs subsequently notified the Commission's Office of Competitive Market Oversight (OCMO) that they were postponing implementation of seamless moves and instant connects.

In that same August 13, 2014, Secretarial Letter, the Commission voiced continuing support of these two market enhancements and directed OCMO to submit a recommendation to the Commission with a proposed implementation time frame for seamless moves and instant connects. OCMO was directed to first consult with the EDCs in the preparation of the new implementation time frame. OCMO has submitted a recommendation and the Commission is now announcing, by means of this Secretarial Letter, a revised plan for implementation.

Instant Connects

After carefully considering the issue, while 3-business day supplier switching is a reality across most of the Commonwealth—and with full implementation expected in the summer of 2015—the Commission believes that instant connects are still needed. Even with a customer able to switch to a supplier within days of initiating utility service, this delay can still have serious negative impacts, especially for large commercial and industrial customers. However, the primary reason for wanting to pursue instant connects continues to be based on the concern expressed throughout this proceeding that the lack of instant connects-making all consumers first go on default service—inappropriately elevates default service to a favored, primary service role.

² See Rulemaking to Amend the Provisions of 52 Pa. Code Chapter 57 Regulations Regarding Standards for Changing a Customer's Electricity Generation Supplier, Doc. L-2014-2409383 (entered April 3, 2014).

Seamless Moves

Some have also questioned the need for seamless moves in a 3-business day switching environment—arguing that a customer that has moved can enroll with a supplier at their new location within 3 business days. However, after carefully considering the matter, the Commission does not believe that the need for seamless moves has been obviated by 3-business day switching. Although a moving customer can obtain new supplier service at their new address within days, this misses the point that the customer should not have to obtain new supplier service simply because they moved locations within the EDC's service territory. The customer should not have their previous supplier contract voided, and then have to enter into a new contract (possibly at less-advantageous terms and conditions) at their new address. It is reasonable for customers to expect that their supplier choice and contract be simply "ported" to their new location. The fact that it does not is merely a result of the limitations of the EDC's current customer account systems—not the result of any sound policy decision.

Process

The Commission acknowledges that the EDCs currently have numerous demands on their resources. This includes full 3-business day supplier switching implementation by the summer of 2015, joint EDC/EGS bills by the summer of 2015,³ eligible customer list refreshing in early 2015,⁴ and other, individual projects that they may have committed to do in their recent default service plan proceedings. The Commission wants to provide a realistic time frame for implementing seamless moves and instant connects—one that will not conflict with current more urgent projects. The Commission believes that it is reasonable to expect the EDCs to have seamless moves and instant connects in place by July 1, 2016.

The Commission expects the EDCs to file under the previously listed docket numbers, within 30 days of the date of this Secretarial Letter, a revised plan to implement seamless moves and instant connects in their service territories by July 1, 2016. Each EDC's plan should demonstrate how the EDC will achieve seamless moves and instant connects and the time frames for implementation to meet the July 1, 2016, implementation deadline. Each plan should also provide an estimate of the costs to design, test, implement and maintain seamless moves and instant connects and proposals for the recovery of those costs.

The Commission is providing a 30-day comment period on the plans filed by the EDCs. Interested parties are to file comments with the Secretary under the previously listed dockets, within 30 days of each plan filing date. The Commission will then review the comments and determine appropriate further actions with regard to the filed plans.

Questions about this Secretarial Letter should be directed to the Office of Competitive Market Oversight by e-mail at ra-OCMO@pa.gov.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 15-647. Filed for public inspection April 3, 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 April 20, 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-2015-2468944. Abbas Transportation Services, LLC (2303 Bleigh Avenue, Philadelphia, Philadelphia County, PA 19152) for the right to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Bucks, Chester, Delaware, Montgomery and Philadelphia, to points in Pennsylvania, and return. *Attorney:* Mark Feinman, Esquire, 8171 Castor Avenue, Philadelphia, PA 19152.

A-2015-2469125. Granny's Helping Hands PA, Inc. t/a Let's Go Transportation, LLC (P. O. Box 725, Lansdowne, PA 19050), for the right, to transport by motor vehicle, persons, upon call or demand in the Counties of Delaware, Montgomery, Chester and Bucks.

A-2015-2471178. Blakeney Transportation Service, LLC (1353 East Vernon Road, Philadelphia, Philadelphia County, PA 19150) for the right to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the City and County of Philadelphia, to points in Pennsylvania, and return.

A-2015-2472625. IWillDriveU.com, LLC (155 Jennifer Lane, Bala Cynwyd, PA 19004) a limited liability company of the Commonwealth of Pennsylvania—persons in limousine service, from points in Bucks, Chester, Delaware and Montgomery Counties to points in Pennsylvania, and return.

Application of the following for the approval of the right and privilege to *discontinue/abandon* operating as *common carriers* by motor vehicle and for cancellation of the certificate of public convenience as described under the application.

A-2015-2467665. Ashley's Stretched Limousine Service, LLC (93 High Ridge Drive, Delta, York County, PA 17314) discontinuance of service and cancellation of its certificate—persons in limousine service, between points in Pennsylvania, excluding service under the jurisdiction of the Philadelphia Parking Authority.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 15-648. Filed for public inspection April 3, 2015, 9:00 a.m.]

³ See Retail Electricity Market: Joint Electric Distribution Company—Electric Generation Supplier Bill, Doc. No. M-2014-2401345 (Final Order entered May 23, 2014).

⁴ See Interim Guidelines for Eligible Customer Lists, Doc. No. M-2010-2183412 (Final Order entered October 23, 2014).

Telecarrier Services, Inc.; Errata Notice

Public Meeting held
February 12, 2015

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

Telecarrier Services, Inc.; A-311239; A-311239F0002

Errata Notice

This is to advise all parties of record that the Tentative Order entered February 12, 2015, in the above-captioned proceeding contains an error on Page 2, Ordering Paragraph No. 3, referencing Americom Technologies, Inc., utility code 310345.

The correct reference should be to Telecarrier Services, Inc., utility code 311239. The corrected text from this page follows.

The Order on the PA PUC website will be corrected as indicated above.

and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on the above facts, we tentatively conclude that it is appropriate to revoke Telecarrier's certificates of public convenience without the necessity of a formal complaint as being in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, in lieu of cancellation, if Telecarrier seeks relief from this Tentative Order; *Therefore,*

It Is Ordered That:

1. Revocation of Telecarrier Services, Inc.'s certificates of public convenience are hereby tentatively approved as being in the public interest.

2. The Secretary serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, and the Bureau of Investigation & Enforcement, and also cause a copy of this Tentative Order to be published in the *Pennsylvania Bulletin* with a 30-day comment period.

3. Absent the filing of adverse public comment within 30 days after publication in the *Pennsylvania Bulletin*, the Bureau of Technical Utility Services shall prepare a Final Order for entry by the Secretary and shall advise the affected Bureaus within the Commission in writing that the certificates of public convenience held by Telecarrier Services, Inc., utility code 311239, are cancelled, that its name be stricken from all active utility lists maintained by the Commission's Bureau of Technical

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 15-649. Filed for public inspection April 3, 2015, 9:00 a.m.]

**PHILADELPHIA
PARKING AUTHORITY****Motor Carrier Stock Transfer Application for Taxicab Service in the City of Philadelphia**

Permanent authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) by the following named applicant at Docket No. A-13-07-05 and published April 4, 2015, in the *Pennsylvania Bulletin*. The 50% shareholder has applied to transfer 50% of the stock of Lady Liberty Transportation (CPC No. 1013543-06) holder of Airport Transfer Rights to transport persons and their luggage in airport transfer between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

Georgina Habtemicael 50% Shareholder, 1242 South 47th Street, Philadelphia, PA 19143.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148 by April 19, 2015. Documents filed in support of the application are available for inspection at the TLD office (contact Michael McIlmail) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,
Executive Director

[Pa.B. Doc. No. 15-650. Filed for public inspection April 3, 2015, 9:00 a.m.]

**PHILADELPHIA REGIONAL
PORT AUTHORITY****Request for Bids**

The Philadelphia Regional Port Authority will accept sealed bids for Project No. 15-020.1, Pier 84 Hardware Repair, until 2 p.m. on Thursday, May 7, 2015. Information (including mandatory prebid information) can be obtained from the web site www.philaport.com under Procurement or call (215) 426-2600.

JAMES T. McDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 15-651. Filed for public inspection April 3, 2015, 9:00 a.m.]

STATE BOARD OF AUCTIONEER EXAMINERS

**Bureau of Professional and Occupational Affairs v.
John Emerson Midkiff and PA Auction Company
d/b/a Redline Auction Company; Doc. Nos. 0135-
64-14, 0269-64-14 and 0136-64-14**

On February 12, 2015, John Emerson Midkiff and PA Auction Company d/b/a Redline Auction Company, license no. AU005558, of Blairsville, Indiana County, was assessed a \$1,000 civil penalty and had his license revoked effective March 16, 2015, 30 days from the date of this order, based on his conviction of a felony offense.

Individuals may obtain a copy of the adjudication by writing to Wesley J. Rish, Board Counsel, State Board of Auctioneer Examiners, P. O. Box 69523, Harrisburg, PA 17106-9523.

This adjudication and order represents the final State Board of Auctioneer Examiners (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals may take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

SHERMAN HOSTETTER, Jr.,
Chairperson

[Pa.B. Doc. No. 15-652. Filed for public inspection April 3, 2015, 9:00 a.m.]

STATE BOARD OF COSMETOLOGY

**Bureau of Professional and Occupational Affairs v.
Marissa Boczar; Doc. No. 10194-45-2011**

On January 20, 2015, Marissa Boczar, of Scranton, Lackawanna County, was imposed a \$500 penalty for maintaining an unlicensed salon.

Individuals may obtain a copy of the order by writing to Ariel E. O'Malley, Board Counsel, State Board of Cosmetology, P. O. Box 69523, Harrisburg, PA 17106-9523.

STEPHEN A. WALLIN,
Chairperson

[Pa.B. Doc. No. 15-653. Filed for public inspection April 3, 2015, 9:00 a.m.]

STATE BOARD OF NURSING

**Bureau of Professional and Occupational Affairs v.
Tracie Kelly Elam, LPN; File No. 14-51-10619;
Doc. No. 2018-51-2014**

On January 29, 2015, Tracie Kelly Elam, LPN, license no. PN151115L, of Midland, Beaver County, was automatically suspended for a period of 1 year, retroactive to November 25, 2014, based on her misdemeanor conviction in violation under The Controlled Substance, Drug, Device and Cosmetic Act (35 P.S. §§ 780-101—780-144).

Individuals may obtain a copy of the adjudication by writing to Megan E. Castor, Board Counsel, State Board of Nursing, P. O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final State Board of Nursing (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

KRISTIN MALADY, BSN, RN,
Chairperson

[Pa.B. Doc. No. 15-654. Filed for public inspection April 3, 2015, 9:00 a.m.]

