

PENNSYLVANIA BULLETIN

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Department of Community and Economic
Development

Department of Environmental Protection

Department of Health

Department of Public Welfare

Department of Revenue

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Department of Transportation

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State Board of Certified Real Estate Appraisers

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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 you the history of the documents. 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.

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 such 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; and that the fiscal note shall provide 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 five 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 five 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 2013.

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THE COURTS

Title 210—APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

[210 PA. CODE CHS. 3, 9, 11 AND 21]

Proposed Amendments to Pa.R.A.P. 341, 902, 1112, 1115, 2116 and 2119

The Appellate Court Procedural Rules Committee proposes to recommend amendment to the notes of Pa.R.A.P. 341, 902, 1112, 1115, 2116, and 2119. This proposal is being submitted for public comments, suggestions and concerns prior to submission to the Supreme Court.

Proposed new material is in bold type and deleted material is bracketed and in bold face type.

All communications in reference to the proposed amendment should be sent no later than July 22, 2013 to:

Appellate Court Procedural Rules Committee
Pennsylvania Judicial Center
601 Commonwealth Ave., Suite 6200
P. O. Box 62635
Harrisburg, Pennsylvania 17106-2635
or Fax to
(717) 231-9551
or E-Mail to
appellaterules@pacourts.us

An Explanatory Comment precedes the proposed amendment and has been inserted by this Committee for the convenience of the bench and bar. It will not constitute part of the rule nor will it be officially adopted or promulgated.

*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 3. ORDERS FROM WHICH APPEALS MAY BE TAKEN

FINAL ORDERS

Rule 341. Final Order; Generally.

* * * * *

Official Note: Related Constitutional and Statutory Provisions—Section 9 of Article V of the Constitution of Pennsylvania provides that “there shall be a right of appeal from a court of record or to an appellate court.” The term “administrative agency” is not defined in Rule 102 of these rules and as used in this rule is intended to have the same meaning as the term “administrative agency” in Section 9 of Article V of the Constitution of Pennsylvania. The constitutional provision is implemented by 2 Pa.C.S. § 702 (appeals), 2 Pa.C.S. § 752 (appeals), and 42 Pa.C.S. § 5105 (right to appellate review).

[*Criminal Law Proceedings—Discretionary Aspects of Sentencing*—Section 9781 of the Sentencing

Code (42 Pa.C.S. § 9781) states that the defendant or the Commonwealth may “petition for allowance of appeal” of the discretionary aspects of a sentence for a felony or a misdemeanor. The practice under these rules is to file a notice of appeal. See note to Rule 902 (manner of taking appeal). If the defendant has a right to an appeal with respect to the discretionary aspects of a sentence, the appellate court must, of course, entertain the appeal. Otherwise, such an appeal may be entertained by an appellate court if, but only if, it appears to the court that there is a substantial question that the sentence imposed is not appropriate under the applicable guidelines.]

* * * * *

ARTICLE II. APPELLATE PROCEDURE

CHAPTER 9. APPEALS FROM LOWER COURTS

Rule 902. Manner of Taking Appeal.

* * * * *

Official Note: 42 Pa.C.S. § 703 (place and form of filing appeals) provides that appeals, petitions for review, petitions for permission to appeal and petitions for allowance of appeal shall be filed in such office and in such form as may be prescribed by general rule.

* * * * *

Section 9781 of the Sentencing Code (42 Pa.C.S. § 9781) provides that the defendant or the Commonwealth may file a “petition for allowance of appeal” of the discretionary aspects of a sentence for a felony or a misdemeanor. The notice of appeal under this chapter (see [**Rule 904 (content of the notice of appeal)**] Pa.R.A.P. 904), in conjunction with the requirements set forth in Pa.R.A.P. 2116(b) and 2119(f), operates as the “petition for allowance of appeal” under the Sentencing Code. [**It automatically raises all possible questions under 42 Pa.C.S. § 9781 and is available and appropriate even where no issue relating to guilt or the legality of the sentence (in the sense that the sentence falls outside of the range of discretion vested by law in the sentencing court) is presented.**] No additional wording is required or appropriate in the notice of appeal. See Pa.R.A.P. 2116(b) and the note thereto; Pa.R.A.P. 2119(f) and the note thereto. Although 42 Pa.C.S. § 9781(f) limits appeals to “the appellate court that has initial jurisdiction for such appeals” the Supreme Court may review “the application of legal principles, including the issue of whether a lower court exceeded its standard of review in supplanting the sentencing court’s discretion.” *Commonwealth v. Perry*, 32 A.3d 232, 236 n.10 (Pa. 2011).

* * * * *

CHAPTER 11. APPEALS FROM COMMONWEALTH COURT AND SUPERIOR COURT

PETITION FOR ALLOWANCE OF APPEAL

Rule 1112. Appeals by Allowance.

* * * * *

Official Note: Based on 42 Pa.C.S. § 724(a) (allowance of appeals from Superior and Commonwealth Courts). The notation on the docket by the Prothonotary

of the Superior Court or Commonwealth Court of the filing of a petition for allowance of appeal renders universal the rule that the appeal status of any order may be discovered by examining the docket of the court in which it was entered.

* * * * *

[With regard to subdivision (f) and withdrawal of appearance without leave of the appellate court, counsel may nonetheless be subject to trial court supervision pursuant to Pa.R.Crim.P. 904 (Entry of Appearance and Appointment of Counsel; *In Forma Pauperis*).]

With respect to appearances by new counsel following the initial docketing of appearances pursuant to [Subdivision] paragraph (f) of this rule, please note the requirements of Rule [1200] 120.

Where an appellant desires to challenge the discretionary aspects of a sentence of a trial court the “petition for allowance of appeal” 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. See note to Pa.R.A.P. 902; note to Pa.R.A.P. 1115; Pa.R.A.P. 2116(b) and the note thereto; Pa.R.A.P. 2119(f) and the note thereto.

Rule 1115. Content of the Petition for Allowance of Appeal.

* * * * *

Official Note: Former Supreme Court Rule 62 permitted the petitioner in effect to dump an undigested mass of material (i.e., briefs in and opinions of the court below) in the lap of the Supreme Court, with the burden on the individual justices and their law clerks to winnow the wheat from the chaff. This rule, which is patterned after U.S. Supreme Court Rule 23, places the burden on the petitioner to prepare a succinct and coherent presentation of the case and the reasons in support of allowance of appeal.

Where an appellant desires to challenge the discretionary aspects of a sentence of a trial court [no “petition for allowance of appeal,” as that term is used in these rules, may be filed and the practice is governed by Chapter 9 (appeals from lower courts)] the “petition for allowance of appeal” 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. *Commonwealth v. Tuladeziecki*, 522 A.2d 17, 18 (Pa. 1987). See note to [Rule 902 (manner of taking appeal)] Pa.R.A.P. 902; note to Pa.R.A.P. 1112; Pa.R.A.P. 2116(b) and the note thereto; Pa.R.A.P. 2119(f) and the note thereto.

CHAPTER 21. BRIEFS AND REPRODUCED RECORD

CONTENT OF BRIEFS

Rule 2116. Statement of Questions Involved.

* * * * *

(b) *Discretionary aspects of sentence.*—An appellant who challenges the discretionary aspects of a sentence in a criminal matter shall include any questions relating to the discretionary aspects of the sentence imposed (but not the issue whether the appellate court should exercise its discretion to reach such question) in the statement re-

quired by [Subdivision] paragraph (a). Failure to comply with this [subdivision] paragraph shall constitute a waiver of all issues relating to the discretionary aspects of sentence.

Official Note: In conjunction with 2013 amendments to Rules 2135 (length of briefs) and 2140 (brief on remand or following grant of reargument or reconsideration) adopting an optional word limit in lieu of page limits, the 2013 amendment eliminated the page limit for the statement of questions involved. The word count does, however, include the statement of questions, and a party should draft the statement of questions involved accordingly, with sufficient specificity to enable the reviewing court to readily identify the issues to be resolved while incorporating only those details that are relevant to disposition of the issues. Although the page limit on the statement of questions involved was eliminated in 2013, verbosity continues to be discouraged. The appellate courts strongly disfavor a statement that is not concise.

The requirement set forth in Pa.R.A.P. 2116(b) is part of the procedure set forth by the Supreme Court to implement the standard set forth in 42 Pa.C.S. § 9781(b). *Commonwealth v. Tuladeziecki*, 522 A.2d 17, 18 (Pa. 1987). See note to Pa.R.A.P. 902; note to Pa.R.A.P. 1112; note to Pa.R.A.P. 1115; and Pa.R.A.P. 2119(f) and the note thereto.

Rule 2119. Argument.

* * * * *

(f) *Discretionary aspects of sentence.*—An appellant who challenges the discretionary aspects of a sentence in a criminal matter shall set forth in his brief a concise statement of the reasons relied upon for allowance of appeal with respect to the discretionary aspects of a sentence. The statement shall immediately precede the argument on the merits with respect to the discretionary aspects of the sentence.

Official Note: Based on former Supreme Court Rule 55, former Superior Court Rule 45 and former Commonwealth Court Rule 95. The requirement for parallel citation to the Atlantic Reporter is extended to the Supreme Court and the Commonwealth Court and the related certificate of nonpublication in the official reports has been omitted. The requirement of former Superior Court Rule 45 that a party print in bold face up to three citations under each head chiefly relied upon, has been omitted. Counsel having available the Atlantic Reporter can readily obtain the official citation from cross-reference sheets ordinarily pasted on the flyleaf of each Atlantic Reporter volume; counsel having the official reports available can obtain the Atlantic Reporter citation from cross-references available in *Shepard’s Pennsylvania Citations—Case Edition* or the *National Reporter Blue Book*.

[In some circumstances an appellant may have a right to appellate review of the discretionary aspects of a sentence. See note to Rule 341 (final orders generally). In such cases a citation to the controlling authority will suffice for purposes of Subdivision (f).]

Where a challenge is raised to the discretionary aspects of sentencing, the “petition for allowance of appeal” specified in 42 Pa.C.S. § 9781 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. In order to assert a challenge to the discretionary aspects of a sen-

tence, the issue must first be raised at the sentencing hearing or in a motion to modify the sentence imposed at the hearing and, in accordance with the provisions of this rule, the appellant (whether the Commonwealth or the defendant) must set forth clear reasons why the sentence was not consistent with the Sentencing Code and must do so in compliance with the requirements of this rule and Pa.R.A.P. 2116(b). *Commonwealth v. Anderson*, 830 A.2d 1013, 1016 (Pa. Super. 2003). If the appellant complies with these rules, the court will determine whether there is a substantial question as to the sentence imposed. *Commonwealth v. Tuladziecki*, 522 A.2d 17, 18 (Pa. 1987). If these rules are not complied with and the opposing party fails to object to the procedural defect, the court may likewise determine for itself whether a substantial question has been presented. *Commonwealth v. Bailey*, 534 A.2d 829 (Pa. Super. 1987); *Commonwealth v. Gambal*, 561 A.2d 710 (Pa. 1989). If these rules are not complied with and the opposing party raises the procedural defect, the court will not reach the merits of the challenge to the discretionary aspects of sentence on appeal. *Tuladziecki*, 522 A.2d at 18.

Explanatory Comment

Discretionary Aspects of Sentence

Although a challenge to the legality of a sentence cannot be waived, a challenge to the discretionary aspects of a sentence can. Moreover, review of the discretionary aspects of a sentence are limited by statute in two ways.

First, even when objections have been preserved, the appellate court (generally Superior Court)¹ undertakes a threshold analysis (referred to in the statute as a petition for allowance of appeal). The appellant—whether the defendant or the Commonwealth—does not file a separate petition, however; instead, the challenge is raised in a separate section of the merits brief. See 42 Pa.C.S. § 9781(b); *Commonwealth v. Childs*, 664 A.2d 994, 996 (Pa. Super. 1995). Failure to comply with the requirements to set forth the basis for the court's review in a separate section of the brief necessarily waives the challenge to the discretionary aspects of the sentence, if the opposing party raises the procedural defect, and may waive it even if the opposing party fails to raise the procedural defect. Because challenges to the legality of a sentence are not foreclosed, regardless of the extent of preservation, there are several cases in which persons have sought to characterize an issue as relating to "legality" rather than discretion, but the Supreme Court has cautioned that persons should file post-sentence motions and Rule 2119(f) statements for all sentencing claims. See *Commonwealth v. Foster*, 17 A.3d 332, 345 n.20 (Pa. 2011). Indeed, the only categories of challenges that the Court has recognized as challenges to the legality of a sentence are those in which a court's authority to use discretion has been constrained or those in which the sentence imposed is patently inconsistent with the parameters set forth by the General Assembly. *Id.* at 342. These include challenges under *Apprendi*, merger, double jeopardy, and sentencing outside a minimum or maximum. *Id.* at 338, 342.

Second, the statute permits only one level of review. Nonetheless, the Supreme Court has recognized that the statutory limitation does not preclude it from reviewing

¹In *Commonwealth v. Mouzon*, 912 A.2d 617 (Pa. 2002), the Supreme Court explained that when a capital defendant appeals to the Supreme Court, the Supreme Court considers all questions relating to lesser sentences as well, including challenges to the discretionary aspects of a sentence. *Id.* at 622.

"the application of legal principles, including the issue of whether a lower court exceeded its standard of review in supplanting the sentencing court's discretion." *Commonwealth v. Perry*, 32 A.3d 232, 236 n.10 (Pa. 2011), although there have been multiple cases in which the dissent raised a concern that such review was contrary to 42 Pa.C.S. § 9781.

The appellate rules had not been updated in this area in quite some time, and there is concern that leaving only the old citations in the notes could be confusing to practitioners and may be outdated. As a result, the Appellate Court Procedural Rules Committee appointed a subcommittee to study the issue, and now proposes the following Recommendation.

[Pa.B. Doc. No. 13-1024. Filed for public inspection June 7, 2013, 9:00 a.m.]

PART I. RULES OF APPELLATE PROCEDURE

[210 PA. CODE CH. 19]

Proposed Amendment to Pa.R.A.P. 1941

The Appellate Court Procedural Rules Committee proposes to recommend amendment of Pa.R.A.P. 1941. This proposal is being submitted for public comments, suggestions, and concerns prior to submission to the Supreme Court.

Proposed new material is in bold face type and deleted material is bracketed and in bold face type.

All communications in reference to the proposed amendment should be sent no later than July 22, 2013 to:

Appellate Court Procedural Rules Committee
 Pennsylvania Judicial Center
 601 Commonwealth Ave., Suite 6200
 P. O. Box 62635
 Harrisburg, Pennsylvania 17106-2635
 or Fax to
 (717) 231-9551
 or E-Mail to
 appellaterules@pacourts.us

An Explanatory Comment precedes the proposed amendment and has been inserted by this Committee for the convenience of the bench and bar. It will not constitute part of the rule nor will it be officially adopted or promulgated.

*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 II. APPELLATE PROCEDURE

CHAPTER 19. PREPARATION AND TRANSMISSION OF RECORD AND RELATED MATTERS

REVIEW OF DEATH SENTENCES

Rule 1941. Review of **Sufficiency of the Evidence in Death Sentences.**

(a) *Procedure in trial court.*—Upon the entry of a sentence subject to 42 Pa.C.S. § 9711(h) (review of death

sentence) the court shall direct the official court reporter and the clerk to proceed under this chapter as if a notice of appeal had been filed 20 days after the date of entry of the sentence of death, and the clerk shall immediately give written notice of the entry of the sentence to the Administrative Office and to the Supreme Court [**Prothonotary's Office**] **prothonotary's office**. The clerk shall insert at the head of the list of documents required by [**Rule**] Pa.R.A.P. 1931(c) [**(duty of clerk to transmit the record)**] a statement to the effect that the papers are transmitted under this rule from a sentence of death.

(b) *Filing and docketing in the Supreme Court.*—Upon receipt by the [**Prothonotary**] **prothonotary** of the Supreme Court of the record of a matter subject to this rule, the [**Prothonotary**] **prothonotary** shall immediately:

[(1)] **1.** Enter the matter upon the docket as an appeal, with the defendant indicated as the appellant and the Commonwealth indicated as the appellee.

[(2)] **2.** File the record in the Supreme Court.

[(3)] **3.** Give written notice of the docket number assignment in person or by first class mail to the clerk of the [**lower**] **trial court**.

[(4)] **4.** Give notice to all parties and the Administrative Office of the docket number assignment and the date on which the record was filed in the Supreme Court, and [**shall**] give notice to all parties of the date, if any, specially fixed by the [**Prothonotary**] **prothonotary** pursuant to [**Rule**] Pa.R.A.P. 2185(b) [**(notice of deferred briefing schedule)**] for the filing of the brief of the appellant.

(c) *Further proceedings.*—Except as required by [**Rule**] Pa.R.A.P. 2189 or by statute, a matter subject to this rule shall proceed after docketing in the same manner as other appeals in the Supreme Court.

Official Note: [Formerly the act of February 15, 1870 (P. L. 15, No. 6) required the appellate court to review the sufficiency of the evidence in certain homicide cases regardless of the failure of the appellant to challenge the matter. *See, e.g. Commonwealth v. Santiago*, 476 Pa. 340, 382 A.2d 1200 (1978). Rule 302 (requisites for reviewable issue) now provides otherwise with respect to homicide cases generally. However, under Subdivision (c) of this rule the procedure for automatic review of capital cases provided by 42 Pa.C.S. § 9711(h) (review of death sentence) will permit an independent review of the sufficiency of the evidence in such cases.] In capital cases, the Supreme Court has jurisdiction to hear a direct appeal and will automatically review (1) the sufficiency of the evidence “to sustain a conviction for first-degree murder in every case in which the death penalty has been imposed;” (2) the sufficiency of the evidence to support the finding of at least one aggravating circumstance set forth in 42 Pa.C.S. § 9711(d); and (3) the imposition of the sentence of death to ensure that it was not the product of passion, prejudice, or any other arbitrary factor. *Commonwealth v. Mitchell*, 902 A.2d 430, 444, 468 (Pa. 2005); 42 Pa.C.S. § 722; 42 Pa.C.S. § 9711(h)(1), (3). Any other challenges to the proceedings that resulted in the sentence of death may

only be reviewed if they have been preserved and if the defendant files a timely notice of appeal. *See Commonwealth v. Dick*, 978 A.2d 956, 958-59 (Pa. 2009) (“However, as appellant did not timely file his appeal, any claims unassociated with the statutorily-mandated review of the sufficiency of the evidence have not been previously raised or preserved for appeal, and thus are not properly before this Court. We have already considered and denied appellant’s requests for *nunc pro tunc* relief, and relaxed waiver no longer applies in capital appeals.”).

[Although Rule 702(b) (matters tried with capital offenses)] Likewise, although Pa.R.A.P. 702(b) vests jurisdiction in the Supreme Court over appeals from sentences imposed on a defendant for lesser offenses as a result of the same criminal episode or transaction where the offense is tried with the capital offense, the appeal from the lesser offenses is not automatic. Thus the right to appeal the judgment of sentence on a lesser offense will be lost unless all requisite steps are taken, including preservation of issues ([e.g.] such as by filing post-trial motions[,] and filing a timely notice of appeal[, etc.]).

See [**Rule**] Pa.R.A.P. 2189 for [**procedure**] provisions specific to the production of a reproduced record in cases involving the death penalty.

Explanatory Comment

Clarification as to When to File Notices of Appeal for Review of a Sentence of Death

There is an automatic review of some aspects of a capital conviction and sentence in death penalty cases, and the jurisdiction for that review is in the Supreme Court. The Supreme Court also has jurisdiction over other challenges to the conviction and the sentence and over lesser-included offenses. There has been some confusion as to when a notice of appeal needs to be filed, including cases in which counsel did not file a notice of appeal and then realized that a notice of appeal was needed to raise the issues that counsel wanted to argue on appeal. Accordingly, the Committee proposes revising the title and the note to clarify further that only certain issues are subject to automatic review and that all others must be raised by means of a timely-filed notice of appeal.

[Pa.B. Doc. No. 13-1025. Filed for public inspection June 7, 2013, 9:00 a.m.]

Title 246—MINOR COURT CIVIL RULES

PART I. GENERAL

[246 PA. CODE CHS. 500 AND 1000]

Proposed Amendments to Rules 506, 1016, 1018 and 1019 and Proposed Adoption of Rule 519.1

The Minor Court Rules Committee is planning to recommend that the Supreme Court of Pennsylvania adopt amendments to Rules 506, 1016, 1018 and the official note to Rule 1019, as well as adopt a new rule, Rule 519.1 of the Minor Court Civil Rules. The Commit-

tee has not yet submitted this proposal for review by the Supreme Court of Pennsylvania.

The following explanatory Report highlights the Committee's considerations in formulating this proposal. The Committee's Report should not be confused with the Committee's Official Notes to the rules. The Supreme Court does not adopt the Committee's Official Notes or the contents of the explanatory reports.

The text of the proposed changes precedes the Report. Additions are shown in bold; deletions are bold and bracketed.

We request that interested persons submit written suggestions, comments, or objections concerning this proposal to the Committee through counsel,

Pamela S. Walker, Counsel
 Supreme Court of Pennsylvania
 Minor Court Rules Committee
 Pennsylvania Judicial Center
 PO Box 62635
 Harrisburg, PA 17106-2635
 Fax: 717-231-9546
 or email to: minorrules@pacourts.us

no later than August 9, 2013.

By the Minor Court Rules Committee

MARY P. MURRAY,
Chair

Annex A

TITLE 246. MINOR COURT CIVIL RULES

PART I. GENERAL

CHAPTER 500. ACTIONS FOR THE RECOVERY OF POSSESSION OF REAL PROPERTY

Rule 506. Service of Complaint.

A. The magisterial district judge shall serve the complaint by mailing a copy of it to the [**defendant**] **defendant's last known address** by first class mail and by delivering a copy of it for service to the sheriff of, or any certified constable in, the county in which the office of the magisterial district judge is situated. If this service is not available to the magisterial district judge, service may be made by any certified constable of the Commonwealth. The officer receiving the copy shall serve it by handing it to the defendant or to an adult person in charge for the time being of the premises possession of which is sought to be recovered or, if none of the above is found, by posting it conspicuously on those premises.

B. The copy shall be served at least five days before the hearing.

Official Note: Under subdivision A of this rule, service must be made both by first class mail and delivery for service in the manner prescribed. In actions where wage garnishment may be sought under Pa.R.C.P. No. 3311, the plaintiff may authorize the sheriff or constable to make personal service upon a tenant/defendant. If a tenant/defendant is not present at the property the sheriff or constable is authorized to post the complaint so that the underlying landlord-tenant action may proceed. The plaintiff may authorize the sheriff or constable to make additional attempts to effectuate personal service upon the tenant/defendant so the plaintiff can later prove such service if attempting to garnish wages under Pa.R.C.P. No. 3311. Additional service attempts by the sheriff or constable may result in additional fees.

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

Rule 519.1. Request for Determination of Abandoned Manufactured Home.

A. A plaintiff may request a determination that a manufactured home is abandoned by filing the request on a form prescribed by the State Court Administrator with the magisterial district court in the magisterial district where the manufactured home is located.

B. If the determination is not or cannot be made during a hearing for recovery of possession pursuant to this chapter, the magisterial district court shall set a hearing date which shall be not less than seven (7) or more than fifteen (15) days from the date the request is filed.

C. The magisterial district court shall serve a copy of the request and the hearing notice on the defendant in the manner set forth in Rule 506.

D. The magisterial district judge shall promptly give or mail written notice of the determination to the parties in interest. Notice of the determination shall contain advice as to the right of the parties to file a Statement of Objection, the time within which the statement must be filed, and that the statement is to be filed with the court of common pleas.

E. Any party aggrieved by a determination made by a magisterial district judge under this rule may obtain a reconsideration thereof in the court of common pleas by filing a statement of objection to the determination pursuant to Rule 1016 with the prothonotary and with the magisterial district judge in whose office the determination was made.

Official Note: This rule was adopted in 20__ to accommodate the provisions of section 10.1 of the Act of November 24, 1976, P. L. 1176, No. 261, added by section 2 of the Act of October 24, 2012, P. L. 156, § 2, 68 P. S. § 398.10.1, which provides for a magisterial district judge to hold a hearing and make a determination that a manufactured home is abandoned.

The plaintiff must pay any fees or costs at the time of filing the request.

Rules 1016—1020, providing for the filing and consideration of a statement of objection to an order or determination made by a magisterial district judge under Rule 420, also apply to determinations made under this rule. A party seeking reconsideration of a determination of abandonment made concurrent with a judgment for possession must file the statement of objection in addition to the notice of appeal. Rule 1016B requires that the statement of objection must be filed with the prothonotary and the magisterial district judge within ten (10) days after the date of the determination to which objection is made. Both appeals from judgments for possession under residential leases and statements of objections to determinations of abandonment must be made within ten (10) days after the date of entry.

CHAPTER 1000. APPEALS

STATEMENT OF OBJECTION

Rule 1016. Statement of Objection [**to Rule 420 Orders and Determinations**].

A. Any party in interest aggrieved by an order or determination made by a magisterial district judge under Rule 420 **or Rule 519.1** may obtain a reconsideration thereof in the court of common pleas by filing a statement

of objection to the order or determination with the prothonotary and with the magisterial district judge in whose office the order or determination was made.

B. The statement of objection shall be filed with the prothonotary and the magisterial district judge within ten (10) days after the date of the order or determination to which objection is made.

Official Note: This rule and Rules 1017—1020 provide a system for reconsideration in the court of common pleas of orders and determinations of magisterial district judges dealing with execution matters, **and abandonment of manufactured homes.**

Under subdivision B of this rule, the statement of objection must be filed within ten days after the date of the questioned order or determination. [**See Rule 421C.**] The time limit for filing a statement of objection need not be the same as that for filing a notice of appeal from a judgment. See the Judicial Code, § 5571(c)(4), 42 Pa.C.S. § 5571(c)(4), as amended by § 10(67) of the Judiciary Act Repealer Act, Act of April 28, 1978, P. L. 202, No. 53. It may be noted that under Pa. R.C.P. Nos. 3206(b) and 3207(b) objections to sheriff's determinations must be made within ten days after the date of mailing of the determination.

Rule 1018. Duties of Magisterial District Judge Upon Receipt of Statement of Objection.

A. Immediately upon receipt of the statement of objection, the magisterial district judge shall send a copy of it by ordinary mail to all other parties in interest.

B. Within ten (10) days after receiving the statement of objection, the magisterial district judge shall file with the prothonotary a certified true copy of the record of actions taken by the magisterial district judge under **Rule 420 or Rule 519.1**, but copies of only those appeals, objections, claims, exceptions or requests considered under **Rule 420 or Rule 519.1** that are pertinent to the statement of objection need be attached to that record.

Official Note: As to the procedure in subdivision A, compare Pa.R.C.P. Nos. 3206(b), 3207(b).

Subdivision B is intended to bring before the court copies of the documents on file in the office of the magisterial district judge pertaining to the matter in question. The attachments to the record of **Rule 420 or Rule 519.1** actions referred to in this subdivision are notations by the magisterial district judge of appeals taken under Rule 408C and objections to levy under Rule 413, property claims under Rule 413, exceptions to distribution under Rule 416C [**and**], requests to set aside sale under Rule 420C filed in the office of the magisterial district judge, **and determinations of mobile home abandonment under Rule 519.1.**

Rule 1019. Consideration of Statement of Objection by Court of Common Pleas.

A. Upon consideration of the statement of objection, the court of common pleas shall take such action and make such orders as shall be just and proper.

B. The matters raised by the statement of objection shall be considered de novo by the court of common pleas.

Official Note: Consideration of the matters raised by the statement of objection will be de novo and the court is given broad latitude and discretion in disposing of these matters. Although the proceedings are de novo, this will

not excuse failure to comply with whatever time limitations are imposed (see Rules 408C, 413, 416C [**and**], 420C, **and 519.1**) for raising before the magisterial district judge the matters now before the court of common pleas.

REPORT

Proposed Amendments to Rules 506, 1016, 1018 and the Official Note to Rule 1019, and Proposed New Rule 519.1 of the Minor Court Civil Rules

Determination of Abandonment of Manufactured Homes

I. Introduction

The Minor Court Rules Committee ("Committee") is proposing amendments to the rules of procedure governing actions in magisterial district courts. The goal of these rule changes is to establish procedures for the determination of abandoned manufactured homes, as provided for in the 2012 amendments to the Manufactured Home Community Rights Act.

II. Discussion

In 2012, the Manufactured Home Community Rights Act ("MHCRA") was amended to provide for the determination in the magisterial district courts of abandonment of manufactured homes located in manufactured home communities. Section 10.1 of the Act of November 24, 1976, P. L. 1176, No. 261, added by section 2 of the Act of October 24, 2012, P. L. 156, § 2, 68 P. S. § 398.10.1. Upon reviewing the amendments to the MHCRA, the Committee concluded that this new determination action was not covered by existing rules governing civil or landlord tenant actions, and proceeded to draft rules accommodating it.

III. Proposed Rule Changes

Proposed new Rule 519.1 establishes procedures for the new determination of abandonment action. Proposed Rule 519.1B provides for the setting of a hearing date, if the determination cannot be made at the time of the hearing for recovery of possession of the manufactured home space. Proposed Rule 519.1C provides for service of the request and hearing notice on the defendant, while subdivision D requires that the magisterial district judge promptly give or mail written notice of the determination to the parties in interest. Finally, in proposed subdivision E, if a party is aggrieved by a determination made by a magisterial district judge under this rule, the Committee proposes utilizing the existing procedures set forth in Rules 1016—1020, providing for the filing and consideration of a statement of objection to an order or determination made by a magisterial district judge under Rule 420.

The proposed amendments to Rules 1016, 1018, and 1019 are to include references to Rule 519.1 and the determination of abandoned manufactured homes in those rules, which set forth the procedures for filing a statement of objection. Finally, the Committee proposes amending Rule 506, providing for service of the complaint in a landlord-tenant action, to clarify that the copy sent via first class mail should be mailed to the defendant's last known address.

[Pa.B. Doc. No. 13-1026. Filed for public inspection June 7, 2013, 9:00 a.m.]

Title 255—LOCAL COURT RULES

FAYETTE COUNTY

Administrative Order: Fayette County Youth Commission Program; No. 1 AD 2013

Administrative Order

And Now, this 15th day of May, 2013 it is hereby Ordered that the Fayette County Youth Commission Program is amended as follows.

The Clerk of Courts is directed as follows:

(1) One certified copy of the Order and program shall be filed with the Administrative Office of the Pennsylvania Courts.

(2) Two certified copies and diskette of the Order and program and one copy of the written notification received from the Juvenile Court Procedural Rules Committee shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

(3) One certified copy shall be sent to the Fayette County Law Library and the Editor of the *Fayette Legal Journal*.

The amendment of the Fayette County Youth Commission Program shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin* and on the UJS Portal.

By the Court

JOHN F. WAGNER, Jr.,
President Judge

Fayette County Youth Commission Program

Description and Policy Manual

Youth Commission Narrative

A Youth Commission is a group of volunteer residents from any community whose purpose is to assist the Juvenile Court in providing guidance and supervision to alleged delinquent children who have been referred to the Juvenile Court and determined to be eligible low risk/first time offenders.

Community Probation Officer

A Community Probation Officer is a community member who has a genuine interest in assisting children and volunteers to monitor the activities of any juvenile who is deemed to be a low risk/ first time offender. A Community Probation Officer (CPO) will provide mentoring, guidance and referrals for services to any juvenile who has been referred to the Youth Commission from the Juvenile Probation Office.

Goals of a Youth Commission

Youth Commissions have several identifiable goals. The primary goal of a Youth Commission is to act as a diversionary program for the local Juvenile Court in the processing and handling of first time/non-felony juvenile offenders within the community. A certain portion of the delinquency cases currently handled by the local Juvenile Court will be handled by the Youth Commission, thereby easing the workload of a currently overburdened Juvenile Justice system within the County.

Another goal of the Youth Commission is to give individuals within a community an opportunity to engage in an activity to positively impact the lives of young

persons residing within the same community. The ultimate goal of this interaction, being the reduction of crime and the improvement of the overall safety and quality of life for all persons residing within the community.

Finally, we hope to decrease the recidivism rates within the Juvenile Probation System by involving first-time offending youth in natural community supports, thereby holding them accountable for their behavior while showing them a more positive available lifestyle. Operating within these goals will enhance the Balanced and Restorative Justice (BARJ) mission as described through Evidence Based Probation policy and practices.

Program History

The Fayette County Youth Commission (Youth Commission) is a diversionary program established by the Fayette County Juvenile Court (Court) in January 1996. The Youth Commission is a Court approved program and is authorized to provide guidance and supervision to children under the supervision of the Juvenile Court whose dispositions are consistent with 18 Pa.C.S. Section 6323, Informal Adjustment and 42 Pa.C.S. Section 6340 Consent Decree.

Definitions

For the purpose of this document the following words and phrases will be defined as follows:

Child: The individual who is alleged to have committed a delinquent act and who is the object of the proceedings before the Court.

CJPO: Chief Juvenile Probation Officer

County: Fayette County Board of Commissioners and all entities of the County of Fayette

Court: Court of Common Pleas of Fayette County, Pennsylvania including the Juvenile Division of said Court.

CPO: Community Probation Officer

Juvenile Probation: Fayette County Juvenile Probation Office

Parent: To include the mother, father, grandparents, guardians, foster parents of the child who is the object of the proceedings before the Court.

YC Coordinator: Juvenile Probation Officer on staff who is assigned to supervise the Youth Commission Program and act as the liaison between the Court, Juvenile Probation Office, and Youth Commission

YLS: Youth Level of Service Assessment Instrument

Youth Commission: Fayette County Youth Commission Program

Link to the Juvenile Court and the County Government

Through this document and the accompanying administrative order, the Court will recognize the Youth Commission as a Court operated program which is authorized to provide guidance and supervision to individuals who fall within the jurisdiction of the Juvenile Court who are alleged delinquent children as defined in 42 Pa.C.S. Section 6302 of the Juvenile Act entitled Definitions, wherein the Juvenile Act defines "child" and "delinquent act." Furthermore, the Court will also authorize the Youth Commission to provide supervision over children who are subject to the jurisdiction of the Court as a result of their delinquency case has received a disposition pursuant to 42 Pa.C.S. Section 6323 entitled Informal Adjustment and Section 42 Pa.C.S. Section 6340 Consent Decree. This section of the Juvenile Act enables the Juvenile Court to

refer children to an outside agency for informal counseling and supervision in lieu of a formal Juvenile Court hearing. This is where the Youth Commission fits into the process.

The Juvenile Court in Fayette County will recognize the Youth Commission as a diversionary program and authorize them to administratively supervise certain types of cases involving juvenile offenders. However, the Youth Commission falls under the direct supervision of the Chief Juvenile Probation Officer or his designate.

The link between the Youth Commission and the county government, namely the Fayette County Commissioners will be an indirect one. The Fayette County Commissioners will be asked not only to endorse the Youth Commission process, but also, will be asked to offer financial assistance with regard to absorbing certain cost associated with the operations of this program.

Youth Commission Contact with the Juvenile Court

Once a Youth Commission has been organized and is operational, the Juvenile Probation Office will assume several roles with regard to the Youth Commission's operation. Naturally, the Juvenile Probation Office will serve as the source of referrals on an ongoing basis for the Youth Commission. The Juvenile Probation Office will also be responsible for training the Youth Commission members.

Additionally, one of the professional staff at the Juvenile Probation Office will be assigned to the Youth Commission in order to provide the entire program continuity and offer advice in handling cases initially. This staff member will be available to offer support to the Youth Commission members, either individually or as a group, on possible ways of dealing with problems encountered with the children under their supervision as well as to provide suggestions or advice on handling a potentially controversial situation. The Probation Officer will also act as a resource person to the members of the Youth Commission and/or the child and his parent(s) or guardian(s) in order to assure that the child and the family receives the services that they need or require.

Furthermore, the members of the Youth Commission will be required to submit regular reports to the Juvenile Probation Office on those children under their supervision which ensure adequate communication between the Youth Commission and Juvenile Probation Office.

Forming a Youth Commission

A Youth Commission can be established to serve the needs of a given geographical area and to serve the children within that area. In densely populated areas, the geographical boundaries of a Youth Commission may be that the municipality's boundaries. In less densely populated areas, a Youth Commission may be established to serve the needs of the children within an entire school district.

A Youth Commission should consist of volunteers that represent a wide cross-section of people from within the community as this cross section applies to age, sex, race, economic status, religion, and occupation. These volunteers are those individuals who have a genuine interest in supervising and assisting children between 10-18 years of age who have engaged in criminal behavior of a minor nature and who have had no prior contact with the Juvenile Court.

In addition to an unspecified and changing number of volunteers the Youth Commission is staffed by a Juvenile Probation Officer who has been designated at the "Youth Commission Coordinator" (YC Coordinator). The YC Coordinator acts as the liaison between the Court, Juvenile Probation Office and the Youth Commission. The YC Coordinator is authorized to allocate up to one third (1/3) of their time, or not more than 12.5 hours per week, to the overall operation of the Youth Commission.

The Fayette County Juvenile Probation Office will be responsible to develop, organize, train, and provide ongoing assistance to Youth Commissions within Fayette County. Exactly where Youth Commissions develop within the County will depend upon the interest level of the resident of any given area.

Screening Procedures of Potential Members

Persons who have an interest in becoming part of a Youth Commission will be asked to submit a prepared application to the Juvenile Probation Office. This application will request a variety of information, which includes some very general information such as name, date of birth, social security number, phone number, and occupation, and some very specific information such as specific interests that a potential youth commission member may have such as willingness to assist in community service projects or an interest to participate in victim/ offender discussion groups.

Since the work of a Youth Commission involves direct contact with case/juvenile information which is considered confidential, individuals who wish to be part of a Youth Commission will be subject to a screening and clearance process. Potential Youth Commission members must be at least twenty-one (21) years of age at the time of application and be individuals of good character and moral standing.

The first level of screening will be a background check to determine whether the applicant possesses a criminal record. The Juvenile Probation Office will conduct an initial Criminal History Record Check, to be completed on the local, state and a national level. The applicant will be required to request a Pennsylvania State Criminal History Record check also known as an Act 34 of 1985 clearance.

The applicant will have to prepare a separate written application which will be provided by the Juvenile Probation Office. Although there is a fee associated with all requests made pursuant to Act 34 of 1985, these clearance forms will be submitted by the Juvenile Probation Office or the applicant directly, and the cost associated with the application will be reimbursed by the Fayette Youth Commission Program, to the applicant upon becoming an active member.

The next level of screening will consist of a check with the Pennsylvania Department of Public Welfare pursuant to Act 33 of 1993 to determine whether the applicant has been suspected which meant with the legal definition "Child Abuses" in order to meet the clearance requirements of Act 33 of 1993, the applicant will have to prepare a separate written application which will be provided by the Juvenile Probation Office. Although there is a fee associated with all requests made pursuant to Act 33 of 1993, these clearance forms will be submitted by the Juvenile Probation Office, and the cost associated with the application will be reimbursed by the Fayette County Youth Commission Program, to the applicant upon becoming an active member.

The third level of screening will involve the acquisition of Federal Bureau of Investigation and finger print clearances through the Cogent System and the cost associated with the screening will be reimbursed by the Fayette County Youth Commission Program, to the applicant upon becoming an active member.

Furthermore, the applicant will be requested to submit the names of at least 3 individuals who will be willing to attest to the character of the applicant. These references will be contacted via telephone by the Juvenile Probation Office and asked to complete an oral evaluation of the applicant, which will be made part of the applicant's request to become part of a Youth Commission.

The above-mentioned screening process is intended to be a tool in order to judge the overall character of individuals who are interested in participating in a Youth Commission. It is important to understand that the only factor that will automatically disqualify a person from participating in a Youth Commission is if it verified that the applicant has a suspected, indicated, or confirmed referral to the Pennsylvania Department of Public Welfare involving child abuse.

Applicants who possess a prior criminal record will be subjected to closer scrutiny than that of a person without a criminal record, however, a criminal record will be viewed in its proper context with regard to the seriousness of convicted offenses, duration of criminal record, and current status with the Courts along with all other aspects of the person's personal and professional life.

Individuals Who Should be Excluded from Being Members of a Youth Commission

There are certain individuals who should not be considered for membership in a Youth Commission. These individuals would include applicants who are found to have an extensive criminal history, as well as, those applicants who have been suspected of being involved in incidents defined as child abuse. Furthermore, any applicants who are actively involved with the Criminal Courts will not be considered as possible Youth Commission members.

Additionally, it is recommended that any person who is an elected public official should not be considered for a position on a Youth Commission. The exclusion of elected public officials is based upon the possibility that these individuals may use their involvement in the Youth Commission as part of their political platform which may bring unnecessary or unwanted publicity to the Youth Commission.

Cases a Youth Commission Will Handle

A Youth Commission will be asked to handle first time offenders who are charged with a variety of misdemeanor or summary offenses. These cases will be assigned to the Youth Commission following the completion of the Youth Level of Service Assessment (YLS) by the Juvenile Probation Office during the initial intake process.

Partial listings of these types of misdemeanor offenses that a Youth Commission may be asked to handle are as follows:

Simple Assault	Theft by Unlawful Taking or Disposition
Retail Theft (2nd Offense)	Criminal Trespass
Harassment by Communication	Criminal Mischief (>\$500.00 damage)

A partial listing of the most common summary offenses that a Youth Commission may be asked to handle are as follows:

Underage Drinking	Curfew Violations
Harassment	Disorderly Conduct
Bad Checks	Criminal Mischief (>\$500.00 damages)
Retail Theft (1st Offense)	Public Drunkenness

All summary offenses, which also include the vast majority of motor vehicle violations, are initially handled at the District Justice level where the District Justice accepts the complaint and determines the child's innocence or guilt. If guilt is determined, the District Justice orders the child to pay fines and costs as prescribed by the District Justice, non-payment on these cases are referred to the Juvenile Court for additional action since the District Justice lacks the authority to incarcerate a child for failure to pay the fine and cost due to satisfy the case.

A Child's Innocence or Guilt with Regard to a Particular Offense

There are several conditions that must be met before a case can be diverted from the Juvenile Court to a Youth Commission for supervision. These conditions are as follows:

1. The most serious offense that a child is being charged with and has admitted to do not exceed a misdemeanor offense and the offense is one the Juvenile Probation Office determines is otherwise appropriate to be handled at the Youth Commission level.
2. The child and his or her parent(s) or guardian(s) are agreeable to having the case handled at the Youth Commission level.
3. A Youth Level of Service Assessment (YLS) designates the child as low risk and his/her needs are appropriate for this level of supervision.

Notification of Cases

The cases that will be referred to the Youth Commission will first be screened by the Intake Department of the Juvenile Probation Office. Complaints received at the Juvenile Probation from the local and state police as well as District Justice will be reviewed to determine their appropriateness for diversion to the Youth Commission based upon the degree of offense, prior involvement with the Juvenile Court, and the juvenile's and his/ her parent(s) or guardian(s) willingness to have the case handled by the Youth Commission.

Since a child is only eligible to have one case handled at the Youth Commission level, the Juvenile Probation Office will maintain records of all cases referred to the Youth Commission. Therefore, in order to maintain accurate records in this regard, the Juvenile Probation Office will be responsible for the distribution of all cases to the Youth Commission.

Once a referral has been made to the Juvenile Probation office and the Intake Department at the Juvenile Probation Office makes the determination that the case meets the requirements for diversion to a Youth Commission, the Juvenile Probation Office will forward the necessary information to the Youth Commission for processing purposes. The information that will be forwarded to the Youth Commission will include a copy of the Complaint alleging the illegal or delinquent act committed by the juvenile and also a copy of the police report

which will provide details as to the offense and the child's involvement in the same. If necessary, the Intake Department at the Juvenile Probation Office will provide the Youth Commission with a written summary of the child's delinquent activity in the event that clarification of certain details will be helpful in supervising the case.

Youth Commission Member Training

Part of the training that members of a Youth Commission will be subject to will involve learning the purpose of the Juvenile Court and the overall operation of the Juvenile Probation Office and the Youth Level of Services Assessment.

Although the Juvenile Court system in Pennsylvania is now more open to the public since its beginning decades ago, the types of cases that will be referred to and handled by the Youth Commission are still subject to the strictest of confidentiality. This makes it necessary that Youth Commission members be trained concerning the law governing the potentiality of Juvenile Court Records. Training will also include the issues of confidentiality, an outline of the job description for Youth Commission members, effective methods for communicating with adolescents, and methods for making your Youth Commission operate most effectively.

Individuals who participate in a Youth Commission will, for all intents and purposes, act as community probation officers to the children under the supervision of the Youth Commission. Youth Commission members will be faced with a variety of social, behavior, economic, and cultural problems which effect that youth commission which affect the children under the supervision of the Youth Commission.

It will be important that Youth Commission members develop a working knowledge of various social, economic, and counseling programs that are available within the County of Fayette to better assist the children for whom the Youth Commission is responsible.

Size and Structure of a Youth Commission

The size of any given Youth Commission will depend entirely on the interest shown in that area and how well civic and community leaders recruit new members and retain existing members. It is not necessary or practical for every member of the Youth Commission to serve as a Community Probation Officer. Some members may be best suited for other responsibilities like community resource development, maintaining organization within the Commission, and conflict resolution at Hearings.

The structure of a Youth Commission is quite simple. There should be a Chairperson who will act as the organizational head of the Youth Commission and a Co-Chairperson who will act as the Chairperson's assistant and head the organization in the absence of the Chairperson.

The Youth Commission should also have a Secretary to record the activities of the organization and also assure that reports are submitted to the Juvenile Probation Office on a timely basis. The Chairperson, Co-Chairperson, and Secretary should be chosen by the Youth Commission as a whole, and in order to provide the organization with continuity, these persons should hold these positions for a person of not less than two years until the group as a whole has an opportunity to select or elect other persons to these positions if that is the desire of the organization.

Youth Commission Meetings and Business

Although there is no hard and fast rule in this regard, generally Youth Commissions should meet as often as

they deem necessary and allow themselves sufficient time to thoroughly handle the cases that have been referred to them by the Juvenile Probation office. A Youth Commission should meet no less than once per month, not only to handle new referrals, but also to review the progress of those children currently under their supervision.

Youth Commission Costs Associated with Conducting Its Business

Youth Commissions have two basic needs.

First, the group needs a place to meet. Suitable meeting facilities will be available, free of charge, in municipal buildings, school, churches, or other similar places.

The second need of the Youth Commission is a means by which to effectively communicate with the children and parent (s) or guardian(s) whose cases are referred to the Youth Commission for handling. The Juvenile Probation Office will provide all of the postage, paper, envelopes, and printed material that the Youth Commission will require to effectively conduct their business. Additionally, the cost of any travel that a Youth Commission member may encounter as a result of their involvement in this program will have to be borne by the member.

Like any volunteer organization, donations will be greatly appreciated. It is hoped that the municipalities in which a Youth Commission is located will lend its support by providing free meeting space, file cabinet space, and any other supplies that will make the Youth Commission program successful. If a Youth Commission eventually begins to participate in a community service program, then cooperatively the County, Juvenile Probation Office, and a Youth Commission will need to explore creative ways of financing the cost associated with this type of program.

All expenses associated with the day to day operation of the Fayette County Youth Commission shall be paid for through the Youth Commission Account that is maintained at and by the Juvenile Probation Office. The Youth Commission encounters ongoing expenses in order to meet its goals of providing guidance and supervision to alleged delinquent children who are subject to its supervision. At the time the Youth Commission was created it was the goal of the Court to allow for revenue options that would make the operation of the program cost neutral for the County of Fayette.

Revenue

The Court authorized the Juvenile Probation Office to assess all children who come under the Court's jurisdiction as a result of a final disposition of a Consent Decree or an adjudication of delinquency be required to pay a fine through the Juvenile Probation Office in the amount of one hundred dollars (\$100.00) with the money generated from this fine to be used to offset the overall costs associated with the operation of the Youth Commission.

Furthermore, on April 1, 2006 the Chief Juvenile Probation Officer gave authorization that allowed fifty percent (50%) of all of the funds received from processing cases certified to the Juvenile Court by the Minor Judiciary where the defendants are juveniles who have failed to pay fines and costs pursuant to a summary offense conviction shall likewise be as a source of revenue to support the operation of the Youth Commission. All funds collected as a result of these revenue sources are deposited in an account which is used for the operation of the Fayette County Youth Commission.

Revenue Deposits

All funds received and intended for use by the Youth Commission shall be deposited into the YC Account

described herein. Deposits shall be prepared and deposited in to the YC Account on a timely basis and the deposit ticket received at the time of the deposit shall be attached to the NCR or other copy of the deposit ticket. Copies of checks or other sources of revenue which make up the deposit shall be copied and recorded for audit purposes.

Expenses

The expenses generally associated with the operation of the Youth Commission fall into one of three different categories:

1. Expenses relating to the Youth Commission Members and the business of operating the Youth Commission. The expenses that generally fall into this category are as follows:

- Materials and supplies including printed materials;
- Advertising as associated with soliciting new members;
- Advertising as associated with the program itself;
- Liability and related insurance;
- Training and related expenses.

2. Expenses relating directly Youth Commission clients. The expenses that generally fall into this category are as follows:

- Materials and supplies for educational and community service programs where Youth Commission clients are participants,
- The cost of personal items which the client is in need of and if not provided may prove to be detrimental to the overall health, safety and wellbeing of the client;
- Any other reasonable expenses relating to the supervision of the client deemed appropriate and agreed upon by the YC Coordinator and the Chief or Deputy Chief Juvenile Probation Officer.

3. Expenses relating to the YC Coordinator. The expenses that generally fall into this category are items such as:

- Materials and supplies;
- Training fees and related expenses;
- Travel and transportation expenses;

* It should be noted that the proportionate share of the YC Coordinator's salary, benefits and allocated costs may be considered as Youth Commission related expense and is not to exceed one third (1/3rd) of the amounts for these items as established on January 1.

- As a general rule the cost of benefits may be established as that amount equal to but not to exceed twenty-eight percent (28%) of the YC Coordinator's salary for the calendar year. The value associated with the cost of employment of the YC Coordinator, including allocated costs, as determined above shall not be forwarded to the County as a form of reimbursement, however, this amount shall be made available to the Chief or Deputy Chief Juvenile Probation Officer as a discretionary amount to be used to offset the costs associated with the overall operation of the Juvenile Probation Office as deemed necessary by the Chief or his Deputy.

Accounting

On November 30, 2006 the Juvenile Probation Office established a checking account at First National Bank of Pennsylvania, Uniontown, Pennsylvania. The account cre-

ated in this matter is entitled "Fayette County Juvenile Probation Office—Youth Commission Program Account."

The above-mentioned account is an interest generating account which requires two (2) signatures for check processing. The two signatures required at the time of the creation of this account were the Chief and Deputy Chief Juvenile Probation Officers. Signatures on this account will be changed on an as needed basis.

This account is subject to reconciliation on a monthly basis. The reconciliation is to be performed by an individual who is not the person who administers the account or who is signature authority on the account.

This account shall be subject to audit on an annual basis by the Controller of Fayette County with the results of the audit to be forwarded to the Chief Juvenile Probation Officer and the Court. The day to day activities, deposits and withdraws, of this account will be maintained in the customary checkbook ledger method as well as electronically.

Reimbursement for expenses

Eligible expenses associated with the operation of the Youth Commission shall be paid out of the YC Account. Persons seeking reimbursement for expenses or seeking funds for purchases, etc. will be required to prepare and submit for approval a "Youth Commission Account Requisition for Funds" form.

This form will contain the following information:

- Date that the requisition is made;
- Name of the person making the request;
- Description of the service or product for which payment or reimbursement is requested;
- Estimated amount that the service or product will cost;
- Name and title of the person approving the request;
- Amount paid for the service or product;
- Check number of the check used for payment;
- An indication as to whether there is a receipt for the service or product.

All requisitions shall be submitted to the Chief or Deputy Chief Juvenile Probation Officer for approval. Either shall prepare, record, and distribute the check for payment to the appropriate party while maintaining a copy of the receipt for the service or product attached to the requisition form and properly recorded.

The Chief for Deputy Chief Juvenile Probation Officer is empowered to authorize and make payments for services or products associated with the operation of the Youth Commission in an amount up to three thousand dollars (\$3,000.00). Services and products in excess of three thousand dollars (\$3,000.00) will require the approval of the President Judge.

Reporting

A report which reflects the financial activity of the YC Account will be generated on a monthly basis. This report will be forwarded to the Court with a copy to be retained along with other financial and program reports generated for that month.

Youth Commission Supervision of a Case

Upon receiving from the Juvenile Probation Office, the Youth Commission will know that the case at hand is one that the Juvenile Probation Office has determined is appropriate for the Youth Commission to handle. This

determination is made based upon the type of offense that the juvenile is charged with, the juvenile charged is a first time offender and the Youth Level of Service Assessment is at Low/Moderate risk. The Youth Commission will be assured that the juvenile and his parent(s) or guardian(s) has been contacted by the Juvenile Probation Office, and they are agreeable to having the case handled at the Youth Commission level.

The Youth Commission will be responsible for notifying the juvenile and his/her parent(s) or guardian(s) of the time, date, and location of the Youth Commission hearing. The notification to the juvenile and the parent(s) or guardian(s) should be done by paper, email or telephone and a copy of the notification should be maintained in the child's case record. The notification forms can be provided to the Youth Commission by the Juvenile Probation Office along with envelopes and postage, if necessary.

When the Youth Commission has set the time and date for the Youth Commission hearing and the Youth Commission has assembled, the case should be called and the juvenile and his/her parent(s) or guardian(s) called into the meeting room.

Prior to the commencement of the Youth Commission proceedings, it would be advisable to inform the parties present, in particular the juvenile and his parent(s) or guardian(s), that the Youth Commission exists to assist minor first time offenders, and their primary goal is to offer assistance, guidance, and supervision of the juvenile whose case has been referred to the Youth Commission in an effort to keep the child from getting into further difficulty, not only with legal authorities but also to aid the child in improving his or her family life and, improving behavior, attendance, and performance at school.

It is suggested that this type of statement be made by the Chairperson in order to put the parties at ease and make them more comfortable with the proceedings. Creating a more comfortable atmosphere will greatly benefit the Youth Commission in eliciting information from the juvenile and his parent(s) or guardian(s) and also aid in the future relationship that will exist between the parties involved.

It is also important to remember that the Youth Commission should assume a non-authoritarian role. The role of the Youth Commission is to handle minor first time offenders who are just coming into the system, and the types of children that the Youth Commission will be dealing with will more than likely respond to the Youth Commission experience itself and the guidance and assistance that it has to offer. The need for an authoritarian approach with the Youth Commission may be counterproductive.

Additionally, the Youth Commission as a whole must maintain its integrity. Its role and goals cannot be compromised. Since the Youth Commission is a community board, and it will be handling juvenile offenders from within its community, there is always the possibility of a conflict of interest between the juvenile offender and one of the members of the Youth Commission. The most common conflict of interest that will occur is when a Youth Commission member personally knows either the offender or the victim in a given case.

It will be up to the individual Youth Commission member to determine whether or not their personal knowledge of or involvement with the offender, the offender's parent(s) or guardian(s), or the victim will effect the objectivity or decision making ability in any given case. If

so, then this Youth Commission member should excuse himself or herself from the case where the conflict of interest exists.

The Chairperson of the Youth Commission should lead the hearing. The juvenile and his parent(s) or guardian(s) should be advised of the complaint that the Youth Commission has received.

The Chairman should, for the benefit of all parties present, read the complaint in its entirety. The Chairperson should begin the discussion with the juvenile as to his or her involvement in the offense, the child's reason(s) for committing the offense, etc. The juvenile can be engaged in the discussion and asked questions by any member of the Youth Commission present at the meeting.

When the Chairperson of the Youth Commission has determined that sufficient information has been elicited from the juvenile as to his or her involvement in the offense, the juvenile should be excused from the hearing room, and separate discussion should be initiated with the parent(s) or guardian(s) of the child. The areas that should be covered in this discussion are as follows:

- To what extent does the child adhere to parental supervision?
- Does the child abide by a reasonable curfew?
- Does the child have a positive or negative peer group?
- Does the child engage in the use of illegal drugs and/or alcohol, and if so, to what extent?
- Does the child attend school on a regular basis?
- Does the child experience difficulty in school in either the areas of his academics or with regard to behavioral issues?
- Determine what, if any, concerns do the parent(s) or guardian(s) have with regard to the child's current behavior patterns?

The above mentioned lists includes suggested areas of discussion with the child's parent(s) or guardian(s) and are intended to give the Youth Commission members a fairly well rounded view of the child and his or her overall behavior. The Youth Commission members are free to ask whatever question they feel pertinent to the case. The juvenile's parent(s) or guardian(s) are, of course, free to answer the questions, or, they may elect not to respond.

It is important to remember that when inquiring of the parent(s) or guardian(s) as to behavioral issues concerning the child, you are looking not only for problem areas but also for areas in which the child is performing successfully. These strengths will become very important to the Youth Commission member who assumes responsibility for supervising the child, and these strengths or positive aspects of the child's life are something that can be used as a foundation for a relationship between the child and the supervising Youth Commission.

After discussing the child with his or her parent(s) or guardian(s), it is advisable to bring the child back into the hearing room, and this time, excuse the parent(s) or guardian(s) in order to give the Youth Commission members an opportunity to talk with the child alone. The discussion with the child at this point should not center on the offense at hand, due to the parent's absence; however, the discussion with the child at this time should center on the responses elicited from the parent(s) or guardian(s) about the child's overall activities at home, in school, and in the community.

It is also very helpful to try to elicit information from the child as to his or her attitudes toward the offense, how he or she feels about the offense that was committed, and to attempt to determine the child's level of understanding with regard to how he or she has harmed himself or herself and also, the extent of harm that he or she has done to the victim of the crime.

As with the parent(s) or guardian(s), the Youth Commission needs to elicit positive aspects of the child's life from the child. These positive elements may be found in the areas of his or her family, school, or athletics. A growing number of children who are involved with the Juvenile Court have had very few successes in their life, and therefore, the Youth Commission members will need to be creative in their thinking when exploring this avenue of questioning.

After the Youth Commission as a whole has discussed the case with the juvenile and his parent(s) or guardian(s) separately and together, then it is time for the Youth Commission to excuse the juvenile and his parent(s) or guardian(s) in order to allow the Youth Commission members to discuss the case privately and come up with an appropriate supervision plan.

Options to Supervision Rules in a Youth Commission Case

The child appearing before the Youth Commission will be placed under its direct supervision; therefore it will be convenient to refer to this child's status as being "on probation". Many of the terms and conditions of probation are standards used by all probation departments, juvenile and adult alike. The obvious rules are as follows:

1. The child must refrain from any further criminal activity which would result in further contact with the police. This contact can range from the commission of additional acts of delinquency which would include misdemeanor or felony offenses, but also summary offenses which would involve either police or the District Justice.

2. The Child must attend school on a regular basis, and while in school, the child should behave in an appropriate manner. Additionally, the child should try to benefit from his educational program to the best of his or her ability.

3. The child must adhere to the rules set by his parent(s) or guardian(s) within the home setting. This would include complying with the established rules at home, doing specific chores at home, and showing an appropriate level of respect to the parent(s) or guardian(s). The child should also be required to keep his or her parent(s) or guardian(s) aware of his whereabouts and activities at all times.

4. This child must abide by a reasonable curfew that is established either by his parent(s) or guardian(s) or community local ordinance.

5. The child must agree to refrain from the use of illegal drugs and alcohol.

The above-listed rules and regulations are one that are always part of child's probation when his case is handled at the Juvenile Probation Office, and should be part of the child's probation while under the supervision of the Youth Commission.

One of the luxuries of the Youth Commission program is flexibility. Youth Commission members should use their imagination and creativity when setting additional conditions of probation for children under their supervision. There are certain conditions that the Youth Commission may want to include as part of their plan and may include the following:

1. The child is required to spend a certain number of hours per night or per week on his or her homework.

2. The child may be required to perform certain specific jobs at home, such as cutting grass, cleaning his or her room, doing dishes, etc.

3. The child will be required to write a letter of apology to the victim of his or her crime.

4. The child may be required to earn money doing odd jobs either at home, for relatives, or for neighbors in order to pay part or all of their restitution owed.

5. The child may be required to spend a certain number of hours per week participating in family oriented activities such as going to church, attending family outings, picnic, etc.

The Youth Commission as a group can refer to the Contact Lists (developed by YC Members) for names of local businesses, churches, and community recreation centers which might continue to meet the child's needs long after the end of his probation.

In addition to reviewing the disposition in a case, the Youth Commission will have to assign one of its members to supervise the child. This is a decision that will need to be made while the Youth Commission is meeting privately and deciding on the case. The Youth Commission member who agrees to accept the case will be the individual who is responsible for assuring that the juvenile is complying with the terms and conditions of his or her probation.

It is very important at this initial meeting that the child and his parent(s) or guardian(s) are clear as the child's expectations while on probation, and any questions concerning the rules, they should be answered at the initial meeting. Also, it will be important for the reporting or contact schedule be established at the initial meeting.

The Youth Commission member who is assigned to supervise the child should communicate when, where, and at what time the Youth Commission member and the child will meet. The frequency of these meeting depends on the child's need for supervision. Some cases will require minimal attention, while others will require more attention.

It is usually best to begin with frequent contact with the Youth Commission member. The child's parent(s) or guardian(s) should always be invited to attend the meetings between the Youth Commission member and the child. Since these meetings are intended to be informational and problem solving in nature, it is always best to hear both sides of a story when offering advice in the event that a problem exists.

Expectations of a Community Probation Officer

The following expectations are considered minimums by which each member should apply themselves in their role. These basic points are expanded upon on the Standards Governing Volunteer Conduct form which each member must sign in agreement prior to acceptance to any Commission.

1. The CPO will assume the responsibility of meeting with the youth at least one time per month for a period not to exceed six months. This monthly contact must occur on a face-to-face basis.

2. Make occasional telephone contacts with the child's significant adults. These may include guardian, teacher, social worker, etc. the purpose is to evaluate the extent to which the child is meeting terms of probation, while evaluating his or her Risk Factors (family, home, school,

and peer) to give some indication as to whether the child is likely to commit more delinquent acts.

3. Oversee the child's gradual involvement into community supports-reaction centers, church, employment, student assistance programs, etc., and assess their influence on his or her behavior.

4. Each month file a report to the Youth Commission to indicate whether the youth has been meeting the terms of the Informal Assessment.

5. Maintain absolute confidentiality regarding the child. This means that no personal information about the child may be discussed with anyone outside the Youth Commission, the JPO, or any entity for which a release of information has been signed.

Records to be Kept While Under Supervision of the Youth Commission

The Juvenile Probation Office will provide the Youth Commission members with an easy to complete form that the supervising Youth Commission member may use each time he or she has contact with the child. This form will be on NCR (non-carbon reproduction) paper and one copy will be retained in the child's file where the Youth Commission keeps its records and one will be forwarded to the Juvenile Probation Office on a monthly basis, and reports will be directed to the attention of the Juvenile Probation Officer who is assigned to assist the Youth Commission.

The report will address areas of behavior at home, in school, in the community, peer group interaction and suspected drug or alcohol use or abuse. There will also be ample room for the Youth Commission member who is supervising the child to offer his or her comments. The information from these forms will be entered into the Juvenile Court Management System (JCMS) by the Youth Commission Coordinator for accountability and tracking purposes.

When a Child's Involvement Ends with the Youth Commission

The children under the supervision of the Youth Commission are subject to a disposition referred to as an "Informal Adjustment Consent." The period of probation that is permitted under this disposition is limited to six (6) months.

No child who is referred to and whose case is handled by the Youth Commission may be under its supervision for more than six months from the date the parties agreed to and sign the "Informal Consent." There are no provisions for extending the "Informal Consent" beyond a six month period.

A child who has faithfully met the requirements placed on him or she by the Youth Commission may be successfully released from the program at the conclusion of the six months. Additionally, a child may be released prior to the six months if his or her behavior warrants the same. A decision to release a child prior to completing six months should be one that is made not only by the supervising Youth Commission member but also with input from the child's parent(s) or guardian(s). Additionally, the Juvenile Probation Office will be notified of the successful completion when the Youth Commission submits their monthly reports.

Conversely, the decision to terminate a child from the Youth Commission program is one that should be made collectively by the entire Youth Commission including the Juvenile Probation Officer who is assigned to assist the

Youth Commission. In a case where a child has shown resistance to accepting the rule set forth, or has failed to take the period of probation seriously by repeated violations of specific rules, that child should be terminated from further involvement with the Youth Commission.

The Youth Commission members need to decide collectively that they have exhausted all of their available resources before finalizing the decision to terminate a child from the program. When a child is terminated from the Youth Commission, it should be noted on the monthly report that is submitted to the Juvenile Probation Office with a statement of the reasons for the termination.

In the matter of a District Magistrate case returned to the Juvenile Probation Office for failure to complete the Youth Commission program, the Juvenile will be notified with the specific violations of the terms and conditions of supervision and the revocation of the Informal Adjustment Consent. The Juvenile Probation Office then will proceed with further appropriate Court action.

Restitution in Cases that are Referred to the Youth Commission

The cases that are received at the Juvenile Probation Office and eventually referred to the Youth Commission will be processed for assessment and collection of restitution in the usual manner.

Upon receiving a referral alleging delinquent behavior where it appears that the victim has sustained either property or personal damages resulting from the delinquent behavior the Juvenile Probation Office forwards a Victims Claim Form to the victim. This form asks that the victim report the total amount of damages to the Juvenile Probation Office as well as financial losses paid directly by the victim and or their insurance carrier.

With rare exceptions, the Juvenile Probation Office takes up the issue of restitution with the juvenile's parent(s) or guardian(s) and for all intents and purposes the issue of restitution is kept as a separate issue apart from the child's progress and behavior while under the supervision of the Juvenile Probation Office.

This policy will remain the same for cases that are referred to the Youth Commission. The Juvenile Probation Office will continue to determine the amount of restitution that is due in a particular case, and notify the parent(s) or guardian(s) of the child as to the total amount of restitution due in a case. The Juvenile Probation Office will make arrangements directly with the parent(s) or guardian(s) of the child accused of causing the damages for repayment of the damages on a timely basis.

All payments for restitution must be forwarded to the Juvenile Probation Office, recorded, credited against the total amount due in the child's case, and payments will be disbursed from the Juvenile Probation in our usual fashion.

By keeping the issue of restitution separate and apart from the child's involvement with the Youth Commission, the Youth Commission members will not be viewed as bill collectors, and they will be able to concentrate more on the child's overall behavior and progress while on probation instead of dealing with the amount of money that is due in the child's case.

It is also practice of the Juvenile Probation Office not to impose further sanctions upon a child due to their parent(s) or guardian(s) inability or unwillingness to pay restitution on their child's behalf. In essence, this means that a child who has successfully complied with the terms

and conditions of his or her probation will qualify for a timely release from probation even though restitution is owed in the child's case.

Advantages to the Child, Parent(s) or Guardian(s) and Community to Having Cases Handled by the Youth Commission

The advantage to the child, parent(s) or guardian(s), and the community, are all somewhat different.

To the child, having their case handled by the Youth Commission means that they will avoid the Juvenile Court process and given possibly, a well deserved second chance. In the event that the child successfully completes the Youth Commission program, the final disposition in the case will be exposed to positive adult influence within the community that may have a substantial impact on the child not only now, but in the future as well.

The advantage to the parent(s) or guardian(s) of the child is similar in many ways to the advantages afforded to the child. The parent(s) or guardian(s) are able to avoid the normal Juvenile Probation and Juvenile Court process which can be time consuming and expensive. The Youth Commission proceedings more than likely will be conducted during non-business hours which makes attending a Youth Commission Hearing and supervision meeting more convenient especially to parent(s) or guardian(s) who are employed and do not have the luxury of sick, personal, or vacation days. The Youth Commission process also means that their child will not have a Juvenile Court record if the child successfully completes the program which many times has much more importance and significance to the parent(s) or guardian(s) than it does to the child.

The community's benefits are wide ranging in nature. First of all, the Youth Commission provides the community with an opportunity to begin taking ownership for the fact that the children in their community are committing criminal offenses and it is the community's responsibility to do something about the problem instead of assuming that some legal, judicial, or governmental entity will step in and solve the community's problems.

The next major advantage is that the Youth Commission may be used as a stepping stone to motivate community members and leader to actively engage in activities or programs to help prevent delinquency. It is hoped that with community members assuming responsibility for the children in their neighborhoods, they will use their energy and creativeness to take steps to prevent the problem before it develops.

Another subtle advantage to the Youth Commission process is community protection. The communities, through its members, become more aware of the level of crime that exists in their neighborhoods, and therefore, will be able to better protect themselves by close supervision or monitoring of the children responsible for these crimes.

As part of the building process communities and the Youth Commission will work collaboratively in the development of community service programs which will benefit both the Youth Commission and the Juvenile Probation Office, and will involve not only children under the direct supervision of the Youth Commission but also children being supervised by the Juvenile Probation Office.

Another aspect that will hopefully be instituted as part of the Youth Commission will be the development of victim/ offender panel discussions where victim's of crime will meet with groups of offenders to discuss the personal impact that crime has played in the victim's life. The

development of these types of programs, run by volunteers, could have immeasurable impact on children in all stages of the Juvenile Justice System.

A final benefit to the community is economic in nature. By diverting a child away from a criminal path, the Youth Commission provides judicial economy and saves the community significant amounts of money. The cost of institutional cases continues to sky rocket, and these costs are paid directly by local, state, and federal tax dollars.

The economic impacts on sections of a community that are high in crime are immeasurable as the value to individual members of a community to live in a safe community. The impact of the efforts put forth by a Youth Commission and its members as well as any ancillary programs that may develop as a result of a Youth Commission's existence will not be seen immediately. However, the positive results of efforts associated with these programs continue to become visible and comparative within 3 to 5 years down the road.

Expungement of Records

Cases receiving supervision by the Youth Commission are eligible for expungement as per the provisions of 18 Pa.C.S. Section 9123. Children who have successfully completed their supervision through the Youth Commission may request that their record be expunged by contact the YC Coordinator.

The YC Coordinator will determine the child's eligibility as per the above statute as well as reviewing whether all fines, costs, and restitution have been paid in full before a case handled by the Youth Commission may be expunged.

In the event that at the time a request is made by the juvenile to expunge his/her Juvenile Court Record the only record maintained by the Juvenile Probation Office is the one that was subject to the supervision by the Youth Commission, there will be a minimal fee of \$25.00 associated with the expungement for the filing and processing of the request.

[Pa.B. Doc. No. 13-1027. Filed for public inspection June 7, 2013, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

Notice is hereby given that Scott Browning Gilly having been suspended from the practice of law in the Southern District of New York for a period of 1 year by Opinion and Order of the United States District Court for the Southern District of New York entered February 5, 2013, the Supreme Court of Pennsylvania issued an Order on May 20, 2013, suspending Scott Browning Gilly from the practice of law in this Commonwealth for a period of 1 year, to take effect on June 19, 2013. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,
Secretary
*The Disciplinary Board of the
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 13-1028. Filed for public inspection June 7, 2013, 9:00 a.m.]

SUPREME COURT

Rescission of Directive to Administrative Judges Appointed by the Supreme Court; No. 407 Judicial Administration Doc.

Order

Per Curiam

And Now, this 24th day of May, 2013, it appearing that Paragraph (5) of the Directive adopted on April 11, 1986 is obsolete, *see* No. 55 Judicial Administration Docket No. 1 (April 11, 1986), it is hereby *Ordered* that Paragraph (5) of the Directive is rescinded, and the Administrative Judges who preside over and administer a division of a court which has three or more judges are no longer required to maintain monthly work records regarding the performance of each judge within the division as set forth in Paragraph (5). This Order shall be effective immediately.

[Pa.B. Doc. No. 13-1029. Filed for public inspection June 7, 2013, 9:00 a.m.]

RULES AND REGULATIONS

Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

STATE BOARD OF CERTIFIED REAL ESTATE APPRAISERS

[49 PA. CODE CH. 36]

Appraisal Management Companies; Temporary Regulations

The State Board of Certified Real Estate Appraisers (Board) adds Subchapter D (relating to appraisal management companies) to read as set forth in Annex A.

Effective Date

The temporary regulations will be effective upon publication in the *Pennsylvania Bulletin*.

Statutory Authority

The Appraisal Management Company Registration Act (act) (63 P. S. §§ 457.21—457.31) directs the Board to promulgate temporary regulations for the registration of appraisal management companies (AMC). Section 4(b) of the act (63 P. S. § 457.24(b)) authorizes the adoption of temporary regulations which are not subject to sections 201—203 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201—1203), known as the Commonwealth Documents Law (CDL), or the Regulatory Review Act (71 P. S. §§ 745.1—745.12).

Background and Need for Temporary Regulations

Section 4(b) of the act provides the Board's authority to promulgate temporary regulations to facilitate the prompt implementation of the act. These temporary regulations will expire on February 1, 2015, or upon promulgation of final regulations, whichever occurs first.

Description of the Temporary Regulations

General provisions

Definitions

Section 36.301 (relating to definitions) sets forth definitions for terms used in the temporary regulations. The following terms are defined as provided in the act, the Real Estate Appraisers Certification Act (REACA) (63 P. S. §§ 457.1—457.19) or are standard definitions used in regulations of the various boards under the Bureau of Professional and Occupational Affairs (Bureau): "Bureau," "CHRIA," "compliance person," "conviction," "Department," "exempt company," "key person," "law" and "owner."

"AQB," "The Appraisal Foundation," "FIRREA," "Federally-related transaction," "NRSRO," "non-Federally related transaction," "REARA," "TILA" and "USPAP" are terms and acronyms of general usage in the appraisal industry.

"AVM," "BPO" and "evaluation" are defined according to existing Federal statutes or regulations that govern appraisal practice and the appraisal management industry Nationally. The definition of "comparative market analy-

sis" is consistent with section 201 of the Real Estate Licensing and Registration Act (RELRA) (63 P. S. § 455.201).

"Order," "order solicitation," "panel solicitation," "solicit or solicitation" and "supervisor" define particular aspects of appraisal management and appraisal practice. These terms have been developed after consultation with stakeholders and deliberation by the Board.

Some stakeholders questioned if a "relocation company" is an AMC as defined by the act. An explanation in response to that inquiry is included in this preamble. A "relocation company" is generally defined as one which contracts with other firms to arrange the relocation of employees from one city to another. The service generally handles the sale of the employee's home and purchase of a new home.

Section 2 of the act (63 P. S. § 457.22) defines an "appraisal management company" as "a person that provides appraisal management services and acts as a third-party intermediary between a person seeking a valuation of real estate located in this Commonwealth and an appraiser or firm of appraisers." "Appraisal management services" is defined in section 22 of the act to include recruiting appraisers, contracting with appraisers to perform appraisals, negotiating fees with appraisers, receiving appraisal orders and appraisals, submitting appraisals received from appraisers to the client, and providing related administrative and clerical duties.

Although an AMC may also offer relocation services, it is not necessarily true that a relocation company is an AMC. While a relocation company may, in fact, recruit appraisers and order appraisals, in a typical relocation company transaction, the relocation company purchases an employee's home and re-sells the home. Therefore, in this typical type of relocation transaction, the relocation company may engage the services of an appraiser, but it is seeking an appraisal for its own benefit and not for a third party. The purpose of an appraisal in this scenario is to assist the relocation company in determining how much it will pay for the employee's house and how much it may expect to recover upon re-sale. Therefore, the "third-party intermediary" element of the definition of an AMC is not satisfied.

Procedural rules

Section 36.302 (relating to applicability of general rules) makes clear that individuals and other persons may avail themselves of the applicable remedies and procedures available under 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure).

Sections 36.303—36.306 provide the procedures for registering AMCs. Section 36.303 (relating to application procedures) memorializes current practices for processing applications used by the Board. Section 36.304 (relating to content of application) provides for the content of applications, including the information provided in section 5(b) of the act (63 P. S. § 457.25(b)). Section 36.305 (relating to expedited review) provides for a procedure for expedited review of certain applications to avoid interruption of business for existing AMCs that began business in this Commonwealth prior to June 8, 2013. Section 36.306 (relating to fees) provides for the initial registration fee

and fees for notice of change of corporate organization, letter of good standing, notification of change of key person or compliance person, late fee for reinstatement and the fee for expedited review. The Board has not prescribed a fee for the biennial registration renewal or late fee for renewal since these fees will not be charged or implemented during the effective period of these temporary regulations.

Registration

Qualifications of AMCs, owners, key persons and compliance persons

To perform appraisal management services, a company that is not otherwise exempt under the act shall be registered as an AMC. Registration is conditioned upon the company satisfying certain requirements. Those requirements are in § 36.311 (relating to qualifications for registration as appraisal management company) and include the designation of a compliance person, as well as the establishment of policies that are reasonably designed to prevent conduct or practices that compromise appraiser independence, verify appraiser certification, and qualification and review appraisal services for Uniform Standards of Professional Appraisal Practice (USPAP) compliance. These requirements are essential standards that shall be met under the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank) (Pub. L. No. 111-203, 124 Stat. 1376). The Board has not prescribed particular procedures or systems to satisfy these requirements and, therefore, AMCs have latitude to design and implement policies, so long as the policies are reasonably calculated to meet the required Dodd-Frank standards.

In addition, AMCs shall have processes for resolution of consumer complaints and appraiser complaints. The Board intends that “resolution” of consumer and appraiser complaints does not mean that every complaint is resolved to the satisfaction of the complainant. However, the process must be reasonable and afford the complainant the opportunity to have the AMC respond to complaints in a prompt fashion.

Section 36.312 (relating to qualifications of owners and key persons) clarifies sections 8 and 10 of the act (63 P. S. §§ 457.28 and 457.30) as they apply to owners and key persons. Section 8(d) of the act provides that individuals who are disqualified from being real estate appraisers may not be owners, key persons or compliance persons. The regulations clarify that individuals who have been disqualified from certification as real estate appraisers due to disciplinary violations are disqualified from being owners or key persons of an AMC. The absence of requisite education or experience for real estate appraisers is not grounds for disqualification as an owner or key person of an AMC. In addition, under section 10(a)(3) and (4) of the act, persons are disqualified from being owners or key persons if they have been disciplined by the State Real Estate Commission or by the Department of Banking and Securities.

As a condition of doing business, an AMC shall have a compliance person, that is, a person who has been designated with the responsibility to ensure that the AMC adheres to the requirements of the act and the Board’s regulations. See section 7(c)(1) of the act (63 P. S. § 457.27(c)(1)). Section 36.313 (relating to qualifications of compliance person) provides for the qualifications of compliance persons. In addition to meeting the requirements for a key person or owner, a compliance person

shall also be authorized by the AMC to bind the AMC and submit reports or filings required under the act or applicable Federal consumer protection laws.

Reporting change of information

Section 36.314 (relating to reporting change of information) requires an AMC to report to the Board a change of information regarding ownership, key persons and other information relating to the business. This provision is consistent with section 7(c)(3) of the act, which requires reporting of a change in the compliance person within 30 days.

Temporary authority to do business

Section 36.315 (relating to temporary authority to conduct business) provides for temporary authority to conduct business for an AMC that was conducting business in this Commonwealth before June 8, 2013. So long as an AMC has submitted an application for registration and was conducting business in this Commonwealth on or before June 8, 2013, it may continue to conduct business while its application is pending before the Board. The Board adopted this provision to avoid interruption of business and to provide assurance to existing AMCs that they will not be subject to prosecution during the period when their applications have been submitted but not yet approved by the Board. AMCs that have not yet started operations in this Commonwealth are prohibited from operating until registered.

Renewal of registration

Expiration and renewal

Section 36.321 (relating to expiration of registration) provides for the expiration of AMC registration on the last day of June of each odd-numbered year. This expiration date coincides with the expiration dates for certifications issued by the Board for certified real estate appraisers and certified Pennsylvania evaluators. The Board has not provided for procedures for renewal in these temporary regulations because initial registrations for AMCs will not expire until June 30, 2015. The Board intends to publish a proposed rulemaking in the near future that will include procedures for renewal.

Early termination of registration

Section 36.322 (relating to early termination of registration) provides for early termination of registration. An AMC that becomes an exempt company through acquisition by a bank or other financial institution, or that ceases business within this Commonwealth, may not want to continue obligations to report changes in personnel or other obligations under the act or the Board’s regulations. Accordingly, this section provides for a procedure by which the AMC may terminate its registration before the expiration date.

Standards of practice

Sections 36.331—36.337 (relating to standards of practice) cover the standards of practice for appraisal management services under the act. Section 1473 of Dodd-Frank added section 1124 to the Financial Institutions Reform, Recovery and Enforcement Act of 1989 (FIRREA) (12 U.S.C.A. § 3353) to provide for registration of AMCs. This section provides that an AMC owned and controlled by a Federally-regulated financial institution is not required to register with states, but is otherwise subject to the enforcement of appraisal management service standards and regulations. Notably, Dodd-Frank provides that states may establish requirements in addition to rules promulgated under Dodd-Frank. See section 1124(b) of FIRREA.

USPAP compliance

Section 36.331 (relating to compliance with USPAP) provides that AMC's shall require appraisals to be performed in compliance with USPAP. This provision is necessary because both State and Federal laws include this requirement. Section 5(1) of REACA (63 P.S. § 457.5(1)) directs the Board to adopt standards of professional appraisal practice. In accordance with this mandate, § 36.51 (relating to compliance with USPAP) requires appraisals performed by licensed real estate appraisers to be USPAP compliant. In addition to this State law, Dodd-Frank also requires USPAP compliance for all appraisals. See section 1124(a)(3) of FIRREA.

In furtherance of USPAP compliance, § 36.331(b) and (c) require AMC's to establish systems for appraisal review to ensure USPAP compliance and prohibit AMC's from using valuation services that violate applicable State and Federal laws. Because appraisal management services include, by definition, contracting for appraisal services and related services and duties, it is necessary that those services be provided in accordance with Federal and State law and in furtherance of the consumer protection objectives of Dodd-Frank, FIRREA, REACA and other laws.

Verification of certification; appraisal reviews

Section 36.332 (relating to verification of appraiser certification) is likewise intended to require that AMC's are providing services that comply with Federal and State law. As the appointed intermediary for a lender, it is the function of the AMC to ensure that the appraiser who performs the appraisal is competent and qualified for each particular assignment.

Appraisal reviews are a specific type of appraisal that is also covered by USPAP under Standard 3. Therefore, the Board promulgated a requirement that appraisal reviews be performed in compliance with USPAP and reiterates the proviso of the act and Dodd-Frank that examination or review of an appraisal report for grammatical or typographical errors, or for completeness, is not an appraisal review for which USPAP compliance is required.

Broker price opinions

Section 36.334 (relating to broker price opinions) pertains to the standards required for the use of broker price opinions (BPO). A BPO is a type of valuation service and has been defined by Dodd-Frank. The definition is in section 1126(b) of FIRREA (12 U.S.C.A. § 3355(b)). The Dodd-Frank definition has been adopted by the Board for this subchapter and is defined as an estimate prepared by a real estate broker, agent or sales person that details the probable selling price of a particular piece of real estate property and provides a varying level of detail about the property's condition, market and neighborhood, and information on comparable sales, but does not include an automated valuation model, as defined in section 1125(c) of FIRREA (12 U.S.C.A. § 3354(c)). Significantly, Dodd-Frank prohibits the use of BPOs as the primary basis to determine the value of a piece of property for the purpose of a loan origination of a residential mortgage loan secured by the piece of property. See section 1126(a) of FIRREA. While this Federal prohibition is limited, it does not foreclose states from adopting a higher standard.

BPOs are a type of valuation service that would be rendered by individuals licensed by the State Real Estate Commission. However, BPOs are not recognized by

RELRA and are not within the permissible scope of practice authorized by RELRA. Instead, RELRA authorizes a similar, but distinct, type of service which is termed "comparative market analysis." A comparative market analysis (CMA) is defined in section 201 of RELRA as a "written analysis, opinion or conclusion by a contracted buyer's agent, transactional licensee, or an actual or potential seller's agent relating to the probable sale price of a specified piece of real estate in an identified real estate market at a specified time, offered either for the purpose of determining the asking/offering price for the property by a specific actual or potential consumer or for the purpose of securing a listing agreement with a seller." (Emphasis added.) The significant distinction between a BPO and a CMA is that a CMA may only be performed to determine an offering price by an actual or potential buyer, or to secure a listing with a seller.

Given this limitation on CMAs in this Commonwealth, an AMC may not lawfully order or use a BPO as a valuation service. Therefore, the Board promulgated this section to clarify that an AMC may not use a BPO as an evaluation in a non-Federally related transaction.

Recordkeeping

Under § 36.335 (relating to recordkeeping), the Board established minimum recordkeeping requirements. This provision is specifically authorized by section 7(b)(1)(ii) of the act. The recordkeeping requirements set by the Board represent what is necessary for an AMC to fulfill its duties under the act and Dodd-Frank to review and verify the work of appraisers for compliance with USPAP and to ensure appraisal independence.

Subsection (a)(1) sets forth the information that is to be in records relating to each assignment that is ordered. Subsection (a)(2) provides for recordkeeping relating to fee schedules. Subsection (a)(3) provides for the recordkeeping relating to rosters or panels of appraisers.

Subsection (b) establishes a 5-year period for record retention beginning from the date of final action of the assignment or from the final disposition of a court proceeding, whichever is later. This provision is authorized under section 7(b)(2)(iii) of the act. In furtherance of the act's provision that the Board may inspect required records at any time, the Board has prescribed that records be produced for inspection and copying within 30 days of a request.

Solicitation or order of appraisals

Section 36.336 (relating to requirements for solicitation or order of appraisals) establishes minimum standards that an AMC shall meet when it solicits or orders appraisals. The purpose of the provision is to ensure reasonable clarity of the terms and conditions of the appraiser's rights and duties for the assignment. These provisions are required to implement the provisions of Dodd-Frank regarding appraisal independence that prohibit withholding payments of fees, prohibit untimely payment of fees and require that appraisal fees be customary and reasonable under section 129E(b)(4) and (i) of the Truth in Lending Act (TILA) (15 U.S.C.A. § 1639e(b)(4) and (i)). An AMC may satisfy this requirement either by providing the required information with each assignment or in a written agreement when an AMC and an appraiser begin an ongoing relationship.

Duties of compliance person

Section 36.337 (relating to duties of compliance persons) defines and clarifies the responsibility of the compliance person, which is a position required under section 7(c) of the act. This section establishes that an AMC is responsible for the acts and omissions of its compliance person, provides for the general duty of a compliance person to comply with section 8 of the act, pertaining to prohibited activities, and, more specifically, requires a compliance person to report known or suspected violations of TILA (15 U.S.C.A. §§ 1601—1667f), the act or the Board's regulations that relate to appraisal independence.

Disciplinary action

Section 36.341 (relating to prohibited acts) provides that the Board may impose sanctions authorized by the act for violations of the act, the Board's regulations, violations of FIRREA or TILA, or a violation of AMC laws of another jurisdiction.

Section 36.342 (relating to coercive acts or practices) provides greater detail and specificity regarding practices that violate appraiser independence. This section classifies coercive acts or practices into those that require proof of intent to coerce versus those practices that do not require evidence of intent because they are inherently coercive and compromise appraiser independence.

Subsection (a) lists practices that are inherently coercive and compromise appraiser independence. Subsection (b) lists practices that could be considered coercive and which may compromise appraiser independence if those acts are committed with the intent of harassing, retaliating or influencing an appraiser's professional judgment.

Surety bonds and letters of credit

Section 6(b) of the act (63 P. S. § 457.26(b)) requires an AMC to post a surety bond or letter of credit in an amount no less than \$20,000. The security, whether a surety bond or letter of credit, is to accrue or be made payable to the Commonwealth for the benefit of a person suffering damages for a failure of the AMC to perform obligations under the act or an appraiser who has performed an appraisal and has not been paid.

In § 36.351 (relating to requirements for surety bond or letter of credit), the Board adopted standards for the security that have been adopted by other state agencies to ensure that the financial institution or bond company is credit worthy. After consideration, the Board determined that the minimum amount of a surety bond or letter of credit should be \$40,000, as set forth in § 36.352 (relating to amount of surety bond or letter of credit), to ensure that security is sufficient to cover anticipated losses to consumers or appraisers and to ensure that civil penalties levied by the Board, which may be up to \$10,000 per violation, will also be paid. Although this amount is greater than the statutory minimum, particularly in light of the relatively modest cost of a surety bond (typically approximately 2% of the secured amount), the difference between \$20,000 and \$40,000 is minimal compared to the benefit of assuring that affected individuals can be made whole.

The Board relied upon provisions adopted by other agencies in defining the contents of the form of a surety bond or letter of credit in §§ 36.353 and 36.354 (relating to form of surety bond; and form of letter of credit). In addition, in § 36.355 (relating to maintenance of surety bond or letter of credit), the Board detailed requirements that a registrant maintain the amount of a surety bond or letter of credit in the event that a claim is made. Finally,

the Board provided for a procedure for making claims against a surety or obligor on a letter of credit in § 36.356 (relating to claims against surety or obligor). The procedures adopted by the Board allow for the Department of State, through the Prosecution Division of the Bureau, to make claims on behalf of consumers or unpaid appraisers, prior to a final adjudication of a violation of the act or the Board's regulations.

Fiscal Impact and Paperwork Requirements

The temporary regulations should not have adverse fiscal impact on the Commonwealth or its political subdivisions. In general, the temporary regulations provide fees that would offset negative fiscal impact upon the Commonwealth. The regulated community will incur costs associated with registration, including application fees and costs of posting a surety bond or letter of credit. Registered AMCs will also incur costs relating to recordkeeping. The paperwork and application fees are a consequence of compliance with Federal mandates.

Sunset Date

The Board continuously monitors the cost effectiveness of its regulations and will do so with respect to these temporary regulations. Because the temporary regulations will expire by February 1, 2015, the Board will reassess the regulations and the effectiveness of the temporary regulations in formulating proposed and final-form rulemakings.

Regulatory Review

These temporary regulations are statutorily exempt from the Regulatory Review Act.

Public Comment

The Board solicited and received extensive comment from the public, including stakeholders in the appraisal and appraisal management industry, in drafting these temporary regulations. The Board will solicit additional input when formulating the proposed and final-form rulemakings.

Findings

The Board finds that:

(1) Under section 4(b) of the act, the temporary regulations are not subject to sections 201—203 of the CDL and the Regulatory Review Act.

(2) The adoption of the temporary regulations is necessary and appropriate for the administration of the act.

Order

The Board, acting under authorizing statute, orders that:

(a) The regulations of the Board, 49 Pa. Code Chapter 36, are amended by adding §§ 36.301—36.306, 36.311—36.315, 36.321, 36.322, 36.331—36.337, 36.341, 36.342 and 36.351—36.356 to read as set forth in Annex A.

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

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

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

DANIEL A. BRADLEY,
Chairperson

Fiscal Note: 16A-7017. No fiscal impact. The fee schedule is expected to cover all costs associated with these temporary regulations. (8) Recommends adoption.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 36. STATE BOARD OF CERTIFIED REAL ESTATE APPRAISERS

Subchapter D. APPRAISAL MANAGEMENT COMPANIES

GENERAL PROVISIONS

Sec	
36.301.	Definitions.
36.302.	Applicability of general rules.
36.303.	Application procedures.
36.304.	Content of application.
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36.306.	Fees.

REGISTRATION

36.311.	Qualifications for registration as appraisal management company.
36.312.	Qualifications of owners and key persons.
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RENEWAL OF REGISTRATION

36.321.	Expiration of registration.
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STANDARDS OF PRACTICE

36.331.	Compliance with USPAP.
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36.334.	Broker price opinions.
36.335.	Recordkeeping.
36.336.	Requirements for solicitation or order of appraisals.
36.337.	Duties of compliance persons.

DISCIPLINARY ACTION

36.341.	Prohibited acts.
36.342.	Coercive acts or practices.

SURETY BONDS AND LETTERS OF CREDIT

36.351.	Requirements for surety bond or letter of credit.
36.352.	Amount of surety bond or letter of credit.
36.353.	Form of surety bond.
36.354.	Form of letter of credit.
36.355.	Maintenance of surety bond or letter of credit.
36.356.	Claims against surety or obligor.

GENERAL PROVISIONS

§ 36.301. Definitions.

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

AQB—The Appraiser Qualifications Board appointed by The Appraisal Foundation, which promulgates education, experience and other criteria for licensing, certification and recertification of qualified appraisers.

AVM—*Automated valuation model*—As defined by section 1125(d) of FIRREA (12 U.S.C.A. § 3354(d)), a computerized model used by mortgage originators and secondary market issuers to determine the collateral worth of a mortgage secured by a consumer's principal dwelling.

The Appraisal Foundation—The entity identified in section 1121(9) of FIRREA (12 U.S.C.A. § 3350(9)).

Assignment—As defined by USPAP, an agreement between an appraiser and a client to provide a valuation

service and the valuation service that is provided as a consequence of an agreement.

BPO—*Broker price opinion*—As defined by section 1126(b) of FIRREA (12 U.S.C.A. § 3355(b)), an estimate prepared by a real estate broker, agent or sales person that details the probable selling price of a particular piece of real estate property and provides a varying level of detail about the property's condition, market and neighborhood, and information on comparable sales, but does not include an AVM.

Bureau—The Bureau of Professional and Occupational Affairs of the Department.

CHRIA—18 Pa.C.S. Chapter 91 (relating to Criminal History Record Information Act).

Comparative market analysis—As defined in section 201 of RELRA (63 P.S. § 455.201), a written analysis, opinion or conclusion by a contracted buyer's agent, transactional licensee, or an actual or potential seller's agent relating to the probable sale price of a specified piece of real estate in an identified real estate market at a specified time, offered either for the purpose of determining the asking/offering price for the property by a specific actual or potential consumer, or for the purpose of securing a listing agreement with a seller.

Compliance person—An individual who is employed, appointed or authorized by an appraisal management company to be responsible for ensuring compliance with the law and this subchapter.

Conviction—

(i) An ascertainment of guilt of the accused and judgment thereon by a court, and includes a disposition of a criminal proceeding under the laws of the Commonwealth, or a similar disposition under the laws of another jurisdiction, by a plea of guilty, guilty but mentally ill or nolo contendere, or a verdict of guilty or guilty but mentally ill.

(ii) The term does not include an adjudication of delinquency under 42 Pa.C.S. Chapter 63 (relating to Juvenile Act).

Department—The Department of State of the Commonwealth.

Evaluation—A valuation permitted by the appraisal regulations of the Office of the Comptroller of the Currency (12 CFR 34.43 (relating to appraisals required; transactions requiring a State certified or licensed appraiser)), the Board of Governors of the Federal Reserve System (12 CFR 225.63 (relating to appraisals required; transactions requiring a State certified or licensed appraiser)), the Federal Deposit Insurance Corporation (12 CFR 323.3 (relating to appraisals required; transactions requiring a State certified or licensed appraiser)), the Office of Thrift Supervision (12 CFR 564.3 (relating to appraisals required; transactions requiring a State certified or licensed appraiser)) and the National Credit Union Administration (12 CFR 722.3 (relating to appraisals required; transactions requiring a State certified or licensed appraiser)) that qualify for the appraisal threshold exemption, business loan exemption or subsequent transaction exemption.

Exempt company—A person that is exempted from registering under the law as set forth in section 1124(c) of FIRREA (12 U.S.C.A. § 3353(c)).

Federally-related transaction—A real estate-related financial transaction which a Federal financial institution

regulatory agency or the Resolution Trust Corporation engages in, contracts for or regulates which requires the services of an appraiser.

Key person—A person other than a compliance person who is a director, officer, supervisor, manager or other person performing a similar function in an appraisal management company.

Law—The Appraisal Management Company Registration Act (63 P. S. §§ 457.21—457.31).

NRSRO—A designated Nationally-recognized statistical rating organization of the United States Securities and Exchange Commission or its successor.

Non-Federally related transaction—A real estate-related transaction that is not a Federally-related transaction.

Order—When used in the context of the contractual relationship between an appraiser and an appraisal management company, an agreement between an appraiser and an appraisal management company that pertains to a specified valuation assignment, including a disclosure of the amount of the appraisal fee, the terms and time frame for payment and the appraisal management company registration number.

Order solicitation—An offer to contract with an appraiser to perform an appraisal resulting in an order.

Owner—A person that owns 10% or more of an appraisal management company.

Panel—A network or roster of appraisers used by an appraisal management company.

Panel solicitation—An offer to appoint an appraiser to the panel used by an appraisal management company.

REACA—The Real Estate Appraiser Certification Act (63 P. S. §§ 457.1—457.19).

REARA—*Real Estate Appraisal Reform Amendments*—Title XI of FIRREA (12 U.S.C.A. §§ 3331—3355).

RELRA—The Real Estate Licensing and Registration Act (63 P. S. §§ 455.101—455.902)

Real estate-related financial transaction—A transaction involving one or more of the following:

- (i) Sale, lease, purchase, investment in or exchange of real property, including interests in property or the financing thereof.
- (ii) Refinancing of real property or interests in real property.
- (iii) Use of real property or interests in property as security for a loan or investment, including mortgage-backed securities.

Solicit or solicitation—An offer to contract with an appraiser to perform an appraisal or an offer to an appraiser to be included in an appraisal management company's panel of appraisers.

Supervisor—An individual who is an agent of an appraisal management company and who has the authority to do one or more of the following:

- (i) Enter into a contract with clients for the performance of appraisal services.
- (ii) Solicit or enter into an agreement for an assignment with independent appraisers.
- (iii) Direct or cause the direction of the management or policies of the appraisal management company.

TILA—The Truth in Lending Act (15 U.S.C.A. §§ 1601—1667f).

§ 36.302. Applicability of general rules.

Under 1 Pa. Code § 31.1 (relating to scope of part), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) is applicable to the activities of and proceedings before the Board.

§ 36.303. Application procedures.

(a) *Application form.* An applicant for registration as an appraisal management company shall complete and file with the Board an application in a form prescribed by the Board. The form is available on the Board's web site at www.dos.state.pa.us/real and by contacting the Board at Post Office Box 2649, Harrisburg, Pennsylvania 17105-2649, (717) 783-4866, ST-APPRAISE@pa.gov.

(b) *Application fee.* The initial application fee for registration as an appraisal management company is nonrefundable, must be in the amount set forth in § 36.306 (relating to fees) and must be in the form of a check or money order made payable to the "Commonwealth of Pennsylvania."

(c) *Filing of application.* An application is filed with the Board on the date that it is received in the office of the Board.

(d) *Approved applications.* If the Board finds that the application is complete, has no basis to believe that the information in the application is not true and correct, and that the information contained therein qualifies the applicant for registration as an appraisal management company, the Board will issue a registration certificate by mail to the address of record set forth in the application.

(e) *Disapproved applications.* If the application is disapproved (provisionally denied), the Board will notify the applicant, in writing, of:

- (1) The reason for provisional denial.
- (2) The applicant's right to appeal the provisional denial in writing and to request a hearing before the Board.
- (3) The applicant's rights under 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure).

(4) The failure to appeal the provisional denial to the Board or to request a hearing within 30 days of the date of the notice of provisional denial will result in the provisional denial of the application being deemed final.

(f) *Compliance with new requirements.* An applicant shall comply with requirements for registration that take effect between the applicant's filing of an initial application and the issuance of registration.

§ 36.304. Content of application.

(a) An application for registration as an appraisal management company must include:

- (1) Primary information of the appraisal management company, including:
 - (i) Legal name.
 - (ii) Mailing address, which will be the address of record.
 - (iii) Street address, if different from the mailing address.
 - (iv) Primary telephone number.
- (2) Secondary information of the appraisal management company, including:
 - (i) State or place of incorporation or organization.

(ii) Documentation that the applicant is authorized to transact business in this Commonwealth if the applicant is not an individual and is incorporated or otherwise formed under the laws of a jurisdiction other than the Commonwealth.

(iii) Each fictitious name under which the applicant trades or does business in this Commonwealth.

(iv) Web site address.

(v) Primary electronic mail address.

(vi) Fax number.

(vii) Each state or jurisdiction in which applicant is registered as an appraisal management company.

(viii) If the applicant began offering appraisal management services before June 8, 2013, and if so, the month and year on which the applicant began offering appraisal management services in this Commonwealth.

(ix) Owner information, including for each owner:

(A) Legal name.

(B) Street address.

(C) Telephone number.

(D) Electronic mail address.

(3) Key person information, including for each key person:

(i) Legal name.

(ii) Mailing address.

(iii) Street address, if different from the mailing address.

(iv) Telephone number.

(v) Title or titles and each status that qualifies the person as a key person, including one or more of the following:

(A) Officer.

(B) Director.

(C) Manager, supervisor, or similar function or title.

(vi) Electronic mail address.

(vii) If the key person is an owner.

(4) Compliance person information, including:

(i) Legal name.

(ii) Mailing address, if different from the applicant's mailing address.

(iii) Residential address.

(iv) Telephone number.

(v) Electronic mail address.

(vi) Title or titles.

(vii) Each certificate or license held for the practice of real estate appraising, if any, including the state or jurisdiction of issuance.

(viii) If the compliance person is an owner.

(5) Disciplinary history of the applicant, each owner, key person and the compliance person, including:

(i) Any discipline imposed in this Commonwealth or any other jurisdiction under any law regulating appraisers, appraisal management companies or real estate brokers or salespersons.

(ii) Any discipline imposed in this Commonwealth or any other jurisdiction under any law regulating mortgage

brokers or salespersons, the sale of securities, the practice of law or the practice of accounting.

(iii) A verification by each owner or key person subject to penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities) that the disciplinary history is true and correct.

(6) An official criminal history record information report from the Pennsylvania State Police or other state agency for each state in which the applicant, owner, key person or compliance person has resided for the 5-year period immediately preceding the date of application.

(7) A surety bond or letter of credit in the form and the amount required under §§ 36.351—36.356 (relating to surety bonds and letters of credit).

(b) The individual designated by the applicant as compliance person shall certify that the applicant has:

(1) A system in place to verify that a person being added to an appraiser panel of the applicant or who will otherwise perform appraisals for the applicant of property in this Commonwealth is a certified appraiser and in good standing in this Commonwealth under REACA.

(2) A system in place for the performance of appraisal reviews with respect to the work of appraisers that are performing appraisals for the applicant of property in this Commonwealth to determine if the appraisals are being conducted in conformance with the minimum standards under REACA on a periodic basis and whenever requested by a client.

(3) A system in place to comply with § 36.335 (relating to recordkeeping).

(4) Authorized the compliance person to file the application and verify the contents of the application subject to the penalties of 18 Pa.C.S. §§ 4904 and 4911 (relating to unsworn falsification to authorities; and tampering with public records or information).

(c) The individual designated as the compliance person shall sign the application and verify that the contents of the application are true and correct and is subject to the penalties of 18 Pa.C.S. §§ 4904 and 4911.

§ 36.305. Expedited review.

(a) An applicant who qualifies for temporary authority to conduct business under § 36.315(a) (relating to temporary authority to conduct business) may file a request for expedited review verified by the designated compliance person subject to the conditions in this section.

(b) The applicant shall file a written request with the Board concurrently with the filing of the application which must include the following averments:

(1) Neither the applicant nor any owner or key person is disqualified under section 10(a)(2)—(7) of the law (63 P. S. § 457.30(a)(2)—(7)).

(2) The applicant began offering appraisal management services in this Commonwealth before June 8, 2013.

(3) The applicant requests expedited review of his application to avoid interruption of its authority to conduct business in this Commonwealth.

(4) The applicant acknowledges that if the application is provisionally denied by the Board, he must discontinue offering appraisal management services in this Commonwealth on the date of the provisional denial.

(5) The averments set forth in the request for expedited review are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

(c) The applicant shall submit, along with the request, the fee for expedited review in § 36.306 (relating to fees).

(d) Concurrently with the filing of the application, the applicant shall serve copies of the request and the application by mail upon the Legal Office, Prosecution Division, and Legal Office, Counsel Division at the following addresses:

(1) Prosecution Liaison for State Board of Certified Real Estate Appraisers

Department of State
Commonwealth of Pennsylvania
2601 North 3rd Street
Post Office Box 2649
Harrisburg, Pennsylvania 17105-2649

(2) Counsel for State Board of Certified Real Estate Appraisers

Department of State
Commonwealth of Pennsylvania
2601 North 3rd Street
Post Office Box 2649
Harrisburg, Pennsylvania 17105-2649

(e) The Board's staff will conduct a preliminary review of the expedited application no later than 10 business days after the filing of the application and approve the application or refer the matter to the Board for disposition.

(f) If the application is referred to the Board for disposition, the application will be presented to the Board at its next regularly scheduled meeting, no sooner than 15 business days after the date of application.

§ 36.306. Fees.

The following is the schedule of fees charged by the Board:

Application for initial registration as an appraisal management company	\$2,000
Notice of change in corporate organization.	\$35
Letter of good standing/verification of registration	\$15
Notification of change in key person or compliance person	\$35
Late fee for reinstatement per month of delinquency	\$50
Fee for expedited review of application	\$500

REGISTRATION

§ 36.311. Qualifications for registration as appraisal management company.

(a) An appraisal management company is authorized to conduct business in this Commonwealth and to establish and maintain the requirements in this section during a period in which it offers or provides appraisal management services.

(b) An appraisal management company shall have a compliance person.

(c) An appraisal management company shall establish and maintain procedures that provide assurance of compliance with the following standards of appraisal management services:

- (1) Prevention of conduct or practices that compromise appraiser independence.
- (2) Verification of appraiser certification and qualifications.

(3) Review of appraisal services for compliance with USPAP.

(4) Availability of a process for resolution of consumer complaints.

(5) Availability of a process for resolution of appraiser complaints.

§ 36.312. Qualifications of owners and key persons.

(a) A person who would be disqualified from eligibility to be certified or licensed under the REACA as defined in subsection (b) may not be an owner or a key person.

(b) An individual would be disqualified from eligibility to be certified or licensed under the REACA, as provided in section 8(d)(1) of the law (63 P. S. § 457.28(d)(1)), if he had a license or certificate refused, denied, cancelled, suspended or revoked, or voluntarily surrendered a license or certificate under any of the following provisions of the REACA or CHRIA, or similar provision of another jurisdiction, unless the license or certificate has been subsequently granted or reinstated to the individual:

- (1) Section 3 of the REACA (63 P. S. § 457.3).
- (2) Section 6(c)(1) of the REACA (63 P. S. § 457.6(c)(1)).
- (3) Section 11 of the REACA (63 P. S. § 457.11).
- (4) Section 9124(c)(1) or (2) of CHRIA (18 Pa.C.S. § 9124(c)(1) or (2)) (relating to use of records by licensing agencies).

(c) Nothing in the law or this subchapter may be construed as a requirement that an owner or a key person shall possess the education or experience required under the AQB or the REACA for certification or licensure.

(d) A person who has been suspended, revoked or has voluntarily surrendered a license under RELRA, 7 Pa.C.S. Chapter 61 (relating to Mortgage Licensing Act) or the Mortgage Bankers and Brokers and Consumer Equity Protection Act (63 P. S. §§ 456.301—456.318), repealed by the act of July 8, 2008 (P. L. 796, No. 56), may not be an owner or key person.

(e) The Board may consider a disqualifying violation described in subsection (b) if the individual's license or certificate has been subsequently reinstated or granted in determining if the individual possesses good moral character as required under section 5(c)(4) of the law (63 P. S. § 457.25(c)(4)).

§ 36.313. Qualifications of compliance person.

(a) In addition to the qualifications in § 36.312 (relating to qualifications of owners and key persons), a compliance person shall hold the qualifications set forth in this section.

(b) A person designated as a compliance person by an appraisal management company shall possess the authority as a matter of law to:

- (1) Enter into an agreement with the Board to bind the appraisal management company to comply with requirements of the law, this subchapter and provisions of FIRREA, REACA, REARA or TILA that relate to appraisal standards or appraisal management services.
- (2) Sign a report, application, form, notice or other document required to be filed with the Board.
- (3) Certify, verify or otherwise attest as required by law to the contents of a document or pleading filed with the Board.
- (c) A compliance person may not have a history of:

(1) Conviction as provided in section 10(a)(5) of the law (63 P. S. § 457.30(a)(5)).

(2) Disciplinary action or disposition of an administrative or a civil proceeding as described in section 10(a)(2), (3), (4), (6) or (7) of the law, or a similar provision of a law or regulation of another jurisdiction, resulting in refusal, denial, cancellation, restriction, probation, suspension, voluntary surrender or revocation of the authority or privilege to practice.

(d) An individual who acts as a compliance person will be deemed to have vacated the position upon any of the following conditions:

(1) Death.

(2) Occurrence of a disqualifying condition defined in subsection (c).

(3) Termination of employment or contractual relationship by either the compliance person or the appraisal management company.

(e) During a period of less than 30 days for excused illness, absence or vacation of a compliance person, an appraisal management company may designate another key person to fulfill the duties of compliance person without notice to the Board.

(f) An absence or vacancy in the position of compliance person more than 30 days is cause for suspension of an appraisal management company's authority to conduct business until a compliance person has been designated and notice of the change has been filed with the Board as provided in § 36.314 (relating to reporting change of information.)

§ 36.314. Reporting change of information.

(a) A registrant shall report a vacancy or change in qualifying information as required in this section on forms prescribed by the Board.

(b) A registrant shall report a vacancy or change of compliance person within 30 days of the date that the compliance person terminates.

(c) A registrant shall report a change in the information required under § 36.304 (relating to content of application) within 30 days, including information relating to disciplinary history or criminal history required under § 36.304(a)(5) and (6).

§ 36.315. Temporary authority to conduct business.

(a) An appraisal management company that is not exempt from the law, which began offering appraisal management services in this Commonwealth before June 8, 2013, and has continued to offer appraisal management services in this Commonwealth since then without interruption, may continue to offer appraisal management services after June 8, 2013, without first being registered if:

(1) An application has been filed with the Board.

(2) The appropriate fees have been paid.

(3) The individual who signed the application in the capacity of the compliance person continues to act as compliance person until the application is approved, deemed withdrawn, provisionally denied or denied by final order.

(4) The application has not been:

(i) Deemed withdrawn.

(ii) Provisionally denied.

(iii) Denied by final order.

(iv) Approved.

(b) An appraisal management company that is not exempt from the law, which has not started offering appraisal management services in this Commonwealth by June 8, 2013, may not offer appraisal management services in this Commonwealth until registered.

(c) Authority to conduct business temporarily without registration under subsection (a) terminates on the date that an application has been:

(1) Deemed withdrawn.

(2) Provisionally denied.

(3) Denied by final order.

(4) Approved.

(d) For purposes of this section, an appraisal management company has continued to offer appraisal management services in this Commonwealth without interruption if it has made at least one appraisal assignment in each calendar month for real property in this Commonwealth and has maintained records required under this subchapter for each appraisal assignment made.

RENEWAL OF REGISTRATION

§ 36.321. Expiration of registration.

Registration expires on the last day of June of each odd-numbered year.

§ 36.322. Early termination of registration.

(a) A registrant may terminate registration prior to the expiration of the biennial registration period by filing with the Board a notice in a form prescribed by the Board.

(b) A notice of termination of registration must include:

(1) The date on which the registrant will cease to offer or provide appraisal management services in this Commonwealth.

(2) An acknowledgment that the registrant or his successor remains subject to disciplinary action for acts, errors or omissions occurring before the termination of registration.

(3) The signature of the compliance person.

(4) The mailing address of the registrant.

(5) If the registrant is terminating its existence, documentation of the dissolution, acquisition or merger of the registrant by or with another entity.

(6) If the registrant terminates registration because it has become exempt from registration under the law, documentation in support of the basis for exemption.

(7) An acknowledgment that the surety bond or letter of credit will remain subject to claims in accordance with the procedures in §§ 36.351—36.356 (relating to surety bonds and letters of credit).

(c) The date on which the registrant terminates registration may not be sooner than the date on which the notice is filed with the Board.

(d) The termination of registration by the Board upon filing of a notice will not be construed as an admission by the Board or the Commonwealth that the contents of the notice are true and correct.

(e) The Bureau may at any time after the filing of a notice of termination under this section begin a disciplinary action against a former registrant for a violation of

section 3 of the law (63 P.S. § 457.23), pertaining to registration of appraisal management companies.

(f) The surety bond or letter of credit will remain in effect after termination.

STANDARDS OF PRACTICE

§ 36.331. Compliance with USPAP.

(a) An appraisal management company shall require that appraisal assignments be completed in compliance with USPAP.

(b) An appraisal management company shall establish a system to review appraisal assignments which is reasonably calculated to ensure compliance with USPAP by appraisers.

(c) An appraisal management company may not solicit, offer, accept an offer or contract for a valuation service that it knows or has reason to know violates REACA, RELRA, FIRREA, the law or this subchapter.

§ 36.332. Verification of appraiser certification.

An appraisal management company shall establish and maintain a system to verify that appraisals are completed by an appraiser who possesses a class of certification issued by the Board that authorizes appraisal of real property in this Commonwealth that is the subject of the appraisal and which is current and valid.

§ 36.333. Appraisal reviews.

(a) Appraisal reviews shall be performed in accordance with USPAP.

(b) An examination of an appraisal report for grammatical or typographical errors or for completeness is not required to comply with USPAP.

§ 36.334. Broker price opinions.

(a) A BPO may not be used as an evaluation in a non-Federally related transaction.

(b) A BPO may be used as an evaluation in a Federally-related transaction only if the transaction is exempt from the requirement for an appraisal under FIRREA and an appraisal is not otherwise required by the regulations, guidelines or requirements of any lender, agency or other organization.

(c) A comparative market analysis is not a BPO for purposes of the law, REACA or this subchapter if performed for one or both of the following purposes:

- (1) In pursuit of a listing.
- (2) To determine probable selling price.

§ 36.335. Recordkeeping.

(a) Each appraisal management company shall maintain the following records:

(1) A record of each assignment it has ordered for appraisal of real property in this Commonwealth, including the following:

- (i) The order between the appraisal management company and the appraiser.
- (ii) Each appraisal report received from an appraiser, including the original report, revised reports and addenda or other materials furnished subsequent to the delivery of the original report.
- (iii) Written communication between the appraiser and the appraisal management company and any other entity involved in the transaction.

(iv) The order engaging another appraiser for the purpose of reviewing the appraisal.

(v) A review of the appraisal performed, including data supporting the selection of the appraisal for review, the original review report, subsequent correspondence between the reviewer and appraisal management company, and each subsequent revised review report.

(vi) Written communications related to obligations under the law or this subchapter between the appraisal management company and its client, including documents supplied to that client.

(vii) A record of fees disbursed to contracted appraisers and the fee received by the appraisal management company from the appraisal management company's client.

(2) Appraiser fee schedules, including:

- (i) Fees paid for a defined service.
- (ii) Documentation to support that the fee schedule is customary and reasonable and complies with TILA.
- (iii) Payment policies, including time for payment of appraisal fees.
- (iv) Effective dates of the schedules.

(3) Panels of appraisers used for assignments in this Commonwealth, including:

- (i) The name of each appraiser.
- (ii) The appraiser's certificate number.
- (iii) The date the appraiser was placed on the panel.
- (iv) The region or area in which the appraiser's service may be used.
- (v) The date and reason for removal if the appraiser is removed from the panel.

(b) An appraisal management company shall maintain the records in subsection (a)(1) for 5 years beginning on the latest of the following:

- (1) The date of final action of the assignment.
- (2) The date of final disposition of the proceeding if the appraisal management company is notified that the transaction is the subject of a court proceeding or an administrative proceeding by the Board.

(c) An appraisal management company shall produce for inspection and copying by the Board within 30 days any record required to be maintained by the law or this subchapter.

§ 36.336. Requirements for solicitation or order of appraisals.

(a) An appraisal management company shall include in an order or order solicitation for appraisal services:

- (1) The fee to be paid to the appraiser for the appraisal assignment.
- (2) The terms for time of payment for appraisal services.
- (3) The appraisal management company's registration number.

(b) An appraisal management company may satisfy the requirements of subsection (a) by either of the following means:

- (1) A legible statement of the required information on an order or solicitation for an appraisal assignment.

(2) A legible reference to an existing written agreement between the appraisal management company and the appraiser that includes the required information.

(c) An appraisal management company shall include in a panel solicitation for appraisal services in this Commonwealth its appraisal management company registration number.

§ 36.337. Duties of compliance persons.

(a) An appraisal management company is subject to disciplinary action under the law and this subchapter for the acts or omissions of a compliance person who fails to perform a duty in this section.

(b) A compliance person shall ensure compliance of an appraisal management company with section 8 of the law (63 P. S. § 457.28).

(c) An appraisal management company, acting through its compliance person, shall report to the Bureau, directly or through another agent of the appraisal management company, a material violation as defined under section 129E(e) of TILA (15 U.S.C.A. § 1639e(e)) and corresponding regulations regarding appraisal independence requirements.

(d) A compliance person who has a reasonable basis to believe that an appraisal management company, its employee or agent has violated appraisal independence requirements of the law or this subchapter shall report the matter to the Bureau within a reasonable time after formulating the belief that a violation has occurred.

DISCIPLINARY ACTION

§ 36.341. Prohibited acts.

(a) The Board may impose one or more sanctions authorized under the law if the Board finds that an appraisal management company, key person or compliance person violated the law or this chapter.

(b) The following acts, errors or omissions constitute a violation of the standards of conduct of an appraisal management company:

(1) Violation of a provision of the law or this subchapter.

(2) Violation of FIRREA or TILA.

(3) Violation of a statute or regulation of another jurisdiction regulating appraisal management companies.

§ 36.342. Coercive acts or practices.

(a) The following acts constitute a coercive act or practice in violation of the law and this chapter without proof of intent of the appraisal management company or its agent:

(1) A requirement that the appraiser collect a fee from a borrower.

(2) A requirement that the appraiser provide access to the appraiser's digital signature.

(3) A prohibition on the appraiser to report the fee for the appraisal services.

(4) A prohibition on the appraiser to note or report real property appraisal assistance.

(5) Nonpayment of, or refusal to pay for, appraisal services rendered for a reason other than the breach of agreement or substandard performance by the appraiser.

(6) A clause or provision in an order requiring an appraiser to indemnify or hold harmless for acts or omissions of a person other than the appraiser.

(7) A clause or provision in an order requiring an appraiser to have a duty to defend the appraisal management company in a civil action or proceeding.

(8) Removal of an appraiser from the panel or roster of appraisers without notice and opportunity for rebuttal.

(9) A request to an appraiser to provide comparable properties for a specified property prior to completion of appraisal report.

(b) The following acts, if committed with the intent to influence or attempt to influence the development, reporting, result or review of an appraisal, constitute a coercive act or practice in violation of the law and this chapter:

(1) A pattern or course of conduct involving repeated review of appraisals that are not performed in accordance with the appraisal management company's policy for appraisal reviews or quality control functions.

(2) A limitation on the time of completion of an appraisal assignment that impairs the credibility of the report. For purposes of this paragraph, a time limitation or deadline established for the purpose of completing the assignment to complete a transaction by a date established by agreement of parties other than the appraisal management company does not constitute a coercive act or practice.

(3) A delay in payment for appraisal services that violates the appraisal management company's policy for payment.

SURETY BONDS AND LETTERS OF CREDIT

§ 36.351. Requirements for surety bond or letter of credit.

(a) A registrant shall maintain a surety bond or letter of credit in the form and amount prescribed in this subchapter.

(b) A surety bond must be in the amount prescribed in § 36.352(a) (relating to amount of surety bond or letter of credit), in the form prescribed by § 36.353 (relating to form of surety bond) and issued by a company authorized to transact surety business in this Commonwealth by the Insurance Department, which possesses a current A. M. Best Rating of A- or better, or a Standard & Poor's insurer's financial strength rating of A or better, or a comparable rating by another NRSRO.

(c) A letter of credit must be in the amount prescribed in § 36.352(b), in the form prescribed by § 36.354 (relating to form of letter of credit) and payable at an office of a commercial bank in the United States. At the time of issuance of the letter of credit, the issuing bank or its holding company shall have a B/C or better rating or 2.5 or better credit evaluation score by Fitch Ratings, as successor to the rating services of Thomson BankWatch, or the issuing bank shall have a CD or long-term issuer credit rating of BBB or better or a short-term issuer credit rating of A-2 or better by Standard & Poor's or a comparable rating by another NRSRO.

§ 36.352. Amount of surety bond or letter of credit.

(a) A registrant who maintains a surety bond to satisfy the requirements of the law and § 36.351 (relating to requirements for surety bond or letter of credit) shall maintain a bond in the amount of \$40,000.

(b) A registrant who maintains a letter of credit to satisfy the requirements of the law and § 36.351 shall maintain a letter of credit in the amount of \$40,000.

(c) The Board may require additional amount or form of security for the following reasons:

(1) As a penalty for a violation of the law or this subchapter regarding the nonperformance of services or nonpayment of fees, or a violation of a similar law or regulation of another jurisdiction.

(2) A change in the financial strength or rating of the surety or issuer of the letter of credit.

(3) A failure to maintain the bond or letter of credit in the minimum amount required by the law or this subchapter, whichever is greater.

§ 36.353. Form of surety bond.

A surety bond held by a registrant to satisfy the requirements of the law and this subchapter must include:

- (1) The name and mailing address of the registrant.
- (2) The name and title of the compliance person.
- (3) The name, mailing address, telephone number and National Association of Insurance Commissioners company code of the surety.
- (4) The policy number for the surety bond.
- (5) Indemnification for claims that arise or occur during the biennial licensure period during which the bond is issued for the benefit of:
 - (i) The Commonwealth or the public for nonperformance of obligations under the law or this subchapter that occur during the period of the surety bond.
 - (ii) An appraiser who has performed an appraisal for the registrant during the period of the surety bond for which the appraiser has not been paid.
- (6) An agreement by the surety to notify the Bureau if the surety bond is cancelled or terminated.

§ 36.354. Form of letter of credit.

A letter of credit held by a registrant to satisfy the requirements of the law and this subchapter must include:

- (1) A provision that the letter of credit is irrevocable for a term of not less than 1 year and that the letter of credit automatically renews annually unless the letter of credit is specifically nonrenewed by the issuing bank 90 days or more prior to the anniversary date of its issuance and the issuing bank gives at least 90 days prior written notice to the Bureau and the registrant of its intent to terminate the letter of credit at the end of the current term.
- (2) A provision that the Department has the right to draw upon the credit before the end of its term and to convert it into a cash collateral bond if the registrant fails to replace the letter of credit with other acceptable bond within 30 days of the bank's notice to terminate the letter of credit.
- (3) The letter of credit must name the Department as the beneficiary and be payable to the Department under § 36.356 (relating to claims against surety or obligor).
- (4) A letter of credit must be subject to the most recent edition of the *Uniform Customs and Practices for Documentary Credits*, published by the International Chamber of Commerce, and the laws of the Commonwealth, including 13 Pa.C.S. (relating to Uniform Commercial Code).
- (5) The Board will not accept letters of credit from a bank that has failed to make or delayed in making payment on a defaulted letter of credit.

§ 36.355. Maintenance of surety bond or letter of credit.

(a) If the rating of a surety or bank that has issued a bond or letter of credit falls below the minimum ratings required under § 36.351(b) and (c) (relating to requirements for surety bond or letter of credit), a registrant shall replace the bond or letter of credit within 45 days from the date of the substandard rating decline with a new bond or letter of credit that satisfies the requirements of § 36.351.

(b) If a bond or letter of credit is not replaced within 45 days of the substandard rating decline, the Department has discretion to draw on the surety bond or letter of credit and deposit the proceeds with the State Treasurer to secure the registrant's liability and to begin proceedings under the law, this subchapter and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law) to suspend or revoke the registrant's authority to perform appraisal management services in this Commonwealth.

(c) If a surety or bank makes a payment upon a bond or a letter of credit issued to fulfill the requirements of the law or this subchapter, the registrant shall obtain additional security within 45 days of the date of payment in the form of an additional surety bond or letter of credit in an amount sufficient to maintain the minimum amount required under the law or this subchapter, whichever is greater.

§ 36.356. Claims against surety or obligor.

- (a) The Department may make a claim to a surety or obligor to:
 - (1) Recover unpaid fees for appraisal services.
 - (2) Obtain payment for civil penalties, costs of investigation or fees payable to the Commonwealth.
 - (3) Obtain payment for debts arising out of the performance of appraisal management services in this Commonwealth.
 - (4) Obtain security as provided in § 36.355(b) (relating to maintenance of surety bond or letter of credit).
- (b) The Department, in its discretion, will make a claim to a surety or obligor for a purpose in subsection (a) upon one of the following conditions:
 - (1) The expiration of the period of appeal from the entry of a final order issued by the Board in a proceeding under the 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law) and a determination by the Department based upon a review of its records that all or part of a civil penalty or costs of investigation levied by that order remain unpaid.
 - (2) The failure of a registrant to satisfy a written agreement with the Board or the Bureau to pay an amount described in subsection (a).
 - (3) A determination by the Prosecution Division of the Bureau upon a complaint filed with the Bureau that there is probable cause to believe that a registrant owes a sum certain for unpaid fees, civil penalties, costs of investigation, fees payable to this Commonwealth or debts arising out of the performance of appraisal management services in this Commonwealth.
 - (4) Violation of § 36.355.

[Pa.B. Doc. No. 13-1030. Filed for public inspection June 7, 2013, 9:00 a.m.]

PROPOSED RULEMAKINGS

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

[12 PA. CODE CH. 149]

Manufactured Housing Improvement Program

The Department of Community and Economic Development (Department), under the authority in section 5 of the Manufactured Housing Improvement Act (act) (35 P.S. § 1658.5), proposes to amend Chapter 149 (relating to manufactured housing improvement program) to read as set forth in Annex A. The purpose of this proposed rulemaking is to establish an installation and construction standard for relocated manufactured homes being installed in this Commonwealth.

Introduction

The National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C.A. §§ 5401—5426) was amended in 2000 to ensure uniform and effective enforcement of Federal safety standards for the installation of manufactured homes and to require that states implement an installation program. The Pennsylvania Construction Code Act (35 P.S. §§ 7210.101—7210.1103) governs the construction, alteration, repair and occupancy of all buildings in this Commonwealth. The act was passed in 2004 to govern the installation of manufactured housing and amended in 2012 to expand the coverage of the act to relocated manufactured housing. The amendments to the act require the Department to promulgate regulations to establish an installation and construction (habitability) standard for manufactured homes previously installed that are now being relocated to a site in this Commonwealth. Currently there are not clear standards for the manufactured housing industry or local code officials to follow for proper handling of relocated manufactured homes. This proposed rulemaking will enable the Department to develop and publish these standards or guides.

Analysis

The definition of “relocated manufactured home” is proposed to be added to § 149.1 (relating to definitions).

“New” is proposed to be deleted from § 149.2(1)—(5) (relating to purpose) so that this section includes new and relocated manufactured homes. The proposed amendment to paragraph (4) explains how the Department may provide alternative installation instructions in cases when the original installation instructions are not available.

Proposed amendments to § 149.3 (relating to installation standard for new manufactured homes) concern new manufactured home installation. Clarifying language is proposed to be added to paragraphs (b)—(d) to better illustrate the initial intent of the regulation.

Proposed § 149.3a (relating to installation and construction standards for relocated manufactured homes) addresses the various options for the installation of relocated manufactured homes and establishes the procedures to assess compliance for the original construction and safety standard applicable to the construction of homes.

Proposed amendments to § 149.5 (relating to building code official training) will ensure that code officials receive training on relocated manufactured homes as well as new manufactured homes.

Proposed amendments to § 149.6 (relating to Certificate of Compliance) better illustrate the initial intent of the regulation in regard to the limitations to the Certificate of Compliance form that is completed by the installer and that the form does not need to be provided to the Department for relocated manufactured homes.

Fiscal Impact

Commonwealth

The impact upon the Commonwealth is negligible. This expansion of the manufactured housing improvement program will increase demand for trained and certified installers, which through the training and certification fees collected by the Department will be sufficient to address additional clerical or recordkeeping costs.

Political subdivisions

There is not a fiscal impact upon political subdivisions in this Commonwealth.

Public

The manufactured housing improvement program has been estimated to add \$41 to the cost of each manufactured home sited in this Commonwealth. It is assumed that this will also be true for relocated manufactured homes.

Paperwork

The proposed rulemaking will require manufactured home installers to complete a Certificate of Compliance form upon completion of each relocated manufactured home installation that will be submitted to the building code official and homeowner.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on May 24, 2013, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Commerce Committee and the Senate Community, Economic and Recreational Development Committee. A copy of this material is available to the public upon request.

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

Effective Date/Sunset Date

The proposed rulemaking will become effective 90 days after final-form publication in the *Pennsylvania Bulletin*. A sunset date has not been assigned.

Contact Person

Interested persons are invited to submit in writing, within 30 days from the date of publication in the

Pennsylvania Bulletin, comments, suggestions or objections regarding the proposed rulemaking to Mark Conte, Chief, Housing Standards Division, Office of Community Development, Department of Community and Economic Development, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120, (717) 720-7416.

C. ALAN WALKER, Secretary

Fiscal Note: 4-96. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 12. COMMERCE, TRADE AND LOCAL GOVERNMENT

PART V. COMMUNITY AFFAIRS AND DEVELOPMENT

Subpart C. COMMUNITY DEVELOPMENT AND HOUSING

CHAPTER 149. MANUFACTURED HOUSING IMPROVEMENT PROGRAM

§ 149.1. Definitions.

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

* * * * *

Purchaser—The first person purchasing a new manufactured home for purposes other than resale.

Relocated manufactured home—As defined in section 3 of the act.

Retailer—A person engaged in the sale, leasing or distribution of a new manufactured home directly to a purchaser.

* * * * *

§ 149.2. Purpose.

This chapter interprets and makes specific the provisions of the act. This chapter establishes administrative procedures for the implementation of the act, which comply with the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C.A. §§ [5404] 5401—5426) and the Manufactured Home Construction and Safety Standards. More specifically, this chapter is intended to achieve the following objectives:

(1) Designate appropriate training programs for those persons that install [new] manufactured homes, to provide them with a thorough understanding of manufactured home construction and to assure that the manufactured homes they install comply with the act, the Manufactured Home Construction and Safety Standards and the UCC, as applicable.

(2) Establish a system to certify those persons who successfully complete the training program as installers of [new] manufactured homes.

(3) Provide training for those persons who inspect [new] manufactured home installations under the act, the Manufactured Home Construction and Safety Standards and the UCC.

(4) Provide that [new] manufactured home construction, installations and completion onsite be performed in a manner consistent with the home manufacturer's DAPIA approved designs and provide suitable alterna-

tives when the manufacturer's approved designs are not available for a relocated manufactured home.

(5) Establish a mechanism to verify to the Department, building code officials and purchasers that [new] manufactured homes are completed and installed by an installer of manufactured homes who was certified by the Department and that the homes comply with the Manufactured Home Construction and Safety Standards and applicable building codes.

* * * * *

§ 149.3. Installation standard for new manufactured homes.

* * * * *

(b) In accordance with the Manufactured Housing Construction and Safety Standards Act of 1974, a new manufactured home shall be installed consistent with the manufacturer's approved design. The manufacturer's approved design must be current, complete, easily understood and compatible with the home being installed. The manufacturer's approved design must fully address the support, attachment, assembly and all other aspects of manufactured home construction and installation to assure that the manufactured home performs as a fully integrated structure and complies with all elements of the Manufactured Home Construction and Safety Standards. Elements of installation and foundation construction not addressed in the Manufactured Home Construction and Safety Standards must be in compliance with the UCC.

(c) A design other than the manufacturer's approved design may not be utilized in the [installation] support, stabilization and assembly of a new manufactured home without authorization of the manufacturer and evaluation and approval by the manufacturer's DAPIA.

(d) A building code official may not reject a manufacturer's approved design applicable to a particular home for any reason, including, but not limited to, the fact that the material was not reviewed, approved, sealed or certified by an engineer, architect or similar person licensed in this Commonwealth. If a building code official believes a manufacturer's approved design was approved by a DAPIA in error, or questions the validity of a manufacturer's approved design, the building code official may contact the Department, which will investigate the matter.

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

§ 149.3a. Installation and construction standards for relocated manufactured homes.

(a) The following installation standards for relocated manufactured homes are acceptable:

(1) The installation standard established under § 149.3 (relating to installation standard for new manufactured homes).

(2) When the installation standard required under § 149.3(a) is not available for the installation of a relocated manufactured home, the following may be utilized as an acceptable alternative:

(i) Pennsylvania Installation Guidelines for Relocated Manufactured Homes published by the Department.

(ii) Option A, B and D of the Pennsylvania Field Guide: Foundation Systems for Relocated Manufactured Housing

published by the Pennsylvania Housing Research/Resource Center at the Pennsylvania State University.

(iii) In land lease communities, Option C of the *Pennsylvania Field Guide: Foundation Systems for Relocated Manufactured Housing* published by the Pennsylvania Housing Research/Resource Center at the Pennsylvania State University.

(3) The Department may develop and publish criteria that may be used to evaluate the adequacy of foundations already existing in land lease communities for the installation of relocated manufactured homes.

(b) The Pennsylvania Habitability Guide for Relocated Manufactured Homes shall be utilized to determine if a manufactured home remains in compliance with the Manufactured Home Construction and Safety Standards to which it was originally designed and constructed. The Habitability Guide Checklist shall be completed and submitted to the building code official as a part of the building permit process.

§ 149.5. Building code official training.

(a) The Department will develop or designate acceptable workshops and training programs for those persons that inspect the installation of [**new**] manufactured homes. The Department will annually review the content of the workshops or training programs.

* * * * *

(e) Building code officials who inspect the installation of [**new**] manufactured homes shall successfully complete a workshop or training program approved by the Department and shall do so every 3 years to continue inspecting the installation of [**new**] manufactured homes.

* * * * *

§ 149.6. Certificate of Compliance.

(a) Upon completion of the installation of a [**new**] manufactured home, an installer shall complete a Certificate of Compliance. A Certificate of Compliance may [**not**] only reference items that are [**not part of the manufacturer's approved design or covered by the**

Manufactured Home Construction and Safety Standards] addressed in § 149.3 or § 149.3a (relating to installation standard for new manufactured homes; and installation and construction standards for relocated manufactured homes), as applicable.

(b) Within 5 calendar days of completion of the installation of a [**new**] manufactured home, the installer of the [**new**] manufactured home shall forward the **completed** Certificate of Compliance to the Department and the appropriate building code official [**, if known**]. **The duty to certify to the Department does not apply to relocated manufactured homes.**

(c) A building code official may not issue a certificate of occupancy for a [**new**] manufactured home until he has received a completed copy of the Certificate of Compliance [**filed with the Department**].

(d) The installer of a [**new**] manufactured home shall attach the original completed Certificate of Compliance to the installation instructions **or other documents** that **must** remain with the home or hand deliver the Certificate of Compliance and the installation instructions to the purchaser.

(e) If the manufacturer or retailer has not agreed in writing to be responsible to the purchaser for the installation of the new manufactured home prior to the execution of the sales documents, the manufacturer or retailer shall provide the purchaser with a written statement that the home shall be installed as described in § 149.3(b) and (c) [**(relating to installation standard)**], and that the Certificate of Compliance shall be completed and signed by an installer certified under § 149.4(b) (relating to installation training and certification). At that same time, the manufacturer or retailer shall provide the purchaser with a list of installers known to him or obtained from the Department. By providing the list, the manufacturer or retailer does not warrant the quality of the installers' work, nor is the purchaser under any obligation to use any particular installer.

[Pa.B. Doc. No. 13-1031. Filed for public inspection June 7, 2013, 9:00 a.m.]

STATEMENTS OF POLICY

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Board of Probation and Parole

The Executive Board approved a reorganization of the Board of Probation and Parole effective May 16, 2013.

The organization chart at 43 Pa.B. 3114 (June 8, 2013) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

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

[Pa.B. Doc. No. 13-1032. Filed for public inspection June 7, 2013, 9:00 a.m.]

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

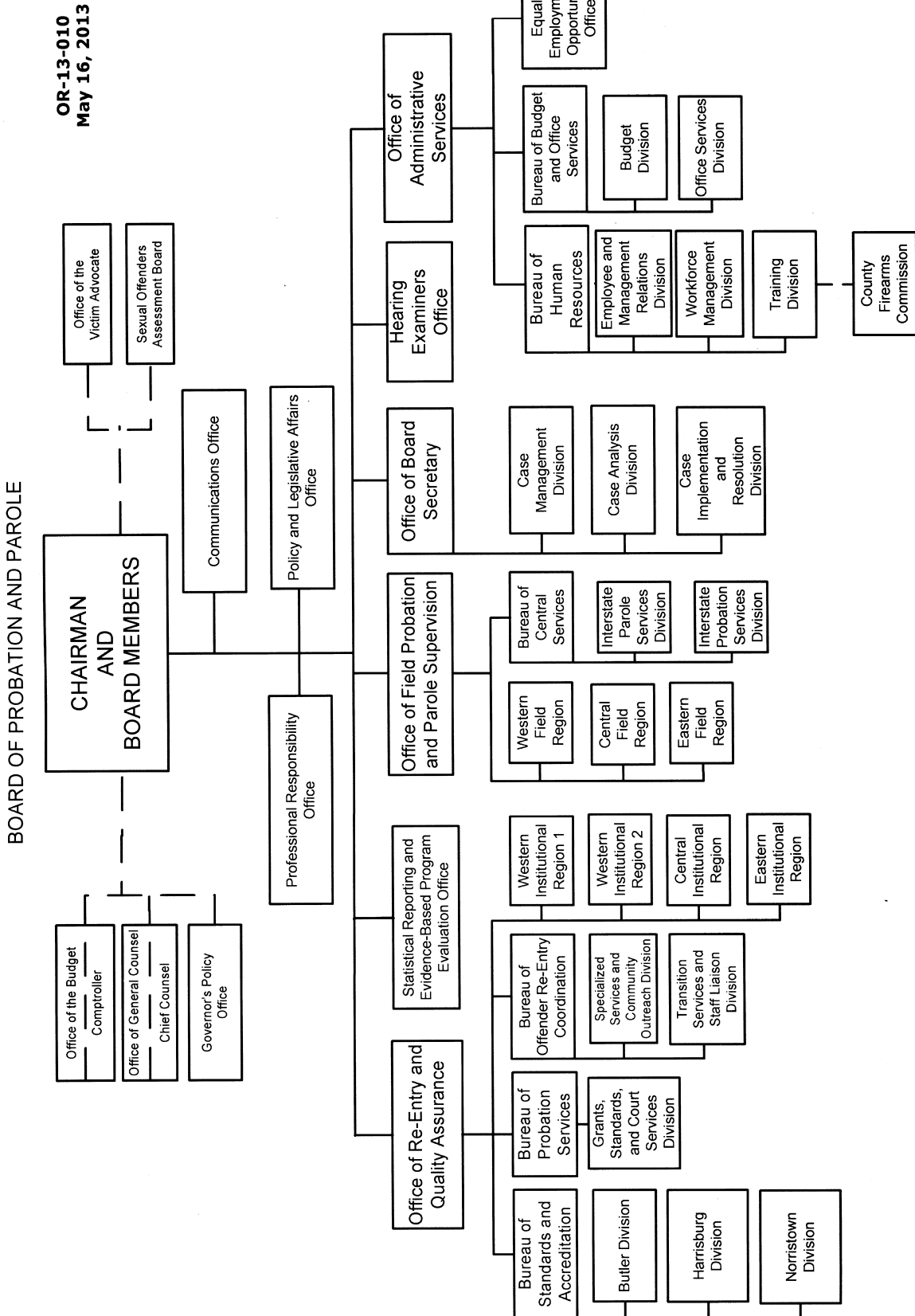
Reorganization of the Department of General Services

The Executive Board approved a reorganization of the Department of General Services effective May 16, 2013.

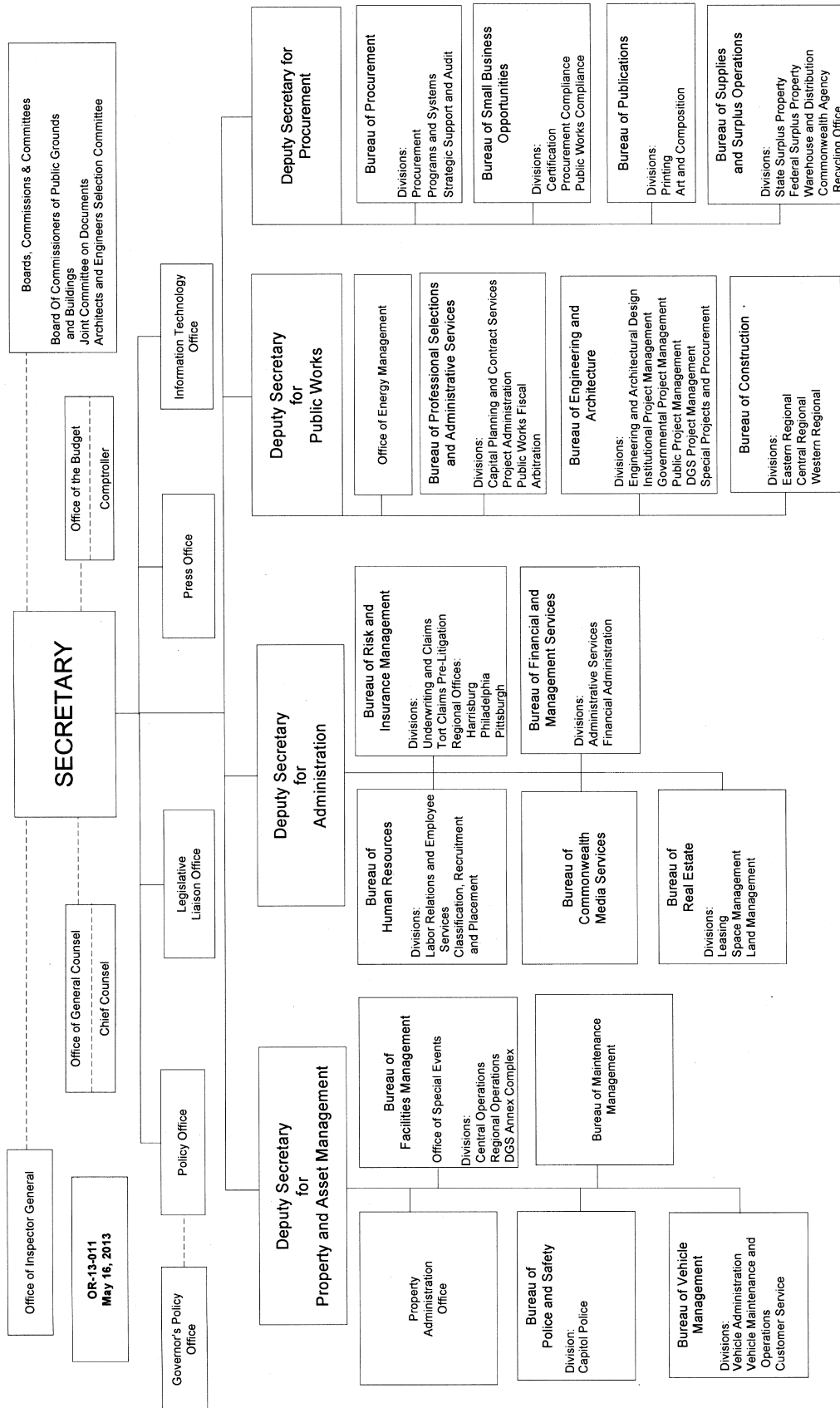
The organization chart at 43 Pa.B. 3115 (June 8, 2013) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

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

[Pa.B. Doc. No. 13-1033. Filed for public inspection June 7, 2013, 9:00 a.m.]



DEPARTMENT OF GENERAL SERVICES



NOTICES

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking and Securities 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 May 28, 2013.

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

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
5-23-2013	The Bryn Mawr Bank Corporation Bryn Mawr Montgomery County Application for approval to acquire 100% of MidCoast Community Bancorp, Inc., Wilmington, Delaware and thereby indirectly acquire 100% of MidCoast Community Bank, Wilmington, Delaware.	Filed

Consolidations, Mergers, and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
5-23-2013	The Bryn Mawr Trust Company Bryn Mawr Montgomery County Application for approval to merge MidCoast Community Bank, Wilmington, Delaware with and into The Bryn Mawr Trust Company, Bryn Mawr, Pennsylvania.	Filed

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
5-20-2013	Fleetwood Bank Fleetwood Berks County	1150 Berkshire Boulevard Wyomissing Berks County	Filed

Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
5-28-2013	York Traditions Bank York York County Amendment to Article II of the institution's Articles of Incorporation provides for the change in principal place of business from 235 St. Charles Way, York, York County to 226 Pauline Drive, P. O. Box 3658, York, York County.	Filed

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

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

GLENN E. MOYER,
Secretary

[Pa.B. Doc. No. 13-1034. Filed for public inspection June 7, 2013, 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>
PA0064149 (Sewage)	Lehigh County Authority Arcadia West Industrial Park WWTP 9767 Commerce Circle Kutztown, PA 19530	Lehigh County Weisenberg Township	Unnamed Tributary to Mill Creek (3-B)	N

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

<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>
PA0228621 (Sewage)	Smithfield Township Wastewater Treatment Plant PO Box 102 East Smithfield, PA 18817-0102	Bradford County Smithfield Township	Tomjack Creek (4-C)	Y
PA0228982	Jim Kurtz Farm 1070 Grand Valley Road Mifflinburg, PA 17844	Union County West Buffalo Township	Unnamed Tributary of Buffalo Creek, Unnamed Tributary of Coal Run (10-C)	N

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

<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>
PA0219185 Sewage	Glen Campbell Boro SR 286 N Glen Campbell, PA 15706	Indiana County Glen Campbell Boro	Brady Run	Y
PA0216216 Sewage	Burgettstown Smith Twp Jt Sew Auth 7 Columbia Dr Burgettstown, PA 15021	Washington County Smith Twp	Raccoon Creek	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>
PA0023566 (Sewage)	Emlenton Municipal Authority STP E Main Street Emlenton, PA 16373-0448	Venango County Emlenton Borough	Allegheny River (16-G)	Y
PA0210501 (sewage)	Earl G Willey SFTF 3974 Longview Road West Middlesex, PA 16159	Mercer County Shenango Township	Hogback Run (20-A)	Y
PA0033049 (Sewage)	PA DOT Rest Area 25 I-80 Eastbound	Jefferson County Pine Creek Township	Unnamed Tributary to Fivemile Run (17-C)	Y
PA0210005 (Sewage)	Thomas M Bunk SFTF 608 Sharon-Bedford Road West Middlesex, PA 16159-2623	Mercer County Shenango Township	Unnamed Tributary to Little Deer Creek (20-A)	Y
PA0222216 (Sewage)	Edinboro Conference Grounds 12940 Fry Road Edinboro, PA 16412	Erie County Washington Township	Unnamed Tributary to Boles Run (16-A)	Y
PA0240044 (Sewage)	Meadville KOA Campground 25164 State Highway 27 Meadville, PA 16335	Crawford County East Mead Township	Unnamed Tributary to Little Sugar Creek (16-D)	Y

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

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

PA0029572, Sewage, SIC Code 8059, 8361, **Village of Laurel Run Health Care Facility**, 6375 Chambersburg Road, Fayetteville, PA 17222. Facility Name: Village Of Laurel Run Health Care Facility WWTP. This existing facility is located in Franklin Township, **Adams 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), Clear Run, is located in State Water Plan watershed 13-C and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.05 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
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.14	XXX	0.46
CBOD ₅	XXX	XXX	XXX	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	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
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

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.

PA0081396, Sewage, SIC Code 4952, **Peifer & Gross Inc.**, PO Box 506, Elizabethtown, PA 17022. Facility Name: Laurelwood MHP. This existing facility is located in Newberry Township, **York 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 Bennett Run, is located in State Water Plan watershed 7-F 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 0.0033 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
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.3	XXX	0.5
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	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
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

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.

PA0084751, Sewage, SIC Code 7033, **Doubling Gap Center Corp.**, 1550 Doubling Gap Road, Newville, PA 17241-9757. Facility Name: Doubling Gap Convention Center.

This existing facility is located in Lower Mifflin Township, **Cumberland 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), Doubling Gap Creek, is located in State Water Plan watershed 7-B and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.025 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
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
UV Transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
	Annl Avg	Total Annual		Annl Avg		
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 Phosphorus	XXX	XXX	XXX	1.0	XXX	2.0

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.

PA0246387, Sewage, SIC Code 7033, **Rustic Meadows Camping & Golf Resort Inc.**, 1980 Turnpike Road, Elizabethtown, PA 17022-9542. Facility Name: Rustic Meadows Campground STP. This existing facility is located in West Donegal 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 Snitz Creek, is located in State Water Plan watershed 7-G and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.01215 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
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
UV Transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
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	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
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 Nitrogen	Report	Report	XXX	Report	XXX	XXX
	Annl Avg	Total Annual		Annl Avg		
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
	Annl Avg	Total Annual		Annl Avg		

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.

PA0088765, Sewage, SIC Code 6515, **Nelson Wenger & Margaret Wenger**, 545 Mt Airy Road, Stevens, PA 17578. Facility Name: Millbrook Manor MHP. This existing facility is located in West Cocalico 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, Indian Run, is located in State Water Plan watershed 7-J 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 0.02 MGD.

Parameters	Mass (lb/day)		Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Total Annual		Average Monthly		
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	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 (lbs/year)	XXX	Report	XXX	Geo Mean Report	XXX	XXX
Total Nitrogen (lbs/year)	XXX	Report	XXX	Annl Avg Report	XXX	XXX
Ammonia-Nitrogen				Annl Avg		
May 1 - Oct 31	XXX	XXX	XXX	4.5	XXX	9.0
Nov 1 - Apr 30	XXX	XXX	XXX	13.5	XXX	27
Total Kjeldahl Nitrogen (lbs/year)	XXX	Report	XXX	Report	XXX	XXX
Total Phosphorus (lbs/year)	XXX	Report	XXX	Annl Avg Report	XXX	XXX
				Annl Avg		

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.

PA0087769, Groundwater Cleanup, SIC Code 4922, **Texas Eastern Trans LP**, 2601 Market Place, Harrisburg, PA 17110-9363. Facility Name: Texas Eastern Perry County. This existing facility is located in Carroll Township, **Perry County**.

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

The receiving stream(s), Unnamed Tributary to Sherman Creek, is located in State Water Plan watershed 7-A 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 0.0576 MGD.

Parameters	Mass (lb/day)		Average Monthly	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Total PCBs (µg/L)	XXX	XXX	0.000765	0.001	XXX	0.00191

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.

PA0031631, Sewage, SIC Code 4952, **Twin Valley School District**, 4851 N Twin Valley Road, Elverson, PA 19520-9340. Facility Name: Twin Valley School District WWTP. This existing facility is located in Caernarvon Township, **Berks 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), East Branch Conestoga River, is located in State Water Plan watershed 7-J 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 0.027 MGD.

Parameters	Mass (lb/day)		Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Total Annual		Average Monthly		
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0

Parameters	Mass (lb/day)		Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Total Annual		Average Monthly		
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
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 Geo Mean	XXX	10,000
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	14	XXX	28
Total Phosphorus	Report	164.48	XXX	2.0	XXX	4.0
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
	Annl Avg			Annl Avg		

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 not in effect.

Northcentral Regional Office: Regional Clean Water Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448, Telephone: 570.327.3664.

PA0020486, Sewage, SIC Code 4952, **Bellefonte Borough**, 236 W Lamb Street, Bellefonte, PA 16823-1502. Facility Name: Bellefonte Borough WWTP. This existing facility is located in Bellefonte Borough, **Centre 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), Spring Creek, is located in State Water Plan watershed 9-C and is classified for High Quality Waters—Cold Water Fishes, and High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 3.22 MGD.

Parameters	Mass (lb/day)		Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
CBOD ₅	670	1070	XXX	25	40	50
		Wkly Avg			Wkly Avg	
BOD ₅						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	8065	1205	XXX	30	45	60
		Wkly Avg			Wkly Avg	
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2000 Geo Mean	XXX	10000
UV Intensity (µw/cm ²)	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	80	120	XXX	3.0	4.5	6.0
		Wkly Avg			Wkly Avg	
Nov 1 - Apr 30	240	360	XXX	9.0	13.5	18
		Wkly Avg			Wkly Avg	
Dissolved Phosphorus	26	40	XXX	1.0	1.5	2.0
		Wkly Avg			Wkly Avg	
Hexavalent Chromium (µg/L)	Report	Report	XXX	Report	Report	XXX
Total Thallium (µg/L)	Report	Report	XXX	Report	Report	XXX
Pentachlorophenol (µg/L)	0.31	0.49	XXX	11.80	18.41	29.50
Acrolein (µg/L)	Report	Report	XXX	Report	Report	XXX

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Hexachlorobenzene (µg/L)	0.0005	0.0008	XXX	0.02	0.03	0.06
Benzo(a)Anthracene (µg/L)	0.008	0.01	XXX	0.32	0.51	0.80
Benzo(a)Pyrene (µg/L)	0.008	0.01	XXX	0.32	0.51	0.80
Benzo(k)Fluoranthene (µg/L)	0.008	0.01	XXX	0.32	0.51	0.80
3,4-Benzofluoranthene (µg/L)	0.008	0.01	XXX	0.32	0.51	0.80
Bis(2-Chloroethyl)Ether (µg/L)	0.06	0.10	XXX	2.59	4.04	6.47
Indeno(1,2,3-cd)Pyrene (µg/L)	0.008	0.01	XXX	0.32	0.51	0.80
N-Nitrosodimethylamine (µg/L)	0.001	0.002	XXX	0.06	0.09	0.15
N-Nitrosodi-N-Propylamine (µg/L)	0.011	0.017	XXX	0.43	0.67	1.08

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	58812			
Net Total Phosphorus	Report	7842			

* 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 Trading of Nutrients and Sediment Reduction Credits Policy and Guidelines (Document #392-0900-001, December 30, 2006). 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.

Southwest Regional Office: Regional Manager, Clean Water, 400 Waterfront Drive, Pittsburgh, PA 15222-4745; 412-442-4000

PA0025950, Sewage, SIC Code 4952, **Municipal Authority of the City of Monongahela**, 521 West Main Street, Monongahela, PA 15063-2615. Facility Name: City of Monongahela STP. This existing facility is located in Monongahela City, **Washington 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), Monongahela River, is located in State Water Plan watershed 19-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.5 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>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	4.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD ₅	313	469	XXX	25	40	50
		Wkly Avg				
BOD ₅						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	376	563	XXX	30	45	60
		Wkly Avg				

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	
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
Total Nitrogen	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report Daily Max	XXX

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

The EPA Waiver is not in effect.

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

PA0272647, Sewage, SIC Code 8811, **J. Thomas & Karen L. Chatham**, PO Box 242, Polk, PA 16342. Facility Name: J. Thomas & Karen L. Chatham SRSTP. This proposed facility is located in Frenchcreek Township, **Venango County**.

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

The receiving stream, an Unnamed Tributary to the Little Sandy Creek, is located in State Water Plan watershed 16-G and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

- TRC Effluent Limitations Below Detection Limits

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

The EPA Waiver is in effect.

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

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

WQM Permit No. 0213200, Industrial Waste, **Genon Power Midwest LP**, 121 Champion Way, Canonsburg, PA 15317

This proposed facility is located in Springdale Boro, **Allegheny County**.

Description of Proposed Action/Activity: Application for the construction and operation of a mobile treatment unit to process outage wash water.

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

WQM Permit No. 3395401, Sewage, **James H. Buchanan**, 202 Woods Road, Brockway, PA 15824.

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

Description of Proposed Action/Activity: Transfer of existing WQM permit from Gordon Frano to James H. Buchanan.

IV. NPDES Applications for Stormwater Discharges from MS4**V. Applications for NPDES Waiver Stormwater Discharges from MS4****VI. NPDES Individual Permit Applications for Discharges of Stormwater Associated with Construction Activities**

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI015113004	Growmark, Inc. 1701 Towanda Avenue Bloomington, IL 61701	Philadelphia	City of Philadelphia	Delaware River WWF-MF

Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790

Monroe County Conservation District: 8050 Running Valley Road, Stroudsburg PA 18360 570-629-3060

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI024513009	Bestway of Pennsylvania Inc 3870 SR 191/390 Cresco PA 18326	Monroe	Barrett Twp	Cranberry Creek (HQ-CWF, MF)

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717.705.4802

Permit #	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI030612004	County of Berks 633 Court Street Reading, PA 19601	Berks	Longswamp Township	UNT to Little Lehigh Creek / Little Lehigh Creek (HQ-CWF)

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI041813004	Sugar Valley Concerned Citizens Peggy Barner PO Box 8 Loganton PA 17747	Clinton	Loganton Borough	Fishing Creek HQ-CWF

Potter County Conservation District: 107 Market Street, Coudersport, PA 16915 (814) 274-8411, X 4

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI045313001	Hoopes Site Development 1002 Empson Rd Ulysses PA 16948	Potter	Ulysses Township	Ludington Run HQ-CWF

Union County Conservation District: Union County Government Center, 155 North 15th Street, Lewisburg, PA 17837, (570) 524-3860

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI046013001	Edward Martin 14435 Old Turnpike Rd Millmont PA 17845	Union	West Buffalo Township	Rapid Run HQ-CWF

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

Permit No.	Applicant & Address	County	Municipality	Stream Name
PAI050213002	West Mifflin Borough 3000 Lebanon Church Rd West Mifflin, PA 15122	Allegheny	West Mifflin Borough	Thompson Run (WWF)
PAI052613002	Matheia Society 111 Heritage Hills Road Uniontown, PA 15401	Fayette	Wharton Twp	Piney Run (HQ-CWF), Mill Run (HQ-CWF)

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

PAG-12 CAFOs

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

This notice provides information about agricultural operations that have submitted nutrient management plans (NMPs) for approval under 3 Pa.C.S. Chapter 5 and that have or anticipate submitting applications for new, amended or renewed NPDES permits, or Notices of Intent (NOIs) for coverage under a general permit, for CAFOs, under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Based upon preliminary reviews, the State Conservation Commission (SCC) or County Conservation Districts (CCD) working under a delegation agreement with the SCC have completed an administrative review of NMPs described. These NMPs are published as proposed plans for comment prior to taking final actions. The NMPs are available for review at the CCD office for the county where the agricultural operation is located. A list of CCD office locations is available at <http://www.nacdnet.org/about/districts/directory/pa.phtml> or can be obtained from the SCC at the office address listed or by calling (717) 787-8821.

Persons wishing to comment on an NMP are invited to submit a statement outlining their comments on the plan to the CCD, with a copy to the SCC for each NMP, within 30 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the NMPs. Comments should include the name, address and telephone number of the writer and a concise statement to inform the SCC of the exact basis of the comments and the relevant facts upon which they are based. Comments should be sent to the SCC, Agriculture Building, Room 310, 2301 North Cameron Street, Harrisburg, PA 17110.

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

NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Application or Action</i>
Schrack Farms Partnership 860 West Valley Rd Loganton, PA 17747	Clinton	1,957	2,045.26	Dairy	HQ	Application

**PUBLIC WATER SUPPLY (PWS)
PERMITS**

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

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

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

The permit application and related documents are on file at the office listed before the application and available

for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

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

SAFE DRINKING WATER

Applications Received Under the Pennsylvania Safe Drinking Water Act

Northeast Region: Water Supply Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790

Application No. 4013504, Public Water Supply.

Applicant	Town and Country Water Company, Inc. 28 Laselle Avenue Shavertown, PA. 18708
[Township or Borough]	Lehman Township Luzerne County
Responsible Official	Mr. Stanley Gulbush
Type of Facility	Public Water Supply

Consulting Engineer Mr. George W. Parker, PE.
239 Main Street-Suite 301
Dickson City, PA. 18519

Application Received Date May 9, 2013

Description of Action This project provides for approval of water supply improvements and modifications made over the past few years without a permit. Improvements include a new hydro-pneumatic tank, booster pump station and chemical feed pump changes.

Southcentral Region: Water Supply Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110

Permit No. 6712502, Public Water Supply.

Applicant **Audubon Park**

Municipality Monaghan Township

County **York**

Responsible Official Kurt E Suter, Owner
322 South Hanover Street
Carlisle, PA 17013

Type of Facility Public Water Supply

Consulting Engineer Max E Stoner, P.E.
Glance Associates, Inc.
3705 Trindle Rd
Camp Hill, PA 17011

Application Received: 4/24/2013

Description of Action Corrosion control treatment.

Permit No. 3613503, Public Water Supply.

Applicant **Goodie Barn**

Municipality Manor Township

County **Lancaster**

Responsible Official Amos S Funk, Owner
65 Penn Street
Washington Borough, PA 17582

Type of Facility Public Water Supply

Consulting Engineer Terrace L Kline, P.E.
Kline Engineering PC
449 Cameron Street
Marysville, PA 17053

Application Received: 5/22/2013

Description of Action Installation of anion exchange for nitrate treatment.

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

Application No. 4913501—Construction Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.—Roaring Creek Division**

[Township or Borough] Coal Township

County **Northumberland**

Responsible Official Aqua Pennsylvania, Inc.—Roaring Creek Division
Marc A. Lucca, VP Production
762 West Lancaster Avenue
Bryn Mawr, PA 19010

Type of Facility Public Water Supply

Consulting Engineer Peter J. Lusardi, P.E.
CET Engineering Services, GHD
1240 North Mountain Road
Harrisburg, PA 17112

Application Received Date May 28, 2013

Description of Action Construction of ammonia storage and feed facilities to provide chloramination for the Roaring Creek Water Treatment Plant and the Brush Valley Wells to comply with the Stage 2 Disinfectant/Disinfection By-products Rule.

MINOR AMENDMENT

Applications Received Under the Pennsylvania Safe Drinking Water Act

Northeast Region: Water Supply Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790

Application No. 4813506MA, Minor Amendment.

Applicant **Easton Suburban Water Authority**
3700 Hartley Avenue
Easton, PA. 18045

[Township or Borough] Easton Borough
Northampton County

Responsible Official Mr. Bruce Walter

Type of Facility Public Water Supply

Consulting Engineer US Engineering, LLC.
Mr. Kirt L. Ervin, PE
13742 Mary Lane
Aviston, IL. 62216

Application Received Date May 10, 2013

Description of Action This project provides for the modification of the Palmer 1.0 MG storage tank to include the installation of a PAX PWM-400 active mixing system using a steel post mount on the bottom of the tank.

Application No. 4813507MA Minor Amendment

Applicant **Easton Suburban Water Authority**
3700 Hartley Avenue
Easton, PA. 18045

[Township or Borough] Easton Borough
Northampton County

Responsible Official Mr. Bruce Walter

Type of Facility Public Water Supply

Consulting Engineer US Engineering, LLC.
Mr. Kirt L. Ervin, PE
13742 Mary Lane
Aviston, IL. 62216

Application Received Date	May 10, 2013
Description of Action	This project provides for the modification of the Plainfield 1.225 MG storage tank to include the installation of a PAX PWM-400 active mixing system using a steel post mount on the bottom of the tank.

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:

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

Former American Color Graphics, 215 North Zarfoss Drive, York, PA 17404, West Manchester Township, **York County**. Manko, Gold, Katcher & Fox, LLP, 401 City Avenue, Suite 500, Bala Cynwyd, PA 19004, on behalf of Vertis Communications/American Color Graphics, Inc., 250 West Pratt Street, Suite 1800, Baltimore, MD 21201, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with VOCs. The former commercial printing facility will be remediated to the Nonresidential Statewide Health standard, and use will remain commercial. The Notice of Intent to Remediate was published in *York Dispatch/York Daily Record* on May 1, 2013.

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

101 Satterlee Street, 101 Satterlee Street, Athens Borough, **Bradford County**. Mr. James P. Cinelli, Liberty Environmental, Inc., 50 N. 5th Street, Floor 5, Reading, Pa 19701, on behalf of Mr. Mark Burgess, Athens Borough, 2 South River Street, Athens, Pa 18810, submitted a Notice of Intent to Remediate. During a site investigation, field observations of subsurface materials at the site revealed the presence of foundry waste material beneath the topsoil layer, and laboratory analysis indicated that this material contains elevated concentrations of regulated substances. The property currently contains one building, which has been leased for commercial purposes, and a grass lot utilized as an athletic field. The proposed future use of the property is residential development. The Notice of Intent to Remediate was published in *Morning Times* on May 7, 2013.

GrowmarkFS, Inc., 200 Packer Avenue, Towanda, Pa 18848, Towanda Borough, **Bradford County**. Mr. Martin Gilgallon, Pennsylvania Tectonics, Inc., 723 Main Street, Archbald, Pa 18403, on behalf of, Mr. Steve Buckalew, CEO, GrowmarkFS, LLC 308 NE Front Street, Milford, DE 19963 has submitted a Notice of Intent to Remediate. The site soils have been impacted with pesticides the source of the contamination is the improper handling of wash water generated via the cleaning of equipment utilized at the facility. The intended future use of the subject property is for non-residential purposed. The proposed site is for Site—Specific Standard. The Notice of Intent to Remediate was published in *The Daily Review* on May 13, 2013.

ArcTech, Inc, 2600 Reach Road, Williamsport, **Lycoming County**. EnviroSure, Inc, 103 S. High Street, Suite 1, West Chester, PA, on behalf of NuWeld, Inc, 2600 Reach Road, Williamsport, PA, submitted a Notice of Intent to Remediate. Waste streams, including spent

bituminous slag grit, green waste and white sand, from pre-1990 site operations were disposed in the area to the north of the main building. Results for historical sampling indicated elevated levels of metals in this waste material. Releases of a sulfuric acid pickling tank in 1982 releasing approximately 600 gallons of sulfuric acid, and 2000 gallons of nitric acid in 1983 were also reported. The current and intended future use of the property is industrial. The proposed cleanup standard is the Non-Residential Statewide Health Standard. The Notice of Intent to Remediate was published in the *Williamsport Sun-Gazette* on March 11, 2013.

Covan World-Wide Moving, Interstate 80 at MM207E, White Deer Township, **Union County**. Northridge Group, Inc., 1172 Ridge Road, Northumberland, Pa 17857 on behalf of Covan World-Wide Moving, P. O. Box 960, Midland City, Al 36350 submitted a Final Report concerning the remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Cumene, Naphthalene, 1,3,5-trimethylbenzene, 1,2,4-Trimethylbenzene, Methyl Tertiary Butyl Ether. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on April 9, 2013.

Covan World-Wide Moving, Interstate 80 at MM207E, White Deer Township, **Union County**. Northridge Group, Inc., 1172 Ridge Road, Northumberland, Pa 17857, on behalf of Covan World-Wide Moving, P. O. Box 960, Midland City, Al 36350, 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. The Final Report is intended to document remediation of the site to meet the Statewide Health Standard.

Dawn Trucking Company, US Route 15N, Lewis Township, **Lycoming County**, on behalf of Mr. David A. Bogovich, President, Northridge Group, Inc., 1172 Ridge Road, Northumberland, Pa 17857, 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. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Dawn Trucking Company, US Route 15N, Lewis Township, **Lycoming County**. On behalf of Mr. David A. Bogovich, President, Northridge Group, Inc., 1172 Ridge Road, Northumberland, Pa 17857 submitted a Final Report concerning the remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Cumene, Naphthalene, 1,3,5-Trimethylbenzene, 1,2,4-Trimethylbenzene, Methyl Tertiary Butyl Ether. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on April 9, 2013.

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

Zurkan Peterson No. 1 Well, 87 Crestview Boulevard, Pleasant Township, **Warren County**. Michael Zurkan, 87 Crestview Boulevard, Warren, PA 16365 & James Peterson, 95 Crestview Boulevard, Warren, PA 16365 have submitted a Notice of Intent to Remediate. A crude oil storage tank drain pipe corroded, developed a

leak, and released crude oil into the soil and groundwater. Future use of the property will continue to be residential. The Notice of Intent to Remediate was published in *The Times Observer* on April 27, 2013.

Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, Pa 15222-4745

City of Jeannette—300 Block, 300 block of South 6th Street (except 310 & 312), Jeannette, **Westmoreland County**. Cribbs & Associates, Inc., PO Box 44, Delmont, PA 15626 on behalf of City of Jeannette, 110 South 2nd Street, Jeannette, PA 15644 has submitted a Notice of Intent to Remediate site soil contaminated with Arsenic. Future use of the property will continue to be residential.

City of Jeannette—400 Block, (even numbers of) 400 block of South 6th Street, Jeannette, **Westmoreland County**. Cribbs & Associates, Inc., PO Box 44, Delmont, PA 15626 on behalf of City of Jeannette, 110 South 2nd Street, Jeannette, PA 15644 has submitted a Notice of Intent to Remediate site soil contaminated with Arsenic. Future use of the property will continue to be residential.

RESIDUAL WASTE GENERAL PERMITS

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

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

General Permit Application No. WMGR019D0012. Beyond Corp., LLC, 3350 West State Street, Edinburg, PA 16116. The Department of Environmental Protection, Bureau Waste Management has received an application for a determination of applicability under the General Permit Number WMGR019. General Permit Number WMGR019 authorizes the beneficial use of waste foundry sand as a soil additive or soil substitute. The Department determined the application to be administratively complete on April 4, 2013.

This notice corrects the notice published in the *Pennsylvania Bulletin* on May 11, 2013. In that notice, the application from the Beyond Corp., LLC was incorrectly identified as General Permit Application No. WMGR019D006. The correct application number is General Permit Application No. WMGR019D0012.

Written comments concerning the application should be directed to Scott E. Walters, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984. Comments may also be submitted via e-mail at rapenuseall@pa.gov. When submitting comment via e-mail, place "Comments on General Permit Number WMGR019D0012" in the subject line. Faxed comments will not be accepted. Public comments must be submitted by July 10, 2013, which may recommend revisions to, and approval or denial of the application. For more information, contact the Division of Municipal and Residual Waste at 717-787-7381.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Application(s) Received Under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

Northwest Region: Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481

Permit Application No. 100403. Seneca Landfill, Inc. 421 Hartmann Road, Evans City, PA 16033; Jackson Township, **Butler County**. A major permit modification to the existing municipal waste landfill permit was received on April 2, 2013. The application request a reduction to the number of wells in the Seneca Landfill groundwater monitoring plan, approval for temporary exceedance of final grades, and reduction of the calculated bond. The application was considered complete by the Northwest Regional Office on May, 16, 2013.

Comments concerning the application should be directed to Todd Carlson, Program Manager, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. Persons interested in obtaining more information about the permit application may contact the Northwest Regional Office, at (814) 332-6848. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

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

Permit ID No. 101082. City of Latrobe, 901 Jefferson Street, P. O. Box 829, Latrobe, PA 15650. Latrobe Transfer Station, 696 Mission Road, Latrobe, PA 15650. Application for the permit renewal of a municipal waste transfer facility in the City of Latrobe, **Westmoreland County** was received in the Regional Office on May 7, 2013.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS NEW SOURCES AND MODIFICATIONS

The Department has developed an "integrated" plan approval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the public. This approach allows the owner or operator of a facility to complete and submit permitting documents relevant to its application one time, affords an opportunity for public input and provides for sequential issuance of the necessary permits.

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

Copies of these applications, subsequently prepared draft permits, review summaries and other support materials are available for review in the regional office listed before the applications. Persons interested in reviewing the application files should contact the appropriate regional office to schedule appointments.

Persons wishing to receive a copy of a proposed Plan Approval or Operating Permit shall indicate interests to the Department regional office within 30 days of the date

of this notice and shall file protests or comments on a proposed Plan Approval or Operating Permit within 30 days of the Department providing a copy of the proposed documents to persons or within 30 days of its publication in the *Pennsylvania Bulletin*, whichever comes first. Interested persons may also request that hearings be held concerning a proposed Plan Approval or Operating Permit. A comment or protest filed with the Department regional office shall include a concise statement of the objections to the issuance of the Plan Approval or Operating Permit and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior the date of the hearing.

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.

Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the source is constructed and operating in compliance with applicable requirements in 25 Pa. Code Chapters 121—143, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

PLAN APPROVALS

Plan Approval Applications Received under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B that may have special public interest. These applications are in review and no decision on disposition has been reached.

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

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

25-1007A: Formtech Enterprises, Inc. (7301 Klier Drive, Fairview, PA 16415) for installation of a burnoff oven at their facility in Fairview Township, **Erie County**.

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

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

Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or William Weaver, Program Manager—Telephone: 717-705-4702.

06-05115: Granger Energy of Morgantown, LLC (16980 Wood Road, Lansing, MI 48906-1044) for installation of two (2) landfill gas fired engines, two (2) additional compressors and one (1) 2,000 acfm enclosed flare in Caernarvon Township, **Berks County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received an application and intends to issue a Plan Approval to the abovementioned company for the abovementioned project. This plan approval may be incorporated into the company's facility-wide permit via an administrative amendment at a later date.

Plan Approval No. 06-05115B is for the for the installation of two (2) 2,233 bHP (1,600 kW) Caterpillar G3520C landfill gas fired engines, two (2) additional compressors and one (1) 2,000 acfm LFG Specialties EF945110 enclosed flare. The flare will prevent raw LFG from being vented to the outside should any or all engines cease to operate. Additionally, the configuration of the incoming pipeline will be modified to allow for the direct feed from the first stage of compression within the Granger Energy of Morgantown plant and from the common pipeline. Potential emissions from the project are estimated to be 209.6 tpy CO, 39.2 tpy NO_x, 11.0 tpy PM₁₀/PM_{2.5}, 35.9 tpy SO_x, 38.5 tpy VOC, 20.9 tpy of combined HAPs, 18.8 tpy of a single HAP (formaldehyde), and 50,803 metric tons of CO₂e.

Granger Energy is currently a minor facility; however, the installation of the proposed equipment will cause the facility to become a major Title V facility. The engines are subject to 40 CFR 60, Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines & 40 CFR 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. The Plan Approval will contain testing, monitoring, recordkeeping & work practice standards designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110.

A person may oppose the proposed plan approval, or may provide the Department with additional information to consider in its review, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A 30-day comment period, from the date of publication of this notice in the *Pennsylvania Bulletin*, will exist for the submission of comments or protests, or for requests for a public hearing. A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received.

Tom Hanlon, Facilities Permitting Chief, may be contacted at 717-705-4862, or at DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments, protests, or requests for a public hearing.

Plan approvals issued to sources identified in 25 Pa. Code § 127.44(b)(1)—(4) or plan approvals issued to sources with limitations on the potential to emit may become part of the SIP, and will be submitted to EPA for review and approval.

36-05015E: Dart Container Corp. of PA (60 East Main Street, Leola, PA 17540) for construction of an Oriented Polystyrene (OPS) oven at their Leola facility in Upper Leacock Township, **Lancaster County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received an application and intends to issue a Plan Approval to the above mentioned company for the above mentioned project. This plan approval may be

incorporated into the company's facility-wide permit via an administrative amendment at a later date.

This plan approval is for the construction of an OPS oven which is used in the production of cups and containers at the facility. The project will increase the facility's potential-to-emit Nitrogen Oxides (NO_x) emissions by 0.73 tpy, Volatile Organic Compound (VOC) emissions by 2.12 tpy, Fine Particulate (PM₁₀/PM_{2.5}) emissions by 0.07 tpy, Carbon Monoxide (CO) emissions by 0.35 tpy, Hazardous Air Pollutant (HAP) emissions by 1.8 tpy, and Sulfur Dioxide (SO₂) emissions by 0.13 tpy.

The company shall be subject to and comply with the relevant provisions of 25 Pa. Code Chapters 123, 127 and 129. The Plan Approval and Operating permit will contain additional testing, recordkeeping, and operating restrictions designed to keep the facility operating within all applicable air quality requirements. The project will not trigger PSD or NSR requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110.

A person may oppose the proposed plan approval, or may provide the Department with additional information to consider in its review, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit

A 30-day comment period, from the date of publication of this notice in the *Pennsylvania Bulletin*, will exist for the submission of comments or protests, or for requests for a public hearing. A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received.

Tom Hanlon, Facilities Permitting Chief, may be contacted at 717-705-4862, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments, protests, or requests for a public hearing.

Plan approvals issued to sources identified in 25 Pa. Code § 127.44(b)(1)—(4) or plan approvals issued to sources with limitations on the potential to emit may become part of the SIP, and will be submitted to EPA for review and approval.

05-05006C: Columbia Gas Transmission, LLC (1700 MacCorkle Avenue, S.E., Charleston, WV 25314) to restart a natural gas-fired combustion turbine (Source ID 035) at their Artemas Compressor Station in Mann Township, **Bedford County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received an application and intends to issue a Plan Approval to the abovementioned company for the abovementioned project. This Plan Approval will be incorporated into the company's Title V Operating Permit via an administrative amendment at a later date.

Plan Approval No. 05-05006C authorizes the construction (restart) of the abovementioned source. The combustion turbine is subject to 40 CFR Part 60, Subpart GG—Standards of Performance for Stationary Gas Turbines (NSPS Subpart GG). The Plan Approval and Title V

Operating Permit will contain emission restrictions, work practice standards, and testing, monitoring, record keeping, and reporting requirements to ensure the facility complies with the applicable air quality requirements. Estimated annual potential emissions are the following: 26.5 tons NO_x; 16.0 tons CO; 2.3 tons VOC; 0.6 ton PM₁₀; 0.6 ton PM_{2.5}; 0.1 ton SO_x; 9,680 tons CO₂; 0.8 ton CH₄; 0.3 ton N₂O; and 9,770 tons CO_{2e}. Best Available Technology (BAT) for the combustion turbine is considered to be the following:

- (a) NO_x emission limit of 100 ppmvd (corrected to 15% oxygen);
- (b) CO emission limit of 100 ppmvd (corrected to 15% oxygen);
- (c) Compliance with NSPS Subpart GG; and
- (d) Operation and maintenance in accordance with the manufacturer's specifications

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP Southcentral Regional Office, at 909 Elmerton Avenue, Harrisburg, PA 17110.

A person may oppose the proposed plan approval, or may provide the Department with additional information to consider in its review, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A 30-day comment period from the date of publication of this notice in the *Pennsylvania Bulletin* will exist for the submission of comments or protests.

William R. Weaver, Air Quality Program Manager, may be contacted at 717-705-4702, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

Plan approvals issued to sources identified in 25 Pa. Code § 127.44(b)(1)–(4) or plan approvals issued to sources with limitations on the potential to emit may become part of the SIP, and will be submitted to EPA for review and approval.

67-03162B: Church & Dwight, Inc. (5197 Commerce Drive, York, PA 17408) for modification to existing Plan Approval No. 67-03162A issued on August 24, 2010 for construction of a cat litter manufacturing facility in Jackson Township, **York County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received an application and intends to issue a Plan Approval to the abovementioned company for the abovementioned project.

The modification generally addresses the following changes to Plan Approval No. 67-03162A: the modification of the existing line, the addition of a second production line, the installation of a dust collector and an increase of allowable 12-month VOC emissions.

The plan approval will contain restrictions that are designed to control emissions consistent with best available technology pursuant to 25 Pa. Code § 127.1 as well as additional recordkeeping and operating restrictions

designed to keep the facility operating within all applicable air quality requirements.

Potential emissions from the proposed project are estimated to be approximately 18.5 tons of Particulate Matter (PM) and 10.6 tons of Volatile Organic Compounds (VOCs). Along with the proposed project, the plan approval will contain operating limits of less than 25 tons per year for combined Hazardous Air Pollutants (HAPs), and less than 10 tons per year for any individual HAP.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110.

A person may oppose the proposed plan approval, or may provide the Department with additional information to consider in its review, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A 30-day comment period, from the date of publication of this notice in the *Pennsylvania Bulletin*, will exist for the submission of comments or protests.

Mr. William Weaver, Air Quality Program Manager, may be contacted at 717-705-4702, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

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

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

49-00001M: Mt. Carmel Cogen, Inc. (P. O. Box 409, Marion Heights Road, Marion Heights, PA 17832) for a plan approval to establish performance or emission standards for their boilers at their Electric Cogeneration Facility in Mt. Carmel Township, **Northumberland County**. The Department has incorporated the major source boiler MACT requirements as codified in 40 CFR Part 63 Subpart DDDDD applicable to the boilers at the facility in the proposed plan approval. All other air quality regulatory requirements remain in effect for the boilers under the facility's operating permit. There will be no increase in emissions of air contaminants associated with this plan approval.

Based on the above, the Department intends to issue a plan approval for the incorporation of boiler MACT requirements for the facility's boilers listed in the application. The facility will continue to be a major (Title V) facility. Additionally, if the Department determines that the proposed sources are operating in compliance with all of the plan approval conditions, the conditions established in the plan approval will be incorporated into a Title V Operating Permit by means of an administrative amendment pursuant to 25 Pa. Code § 127.450 and pursuant to the operating permit requirements of 25 Pa. Code Subchapter F. The following is a summary of the conditions that the Department included in the proposed plan approval to ensure compliance with the applicable air quality regulatory requirements:

1. a) No later than 180 days after the compliance date of January 31, 2016, the permittee shall demonstrate

compliance for Source IDs 032 and 034 by completing an initial tune-up by following the procedures described in § 63.7540 and a one-time energy assessment as specified in Table 3 to 40 CFR Part 63 Subpart DDDDD.

b) Subsequent tune-ups shall be performed every five (5) years, no more than 61 months after the previous tune-up, for Source IDs 032 (horizontal water vaporizer) and 034; and every two (2) years, no more than 25 months after the previous tune-up, and Source ID 032 (Stone Johnston boiler).

2. At all times, the permittee shall operate and maintain Source IDs 032 and 034 and any associated air pollution control and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions.

3. a) By the compliance date of January 31, 2016, the permittee shall demonstrate compliance with the emission limitations, fuel specifications, and work practice standards established for Source IDs 032 and 034 in 40 CFR Part 63 Subpart DDDDD as specified in § 63.7530.

b) After the compliance date, the permittee shall demonstrate continuous compliance via the methods specified in 40 CFR 63.7540.

4. The permittee shall submit a complete plan no later than 12 months prior to the compliance date of 40 CFR Part 63 Subpart DDDDD in order to satisfy the Department of their intent to comply with the provisions of Subpart DDDDD.

5. The permittee shall comply with all applicable recordkeeping requirements specified in 40 CFR 63.7555 and 40 CFR 63.7560 pertaining to Source IDs 032 and 034.

6. The permittee shall submit the required notifications specified in 40 CFR 63.7545 pertaining to Source IDs 032 and 034.

7. The permittee shall submit all required reports specified in 40 CFR 63.7550 pertaining to Source IDs 032 and 034.

8. (a) Source IDs 032 and 034 are subject to 40 CFR Part 63 Subpart DDDDD—National Emissions Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters. Source IDs 032 and 034 shall comply with all applicable requirements of Subpart DDDDD.

(b) Pursuant to 40 CFR 63.7495, for Source IDs 032 and 034 the compliance date for Subpart DDDDD is January 31, 2016.

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.

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 Muhammad Zaman, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Air Quality Program, 208 West Third St., Suite 101, Williamsport, Pa. 17701. 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 (specify Permit No. 49-

00001M) and concise statements regarding the relevancy of the information or objections to 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 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 of Environmental Protection 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.

47-00001M: PPL Montour LLC (P. O. Box 128, Washingtonville, PA 17884-0128) for a plan approval to establish performance or emissions standards for their auxiliary boilers at the Montour SES, in Derry Township, **Montour County**. The Department has incorporated the major source boiler MACT requirements as codified in 40 CFR Part 63 Subpart DDDDD applicable to the auxiliary boilers at the facility in the proposed plan approval. All other air quality regulatory requirements remain in effect for Unit 11B (Source ID 034) under the facility's Title V operating permit and from Plan Approval 47-00001E for Unit 11A (Source ID 033A). There will be no increase in emissions of air contaminants associated with this plan approval.

Based on the above, the Department intends to issue a plan approval for the incorporation of boiler MACT requirements for the Montour SES facility's auxiliary boilers pursuant to 25 Pa. Code § 127.35. The facility will continue to be a major (Title V) facility. Additionally, if the Department determines that the sources are operating in compliance with all plan approval conditions, the conditions established in the plan approval will be incorporated into Title V Operating Permit 47-00001 via an administrative amendment pursuant to 25 Pa. Code § 127.450 and pursuant to the requirements of 25 Pa. Code Chapter 127 Subchapter F and G. The following is a summary of the conditions that the Department proposes to place in the plan approval to ensure compliance with all applicable air quality regulatory requirements:

1. Pursuant to 40 CFR 63.7500(a) and (f), the permittee shall comply with the emission limitations specified below at all times the auxiliary boilers associated with Source IDs 033A and 034 are operating, except during periods startup and shutdown during which time the permittee shall comply work practice requirements, as specified in 40 CFR 63.7500(a)(1).

(i) carbon monoxide—130 ppm, dry basis, corrected to 3% oxygen;

(ii) filterable particulate matter—0.0079 lb/MMBtu of heat input or total selected metals—0.000062 lb/MMBtu of heat input

2. (a) The permittee shall comply with the requirements to set unit-specific operating limits for minimum oxygen levels and maximum operating parameters, as specified in 40 CFR 63.7510, 63.7520, 63.7530 and Table 7 to Subpart DDDDD of Part 63—Establishing Operating Limits.

(b) Pursuant to 40 CFR 63.7500(a)(1), the operating load for each auxiliary boilers associated with Source IDs

033A and 034 shall not exceed 110 percent of the highest hourly average operating load recorded during the most recent performance test.

3. (a) Pursuant to 25 Pa. Code § 139.3, at least 45 calendar days prior to commencing a EPA reference method performance testing program, a test protocol shall be submitted to the Department for review and approval. The test protocol shall meet all applicable requirements specified in the most current version of the Department's Source Testing Manual.

(b) In accordance with the provisions of 40 CFR 63.7505(d)(1), the permittee shall include the site-specific monitoring plan with the test protocol, and the site-specific monitoring plan shall include all of the information specified in 40 CFR 63.7505(d).

(c) Pursuant to 25 Pa. Code § 139.3, at least 15 calendar days prior to commencing an emission performance testing program, notification as to the date and time of testing shall be given to the North Central Regional Office. Notification shall also be sent to the Division of Source Testing and Monitoring. Notification shall not be made without prior receipt of a protocol acceptance letter from the Department.

(d) Pursuant to 40 CFR 60.8(a), 61.13(f) and 63.7(g), complete test reports shall be submitted to the Department no later than 60 calendar days after completion of the on-site testing portion of an EPA reference method performance test program.

(e) Pursuant to 25 Pa. Code § 139.53(b) a complete test report shall include a summary of the emission results on the first page of the report indicating if each pollutant measured is within permitted limits and a statement of compliance or non-compliance with all applicable permit conditions. The summary results will include, at a minimum, the following information:

A statement that the owner or operator has reviewed the report from the emissions testing body and agrees with the findings, permit number(s) and condition(s) which are the basis for the evaluation.

Summary of results with respect to each applicable permit condition.

Statement of compliance or non-compliance with each applicable permit condition.

(f) Pursuant to 25 Pa. Code § 139.3, all submittals shall meet all applicable requirements specified in the most current version of the Department's Source Testing Manual.

(g) All performance testing shall be conducted in accordance with the provisions of Chapter 139 of the Rules and Regulations of the Department of Environmental Protection.

(h) Pursuant to 25 Pa. Code § 139.53(a)(1) and (3) all submittals, besides notifications, shall be accomplished through PSIMS*Online available through <https://www.depgreenport.state.pa.us/ecom/LogIn.jsp> when it becomes available. If internet submittal cannot be accomplished, two (2) copies of the submittal shall be sent to the Pennsylvania Department of Environmental Protection, North Central Regional Office, Air Quality Program Manager, 208 West Third Street, Suite 101, Williamsport PA, 17701 with deadlines verified through document postmarks.

(i) The permittee shall insure all federal reporting requirements contained in the applicable subpart of 40 CFR are followed, including timelines more stringent

than those contained herein. In the event of an inconsistency or any conflicting requirements between state and the federal, the most stringent provision, term, condition, method or rule shall be used by default.

4. [Additional authority for this permit condition is also derived from the provisions specified in 40 CFR 63.7540(a)(1)]

(a) Pursuant to 40 CFR 63.7540(a)(1), following the date on which the initial compliance demonstration is completed or is required to be completed under 40 CFR 63.7 and 63.7510, whichever date comes first, the operating limits established by the required site-specific monitoring plan herein shall be confirmed or reestablished only during performance tests.

(b) After the applicable date specified in part (a), the established maximum or below the established minimum operating limits shall constitute a deviation of established operating limits except during performance tests conducted to determine compliance with the emission limits or to establish new operating limits.

5. (a) No later than July 29, 2016 (180 days after January 31, 2016), the permittee shall conduct an EPA reference method testing program(s) for carbon monoxide and filterable particulate matter or total selected metals in accordance with the provisions specified 40 CFR 63.7520 and Table 5 to Subpart DDDDD of Part 63—Performance Testing Requirements to verify compliance with the CO and FPM or TSM emissions limitations herein.

(b) Each EPA reference testing program shall be conducted while the unit is operating at maximum routine operating conditions.

(c) Pursuant to 40 CFR 63.7515, after the initial testing is performed as required in part (a), the permittee shall conduct subsequent EPA reference method testing programs for carbon monoxide and filterable particulate matter or total selected metals no later than 1 year from the date of the previous EPA reference method test date in accordance with the provisions specified 40 CFR 63.7520 and Table 5 to Subpart DDDDD of Part 63—Performance Testing Requirements to verify compliance with the CO and FPM or TSM emissions limitations herein.

(d) If the performance tests for at least 2 consecutive years show that your emissions are at or below 75 percent of the limitations, the permittee may skip testing according to 40 CFR 63.7515 if all of the other provisions of 40 CFR 63.7515 are met.

6. The permittee shall comply with the applicable performance testing requirements, as specified in 40 CFR 63.7520 and Table 5 to Subpart DDDDD of Part 63—Performance Testing Requirements in order to verify compliance with the CO and FPM or TSM emissions limitations herein.

7. The permittee shall develop and provide with the test protocol required herein for EPA reference method testing programs, a site-specific monitoring plan that meets the applicable requirements as specified in 40 CFR 63.7505(d).

8. Pursuant to 40 CFR 63.7500(a)(1), the permittee shall contract a qualified energy assessor to complete a one-time energy assessment in accordance with the criteria set forth in Table 3 to Subpart DDDDD of Part 63—Work Practice Standards beginning on row no. 4, which reads as follows, 4. An existing boiler or process heater located at a major source facility, not including limited use units.

9. (a) Pursuant to 40 CFR 63.7540, the permittee shall install, maintain and operate an oxygen analyzer system, as defined in 40 CFR 63.7575, on each boiler associated with Source ID 033A and 034 in accordance with 40 CFR 63.7525(d).

(b) Pursuant to 40 CFR 63.7540, the permittee shall install, maintain and operate a continuous monitoring system for monitoring the steam generation or operating load of each boiler associated with Source ID 033A and 034 in accordance with 40 CFR 63.7525(d) and (e), as applicable.

(c) The continuous monitoring systems specified in (a) and (b) shall monitor and collect data according to 40 CFR 63.7535 and the site-specific monitoring plan required by 40 CFR 63.7505(d).

(d) Pursuant to 40 CFR 63.7500(a)(1), the continuous monitoring systems specified in (a) and (b) shall monitor and collect data during periods of startup and shutdown as specified in 40 CFR 63.7535(b).

10. (a) Pursuant to 40 CFR 63.7500(a)(1), the permittee shall comply with the applicable data collection requirements during periods of startup and shutdown, as specified in 40 CFR 63.7535(b).

(b) Pursuant to 40 CFR 63.7540, the permittee shall collect data from the oxygen analyzer system in accordance with site-specific monitoring plan and the requirements specified in 40 CFR 63.7535.

(c) Pursuant to 40 CFR 63.7540, the permittee shall collect data from the continuous steam generation rate/operating load monitoring system in accordance with site-specific monitoring plan and the requirements specified in 40 CFR 63.7535.

11. The permittee shall comply with the applicable recordkeeping requirements as specified in 40 CFR 63.7555.

12. All records required by Subpart DDDDD to Part 63 shall be kept for a period of at least 5 years and shall be made available to the Department upon request. In accordance with 40 CFR 63.7560, the records shall kept on-site, or they shall be accessible from on-site (for example, through a computer network), for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to 40 CFR 63.10(b)(1). The permittee may keep the records off site for the remaining 3 years.

13. The permittee shall comply with the applicable reporting requirements as specified in 40 CFR 63.7550.

14. (a) Pursuant to 40 CFR 63.7500(a)(1), the permittee shall provide the applicable reports concerning activities and periods of startup and shutdown, as specified in 40 CFR 63.7555.

(b) The permittee shall provide the applicable semi-annual compliance reports as specified in 40 CFR 63.7550 and Table 9 to Subpart DDDDD of Part 63—Reporting Requirements.

(c) The initial compliance report shall be submitted by January 31, 2016 (the first date between January 31, 2016 and June 31, 2016 that occurs at least 180 days after the January 31, 2016, compliance date for Source IDs 033A and 034 as specified in 40 CFR 63.7495(b)).

(d) After the initial compliance date deadline specified in part (c), subsequent semi-annual compliance reports shall be provided to the Department on March 1 (for the previous operating period from July 1 to December 31 of

preceding calendar year) and September 1 (for the previous operating period from January 1 to June 30 of the concurrent calendar year).

(e) Pursuant to 40 CFR 63.7550(h), the permittee shall submit all reports required by Table 9 to Subpart DDDDD of Part 63—Reporting Requirements for EPA electronically using CEDRI that is accessed through the EPA's Central Data Exchange (CDX) (www.epa.gov/cdx). However, if the reporting form specific to this subpart is not available in CEDRI at the time that the report is due the report the permittee shall submit the report to the Administrator at the address provided herein. At the discretion of the Administrator, the permittee shall also submit these reports, to the Administrator in the format specified by the Administrator.

15. The permittee shall submit a complete plan no later than 12 months prior to the compliance date of 40 CFR Part 63 Subpart DDDDD in order to satisfy the Department of their intent to comply with the provisions of Subpart DDDDD.

16. Pursuant to 40 CFR 63.7540(b), instances in which the permittee did not meet each emission limit and operating limit shall be reported to the Department and EPA. These instances are deviations from the emission limits or operating limits established herein. These deviations shall be reported according to the requirements in 40 CFR 63.7550. Malfunctions, as defined herein, shall continue to be reported to the Department in accordance with the malfunction reporting requirements specified in Section C.

17. The submission of all requests, reports, applications, submittals and other communications required by the National Emissions Standards for Hazardous Air Pollutants (40 CFR Part 63) shall be submitted to both the U. S. Environmental Protection Agency and the Department. The Environmental Protection Agency copies may be sent to U. S. EPA, Region III, Air Protection Division, Office of Enforcement and Compliance Assistance, 1650 Arch Street, Philadelphia, PA 19103; and Pennsylvania Department of Environmental Protection, Air Quality Program Manager, 208 W. Third Street, Suite 101, Williamsport, PA 17701-6448.

18. The permittee shall comply with the applicable notification requirements as specified in 40 CFR 63.7545 and Subpart A to Part 63.

19. Pursuant to 40 CFR 63.7500(a)(1), the permittee shall comply with the biennial tune-up requirements, as specified in 40 CFR 63.7540(a)(10)—(14).

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.

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 Muhammad Zaman, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Air Quality Program, 208 West Third St., Suite 101, Williamsport, Pa. 17701. 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 (specify Permit No. 47-

00001M) and concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the 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 of Environmental Protection 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.

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

65-01026A: BenBilt Building Systems, LP (123 BenBilt Place, Greensburg, PA 15601) for surface coating operations for metal window and door manufacturing at their plant in Unity Township, **Westmoreland County**. This is a minor facility Plan Approval application submittal.

30-00218A: Bayles Energy, LLC (301 Oxford Valley Road, Yardley, PA 19067) for fossil fuel electric power generation at their Electric Generating Station in Greene Township, **Greene County**. This is a minor facility Plan Approval application submittal.

26-00575A: Green Ridge Cemeteries, Inc. (2901 Memorial Boulevard, Connellsville, PA 15425) for operation of a human crematory at Green Ridge Memorial Park & Crematory in Bullsken Township, **Fayette County**. This is a minor facility Plan Approval application submittal.

04-00471B: Marathon Petroleum Co. (539 South Main Street, Findlay, OH, 45480) to authorize an increase in gasoline throughput of truck loading rack from 80 MMgal/yr to 172 MMgal/yr at their Midland Terminal in Industry Borough, **Beaver County**.

Per the requirements of 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection intends to issue a Plan Approval (PA-04-00471B) to Marathon Petroleum Company (539 S. Main Street, Findlay OH, 45480) to authorize an increase in gasoline throughput of truck loading rack from 80 MMgal/yr to 172 MMgal/yr at their Midland Terminal located in Industry Borough, Beaver County.

The sources that are part of this project include three existing tanks of various capacities (2.604 MMgal, 3.108 MMgal, and 1.176 MMgal) controlled by IFR (internal floating roof), WCR (Wiper Seal), and VRU (vapor recovery unit); a new ethanol tank with a capacity of 36,000 gallons; and two (2) petroleum contact water storage tanks each with a capacity of 10,000 gallons.

Potential annual emission increases as a result of this project are 8.70 tons of VOC and 0.21 ton of HAP. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the Plan Approval have been derived from the applicable requirements of 40 CFR Part 60, Part 63, and 25 Pa. Code Chapters 123, 129, and 135.

Any person wishing to provide DEP with additional information that they believe should be considered prior

to the issuance of this plan approval may submit the information to DEP at Department of Environmental Protection, Southwest Regional Office, Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222. 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 Plan Approval (PA-04-00471B) and concise statements regarding the relevancy of the information in the proposed Plan Approval or objections to issuance of the Plan Approval.

A public hearing may be held, if DEP, 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 DEP determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Jesse Parihar, Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222, or (412) 442-4030.

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

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

62-150D: Superior Tire & Rubber Corp. (1818 Pennsylvania Avenue W, PO Box 308, Warren, PA 16365) for construction of a new adhesive spray booth and an adhesive equivalency determination for the new booth and for the two existing booths (101 & 102) in Warren City, **Warren County**. This is a State Only facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450 or § 127.505, be incorporated into the State Only operating permit at a later date.

The construction of the new spray booth (110) will result in projected actual emissions of 22.0 tpy for VOC and 8.52 tpy for single HAP (Toluene). This Plan Approval will contain emission restriction, recordkeeping, work practice standard and additional requirement conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate BAT for the source including, but are not limited to, the following:

Site Conditions:

- The facility VOC emissions shall not exceed 49.5 tpy based on a 12-month rolling total.

- The permittee shall not emit hazardous air pollutants (HAPs) from the facility in quantities greater than 9.9 tons per year for any single HAP or 24.9 tons per year for multiple HAPs based on a 12-month rolling total.

Spray Finishing 1 and 2 (101 & 102):

- The Department has determined that the use of P-11/MEK adhesive as a primer along with the use of the 520EF/Xylene adhesive is allowable under the equivalency provisions of 129.51.

- Conditions from the facility operating permit revised on January 26, 2012, will remain in effect.

- Subject to 25 Pa. Code § 129.51.

Spray Booth (110):

- VOC emissions from this booth (110) shall not exceed 22.0 tpy based on a 12-month rolling total.
- VOC emissions from this booth (110) and Sources 101 and 102 combined shall not exceed 45.0 tpy based on a 12-month rolling total.
- Single HAP emission (Toluene) from this booth (110) shall not exceed 8.52 tpy based on a 12-month rolling total.
- Subject to 25 Pa. Code § 129.52
- All recordkeeping shall commence upon startup of the source/control device. All records shall be kept for a period of five (5) years and shall be made available to the Department upon request.
- The permittee shall maintain a record of all preventive maintenance inspections of the control device. These records shall include, at a minimum, the dates of the inspections, the name of the person performing the inspection, any problems or defects identified, any actions taken to correct the problems or defects, and any routine maintenance performed.
- The permittee shall record the following operational data from the source/control device (these records may be done with strip charts recorders, data acquisition systems, or manual log entries):
 - Pressure differential—daily defined as once per calendar day
 - The facility shall keep records of the adhesives used and the VOC and HAP emissions from the adhesives.
 - The facility shall determine that proposed changes in coatings and formulations are compliant with the emission limitation from Table 1 of 25 Pa. Code § 129.52 prior to implementation of the new coating or formulation. This determination shall be done by one of the following methods:
 - Calculation of the VOC content of the as applied coating as in 25 Pa. Code § 129.52(b)(1)(i)
 - As applied coating sampling done in accordance with EPA methods
 - Coating certified product data sheets or equivalent when no additional solvents are added
 - After the company has determined that the coating or formulation meets the required emission limitation, the facility shall notify the Department of the new coating or formulation at least two weeks prior to implementation.
- The permittee shall perform a daily operational inspection of the source and control device when in operation.
- The facility shall maintain the pressure drop across the collector between 0.01 to 0.5 inch of water column.
- The permittee shall maintain and operate the source in accordance with the manufacturer's specifications and in accordance with good air pollution control practices.
- The facility shall comply with the following BAT requirements:
 - All spray guns used in these booths shall be of the high volume, low pressure (HVLP) type, or a type equivalent to or better than HVLP in terms of transfer efficiency.
 - All spray guns shall be cleaned as needed or before allowing to set idle for extended periods. All spray guns

used in these booths shall always be cleaned with enclosed spray gun cleaning equipment designed specifically for this purpose.

- The system shall be checked daily for leaks of lines and guns.
- Good housekeeping practices shall be followed at all times, including but not limited to, any spills of adhesive, paint and solvent being cleaned up immediately, and containers of adhesive, paint and solvent kept closed when not in use.
- Subject to 25 Pa. Code § 129.77.
- The Department has determined that the use of P-11/MEK adhesive as a primer along with the use of the 520EF/Xylene adhesive is allowable under the equivalency provisions of 129.51.

In accordance with 25 Pa. Code § 127.44(f)(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 DEP (814) 332-6340.

In accordance with 25 Pa. Code § 127.44(f)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to 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 [62-150D] and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Regional Air Quality Program Manager, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332-6940.

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 Air Quality Program Manager.

If a plan approval has not undergone the above public notice process, the change to an operating permit must be treated as a significant modification. In these situations the Department should follow the procedures described in §§ 127.421 to 127.431 for state only operating permits or §§ 127.521 to 127.524 for Title V operating permits.

OPERATING PERMITS

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

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

Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or William Weaver, Program Manager—Telephone: 717-705-4702.

06-05044: Wernersville State Hospital (P. O. Box 300, Wernersville, PA 19565) to provide services for mental health and special needs patients. The hospital is in South Heidelberg Township, **Berks County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and intends to issue an Air Quality Operating Permit for the abovementioned facility.

In 2012 the subject facility had actual emissions of 2.5 tons of CO, 5.5 tons of NO_x and 10.3 tons of SO_x. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 60 Subpart Dc (Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units) and 40 CFR 63 Subpart JJJJJJ (National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources).

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP Southcentral Regional Office, at 909 Elmerton Avenue, Harrisburg, PA 17110.

A person may oppose the proposed operating permit, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A 30-day comment period, from the date of publication of this notice in the *Pennsylvania Bulletin*, will exist for the submission of comments or protests.

Mr. Thomas Hanlon, Facilities Permitting Chief, may be contacted at 717-705-4862, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

Intent to Issue Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015) 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

48-00085: Piralal Critical Care, Inc. (3950 Schelden Circle, Bethlehem, PA 18017-8936) for pharmaceutical preparations in Hanover Township, **Northampton County**. The sources consist of three (3) Halogenated Ether Process Lines. The control devices for the sources are a thermal oxidizer and packed tower scrubber. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO); total suspended particulate (TSP) and VOC's. This is a new 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: Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110

Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or William Weaver, Program Manager—Telephone: 717-705-4702.

01-05030: Hanover Prest-Paving Co. (240 Bender Road, Hanover, PA 17331) for their asphalt paving block manufacturing facility in Mount Pleasant Township, **Adams County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and intends to issue an Air Quality Operating Permit renewal for the above-mentioned facility. The subject facility manufactures various types of asphalt paving blocks for industrial applications. Reported actual emissions for 2012 are as follows: 2012: NO_x—0.56 ton, CO—1.86 tons, PM₁₀—0.21 ton, SO_x—0.41 ton and VOC—0.38 ton. The State-only Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Copies of the renewal application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP Southcentral Regional Office, at 909 Elmerton Avenue, Harrisburg, PA 17110.

A person may oppose the proposed operating permit, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A 30-day comment period, from the date of publication of this notice in the *Pennsylvania Bulletin*, will exist for the submission of comments or protests.

Gary Helsel, Acting New Source Review Chief, may be contacted at 814-949-7935, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

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

Contact: Matthew M. Williams—Telephone: 814-332-6131

24-00132: Elk County Heat Treaters, Inc. (316 Battery Street, PA 15857-1439) to re-issue a Natural Minor Operating Permit in the Borough of St. Marys, **Elk County**. The facility's primary emissions are from the seven (7) small Boilers used to provide process steam and from the Heat Treater Furnaces. Emissions of criteria pollutants continue to be below the major source levels.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104-4543, Contact: Edward Wiener, Chief Source Registration at: 215-685-9485

N12-016: Bartash Printing, Inc. (5400 Grays Avenue, Philadelphia, PA 19143) for operation of a printing facility in the City of Philadelphia, **Philadelphia County**. The

facility's air emission sources include five (5) lithographic presses and one (1) No. 2 oil fired emergency generator.

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

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

PLAN APPROVALS

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

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

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

39-00058A: Packaging Corporation of America (7451 Cetrionia Road, Allentown, PA 18106) for their facility located in Upper Macungie Township, **Lehigh County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Packaging Corporation of America (7451 Cetrionia Road, Allentown, PA 18106) for their facility located in Upper Macungie Twp, Lehigh County. This Plan Approval No. 39-00058A will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 39-00058A is for a 4-Color SV Rotary Die Cutter. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. These limits will meet BAT requirements for this source. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting

the comments, identification of the proposed permit No.: 39-00058A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone 570-826-2511 within 30 days after publication date.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

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

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

Coal Applications Received

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

Permit No. 11130103 and NPDES No. PA0269204. Laurel Sand and Stone Inc. 210 E. Main St., P. O. Box 556, Ligonier, PA 15658, commencement, operation and restoration of a bituminous surface mine in Jackson Township, **Cambria County**, affecting 264.0 acres. Receiving streams: unnamed tributaries to/and South Branch Blacklick Creek; unnamed tributaries to/and Bracken Run, classified for the following use: cold water fishery. The application includes a stream encroachment to upgrade two existing stream crossings across unnamed tributaries to South Branch of Blacklick Creek for use as a haul road. The application also includes a request for a Section 401 Water Quality Certification. There are no potable water supply intakes within 10 miles downstream. Application received May 20, 2013.

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

40130201. Ken Nowakowski, (80 Foote Avenue, Dupont, PA 18642), commencement, operation and restoration of an anthracite coal refuse reprocessing operation in Avoca Borough, **Luzerne County** affecting 15.7 acres, receiving stream: Mill Creek, classified for the following use: cold water fishes. Application received: April 24, 2013.

54080201R. Waste Management & Processors, Inc., (PO Box K, Frackville, PA 17931), renewal of an existing

anthracite coal refuse reprocessing operation in Port Carbon, Palo Alto and Mechanicsville Boroughs, **Schuylkill County** affecting 162.0 acres, receiving stream: Schuylkill River, classified for the following use: cold water fishes. Application received: May 1, 2013.

54-305-028GP12R. Waste Management & Processors, Inc., (PO Box K, Frackville, PA 17931), renewal of an existing permit 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. 54080201 in Port Carbon, Palo Alto and Mechanicsville Boroughs, **Schuylkill County**. Application received: May 1, 2013.

54030103C5 and NPDES Permit No. PA0224367. Jett Contracting Company, (231 Winfield Drive, Brockton, PA 17925), correction to an existing anthracite surface mine operation to include coal refuse disposal in Blythe Township, **Schuylkill County** affecting 116.0 acres, receiving stream: Morgan's Run, classified for the following use: cold water fishes. Application received: May 2, 2013.

54870206R5. White Pine Coal Co., Inc., (PO Box 119, Ashland, PA 17921), renewal of an existing anthracite coal refuse reprocessing operation in Butler, Barry, Eldred, East Cameron and West Cameron Townships and Gordon Borough, **Schuylkill and Northumberland Counties** affecting 870.0 acres, receiving stream: Mahanoy Creek, classified for the following use: warm water fishes. Application received: May 6, 2013.

Noncoal Applications Received

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

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

* The parameter is applicable at all times.

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

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

36080301C2 and NPDES Permit No. PA0224651. Pierson Rheems, LLC, (426 Swedesboro Road, Pilesgrove, NJ 08098), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in West Donegal and Mt. Joy Townships, **Lancaster County** affecting 102.64 acres, receiving stream: unnamed tributary to Donegal Creek, classified for the following use: cold water fishes. Application received: April 30, 2013.

64910301. Lackawaxen-Honesdale Shippers Association, (100 4th Street, Honesdale, PA 18431), Stage I & II bond release of a quarry operation in Palmyra Town-

ship, **Wayne County** affecting 15.3 acres on property owned by Lackawaxen-Honesdale Shippers Association. Application received: May 1, 2013.

58000819. Richard Randall, (4900 Three Lakes Road, New Milford, PA 18834), Stage I & II bond release of a quarry operation in New Milford Township, **Susquehanna County** affecting 1.0 acre on property owned by Dennis Randall. Application received: May 6, 2013.

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.

<i>Stream Name</i>	<i>Coordinates</i>	<i>Proposed Linear Impact</i>
T42938 to Beaver Run	N 40°31'57.21" W -79°34'13.00"	75 ft. Road Crossing 435 ft. Floodway Encroachment

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone: 717.705.4802.

E36-916: County of Lancaster, 150 North Queen Street, Lancaster, Pennsylvania, 17603 in West Lampeter Township, **Lancaster County**, ACOE Baltimore District.

To remove existing structures and to install and maintain 1.) a 25.5-foot wide bridge with a normal span of 88.0 feet and an underclearance of 11.5 feet over Mill Creek (WWF, MF); 2.) an 18.0-inch diameter thermoplastic pipe storm water outfall to Mill Creek (WWF, MF); and 3.) a 30.0-inch diameter thermoplastic pipe storm water outfall to Mill Creek (WWF, MF), permanently impacting 0.01 acre of palustrine emergent wetlands and temporarily impacting 0.01 acre of palustrine emergent wetlands, all for the purpose of improving traffic safety. The project is located at the intersection of Eckman Road and Mill Creek Road (Latitude 40°00'16.77", Longitude -76°18'0.82") in West Lampeter Township, Lancaster County. The wetland impacts are de minimus and mitigation is not required.

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

F19-009. Mount Pleasant Township, 230 McWilliams Road, Bloomsburg, PA 17815. Floodplain encroachment demolitions in Mount Pleasant Township, **Columbia County**, ACOE Baltimore District (Bloomsburg, PA Quadrangle Latitude: 41° 1' 33.9306"; Longitude: -76° 28' 45.7422").

Mount Pleasant Township is seeking authorization to demolish an existing floodplain encroachment (flood-

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

Southwest Region: Oil and Gas Management Program Manager, 400 Waterfront Drive, Pittsburgh, Pa 15222-4745

(E65-07-006) CNX Gas Company LLC, 280 Indian Springs Road, Suite 333, Indiana, PA 15701. Improvements/culvert replacement project at an existing access road for a proposed gas well pad, crossing Tributary 42938 to Beaver Run, a Trout Stocked Fishery, in Washington Township, **Westmoreland County**, Pittsburgh ACOE District, State Water Plan Basin 18B, (Vandergrift Quadrangle, 5.875 inches N, 10.5625 inches W; Latitude N 40°31'57.21", Longitude W -79°34'13.00"). The applicant proposes to install 53 feet of 60" HDPE culvert at the stream crossing for a permanent 30' wide access road for the Marco Gas Well Pad. The proposed access road also encroaches upon the floodway (50 ft) of T42938 to Beaver Run (TSF). Impacts to the floodway are approximately 435 linear feet within the project area. The upstream watershed drainage at the access road crossing is approximately 1,700 acres (2.65 mi²).

damaged structure) located at the following address: 1190 Millville Rd, Bloomsburg, PA 17815. The structure is located within the floodplain of Fishing Creek.

F19-010. Benton Township, 236 Shickshinny Road, Benton, PA 17814. Floodplain encroachment demolitions in Benton Township, **Columbia County**, ACOE Baltimore District (Bloomsburg, PA Quadrangle Latitude 41° 10' 21.7236"; Longitude: -76° 23' 0.654").

Benton Township is seeking authorization to demolish the following existing floodplain encroachments (flood-damaged structures) located at the following addresses: 3939 Maple Grove Road, 3929, 3913 and 3923 Maple Grove Road, Stillwater, PA 17878, and 734 Steinruck Road, Benton PA 17814. The structures are located within the floodplain of Fishing Creek.

F49-001. Jackson Township, 145 Jackson Township Road, Herndon, PA 17830. Floodplain encroachment demolitions in Jackson Township, **Northumberland County**, ACOE Baltimore District (Bloomsburg, PA Quadrangle Latitude: 40° 41' 22.1634"; Longitude: -76° 50' 23.3154").

Jackson Township is seeking authorization to demolish an existing floodplain encroachment (flood-damaged structure) located at the following address: 4611 S.R. 147, Herndon, PA 17830. The structure is located within the floodplain of the Fiddlers Run.

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

E10-483, PA DOT, District 10-0, 2550 Oakland Ave., PO Box 429, Indiana, PA 15701. SR 3020 Section 295 / SR 0228 Section 295 Intersection in Cranberry Township,

Butler County, ACOE Pittsburgh District (Mars, PA Quadrangle N: 40°, 41', 04.5"; W: 80°, 06', 10.5").

To permanently impact 328 ft. of a Tributary to Brush Creek (WWF) associated with its realignment and relocation to the south to facilitate the roadway widening and intersection improvement project of State Route 3020—Freedom Road, State Route 0228—Freedom Road and State Route 0019 intersection in Cranberry Township, Butler County.

Northwest Region: Oil and Gas Management Program Manager, 230 Chestnut Street, Meadville, PA 16335

E42-08-004, Seneca Resources Corporation, 5800 Corporate Drive, Suite 300, Pittsburgh, PA 15237. West Branch Clarion River Surface Water Withdrawal and Waterline, off US Highway 219 in Sergeant and Wetmore Townships, **McKean County**, United States Army Corps of Engineers Pittsburgh District (Mt. Jewett, PA Quadrangle 41° 37' 35" N, 78° 40' 43" W).

Seneca Resources Corporation is proposing to construct and maintain a surface water withdrawal intake along the east bank of the West Branch Clarion River and a 2.76-mile waterline. Water will be conveyed from the surface water withdrawal to a pump station, which will then transport freshwater in a buried 10-inch waterline to a freshwater impoundment for use in natural gas well drilling operations.

The proposed waterline crossing of the West Branch Clarion River will be bored. The remaining pipeline stream crossings will be open trenched under unnamed tributaries to West Branch Clarion River, or trenched underneath existing culverts within an existing access road. Two culvert replacements are proposed within the existing access road. Proposed stream impacts are limited to 104 feet of permanent impact, with 284 feet of temporary impact.

Approximately 0.28 acre of temporary wetland impacts are proposed associated with the temporary staging of materials or crossing of equipment. No permanent wetland impacts are proposed.

The water obstructions and encroachments for the purpose of installing the surface water withdrawal intake and waterline are described below:

(1) Construction of a surface water withdrawal intake and waterline buried under the streambed of West Branch Clarion River (CWF). Impacted length: 40 feet: (41.626542 N, -78.678755 W).

(2) A 10-inch waterline to be bored underneath 43 feet of West Branch Clarion River (CWF). Impacted length: 0 feet (bore): (41.626647 N, -78.678651 W).

(3) Temporary dam and pump bypass for installation of surface water withdrawal in West Branch Clarion River (CWF). Impacted length: 139 feet: (41.626575 N, -78.678740 W).

(4) Temporary surface wetland impacts within an exceptional value (EV), palustrine forested (PFO) wetland associated with temporary dam and pump bypass. Impacted area: 0.008 AC; (41.626602 N, -78.678873 W).

(5) Temporary surface wetland impacts from staging of materials and temporary equipment crossing within an exceptional value (EV), palustrine forested (PFO) wetland associated with construction of 10" waterline within adjacent access road. No tree removal is proposed. Impacted area: 0.10 AC; (41.626871 N, -78.680509 W).

(6) Temporary surface wetland impacts from staging of materials and temporary equipment crossing within an

exceptional value (EV), palustrine emergent (PEM) wetland associated with construction of 10" waterline within adjacent access road. Impacted area: 0.03 AC; (41.627102 N, -78.679958 W).

(7) Temporary surface wetland impacts from staging of materials and temporary equipment crossing within an exceptional value (EV), palustrine emergent (PEM) wetland associated with construction of 10" waterline within adjacent access road. Impacted area: 0.002 AC; (41.627375 N, -78.684266 W).

(9) Temporary surface wetland impacts from staging of materials and temporary equipment crossing within an exceptional value (EV), palustrine emergent (PEM) wetland associated with construction of 10" waterline within adjacent access road. Impacted area: 0.002 AC; (41.627380 N, -78.685280 W).

(10) Temporary surface wetland impacts from staging of materials and temporary equipment crossing within an exceptional value (EV), palustrine emergent (PEM) wetland associated with construction of 10" waterline within adjacent access road. Impacted area: 0.02 AC; (41.627489 N, -78.687509 W).

(11) Installation of a 10-inch waterline to be trenched underneath 2 feet of a culvert conveying an unnamed tributary to West Branch Clarion River (CWF). Impacted length: 0 feet (trench under existing culvert): (41.627414 N, -78.687573 W).

(12) Installation of a 10-inch waterline to be trenched underneath 2 feet of a culvert conveying an unnamed tributary to West Branch Clarion River (CWF). Impacted length: 0 feet (trench under existing culvert); (41.627351 N, -78.689002 W).

(13) Temporary surface wetland impacts from staging of materials and temporary equipment crossing within exceptional value (EV), palustrine emergent (PEM) wetlands associated with construction of 10" waterline within adjacent access road. Impacted area: 0.002 AC; (41.627375 N, -78.689205 W).

(14) Temporary surface wetland impacts from staging of materials and temporary equipment crossing within exceptional value (EV), palustrine emergent (PEM) wetlands associated with construction of 10" waterline within adjacent access road. Impacted area: 0.001 AC; (41.627370 N, -78.689608 W).

(15) Temporary surface wetland impacts from staging of materials and temporary equipment crossing within an exceptional value (EV), palustrine emergent (PEM) wetland associated with construction of 10" waterline within adjacent access road. Impacted area: 0.002 AC; (41.627487 N, -78.690619 W).

(16) Temporary surface wetland impacts from staging of materials and temporary equipment crossing within an exceptional value (EV), palustrine emergent (PEM) wetland associated with construction of 10" waterline within adjacent access road. Impacted area: 0.002 AC; (41.627558 N, -78.690819 W).

(17) Installation of a 24" culvert replacement crossing of an unnamed tributary to West Branch Clarion River (CWF), as well as a 10-inch waterline to be trenched underneath the unnamed tributary. Impacted length: 42 feet (permanent), 22 feet (temporary); (41.627669 N, -78.691257 W).

(18) Temporary surface wetland impacts from staging of materials and temporary equipment crossing within an exceptional value (EV), palustrine emergent (PEM) wet-

land associated with construction of 10" waterline within adjacent access road. Impacted area: 0.002 AC; (41.627715 N, -78.692022 W).

(19) Temporary surface wetland impacts from staging of materials and temporary equipment crossing within exceptional value (EV), palustrine emergent (PEM) wetlands associated with construction of 10" waterline within adjacent access road. Impacted area: 0.05 AC; (41.629115 N, -78.696023 W).

(20) Installation of a 10-inch waterline to be trenched underneath 2 feet of a culvert conveying an unnamed tributary to West Branch Clarion River (CWF). Impacted length: 0 feet (trench under existing culvert); (41.628246 N, -78.694536 W).

(21) Installation of a 10-inch waterline to be trenched underneath 2 feet of a culvert conveying an unnamed tributary to West Branch Clarion River (CWF). Impacted length: 0 feet (trench under existing culvert); (41.628692 N, -78.695252 W).

(22) Installation of a 10-inch waterline to be trenched underneath 2 feet of a culvert conveying an unnamed tributary to West Branch Clarion River (CWF). Impacted length: 0 feet (trench under existing culvert); (41.628945 N, -78.695741 W).

(23) Construction of a 10-inch waterline to be trenched underneath 2 feet of a culvert conveying an unnamed tributary to West Branch Clarion River (CWF). Impacted length: 0 feet (trench under existing culvert); (41.629522 N, -78.697169 W).

(24) Temporary surface wetland impacts from staging of materials and temporary equipment crossing within an exceptional value (EV), palustrine emergent (PEM) wetland associated with construction of 10" waterline within adjacent access road. Impacted area: 0.005 AC; (41.629618 N, -78.697346 W).

(25) Temporary surface wetland impacts from staging of materials and temporary equipment crossing within an exceptional value (EV), palustrine emergent (PEM) wetland associated with construction of 10" waterline within adjacent access road. Impacted area: 0.009 AC; (41.629845 N, -78.697926 W).

(26) Temporary surface wetland impacts from staging of materials and temporary equipment crossing within an exceptional value (EV), palustrine emergent (PEM) wetland associated with construction of 10" waterline within adjacent access road. Impacted area: 0.001 AC; (41.630370 N, -78.698875 W).

(27) Installation of an 18" culvert replacement crossing of an unnamed tributary to West Branch Clarion River (CWF), as well as a 10-inch waterline to be trenched underneath the unnamed tributary. Impacted length: 22 feet (permanent), 29 feet (temporary); (41.630279 N, -78.698863 W).

(28) Temporary surface wetland impacts from staging of materials and temporary equipment crossing within an exceptional value (EV), palustrine emergent (PEM) wetland associated with construction of 10" waterline within adjacent access road. Impacted area: 0.002 AC; (41.633436 N, -78.701382 W).

(29) Temporary surface wetland impacts from staging of materials and temporary equipment crossing within an exceptional value (EV), palustrine emergent (PEM) wetland associated with construction of 10" waterline within adjacent access road. Impacted area: 0.001 AC; (41.633875 N, -78.702299 W).

(30) Temporary surface wetland impacts from staging of materials and temporary equipment crossing within an exceptional value (EV), palustrine emergent (PEM) wetland associated with construction of 10" waterline within adjacent access road. Impacted area: 0.001 AC; (41.634273 N, -78.704759 W).

(31) Temporary surface wetland impacts from staging of materials and temporary equipment crossing within an exceptional value (EV), palustrine emergent and forested (PEM/PFO) wetland associated with construction of 10" waterline within adjacent access road. No tree removal is proposed. Impacted area: 0.03 AC; (41.633201 N, -78.70977 W).

(32) Installation of a 10-inch waterline to be trenched underneath an unnamed tributary to West Branch Clarion River (CWF), and temporary road crossing. Impacted length: 30 feet; (41.632351 N, -78.715745 W).

E62-08-003, Major Modification, Bear Lake Properties, Inc., 3000 Village Run Road, Wexford, PA 15090. Waterline and Brine Unloading Facility, in Columbus Township, **Warren County**, United States Army Corps of Engineers Pittsburgh District.

In addition to an existing 3-inch brine water line the applicant proposes to install and maintain a 6-inch HDPE brine water line encased in a 10-inch HDPE pipeline which will cross three (3) Palustrine Emergent (PEM) wetlands in order to transport brine water from offloading Pad A located at the corner of Stateline Road and Cornish Hill Road to offloading Pad B located approximately 3300 feet to the west (Columbus, PA Quadrangle N: 41° 59' 42"; W: -79° 31' 58.8") in Columbus Township, Warren County. Installation of the pipeline will temporarily impact 0.87 acres of PEM wetland.

EROSION AND SEDIMENT CONTROL PERMITS

The following parties have applied for Erosion and Sediment Control Permits for earth disturbance activities associated with either road maintenance or timber harvesting operations.

Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department proposes to issue a permit to discharge, subject to certain limitations in the permit conditions. These proposed determinations are tentative. Limitations are provided as erosion and sediment control best management practices which restrict the rate and quantity of sediment discharged.

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

Following the 30-day comment period, the appropriate regional office water management program manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board (Board).

The application and related documents, including the erosion and sediment control plan for the earth disturbance activity, are on file and may be inspected at the appropriate regional office.

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

Applications received under sections 5 and 402 of The Clean Streams Law (35 P. S. §§ 691.5 and 691.402)

Southwest Region: Oil & Gas Program Mgr. 400 Waterfront Dr. Pittsburgh PA

2/22/13

ESCGP-2 No.: ESX13-125-0022

Applicant Name: M3 Appalachia Gathering LLC

Contact Person Mr James C Roberts

Address: 742 Fairmont Avenue Suite E

City: Westover State: WV Zip Code: 26501

County: Washington Township: West Pike Run

Receiving Stream (s) And Classifications: Little Pike Run and UNT to Little Pike Run; Other TSF

2/28/13

ESCGP-2 No.: ESX10-059-0007 Major Revision

Applicant Name: Vista Gathering LLC

Contact Person: Mr Nick Mongelluzzo

Address: 226 Elm Drive Suite 102

City: Waynesburg State: PA Zip Code: 15370

County: Greene Township(s): Franklin

Receiving Stream(s) and Classifications: UNTs to South Fork Tenmile Creek & Coal Lick Run; Other

2/26/13

ESCGP-2 No.: ESX13-125-0023

Applicant Name: CNX Gas Company LLC

Contact Person: Sarah Baughman

Address: 200 Evergreene Drive

City: Waynesburg State: PA Zip Code: 15370

County: Washington Township(s): South Franklin

Receiving Stream(s) and Classifications: UNT to Tenmile Creek & Tenmile Creek / Tenmile Creek; Other TSF; Siltation-Impaired

3/12/13

ESCGP-2 No.: ESX13-003-0002

Applicant Name: EQT Gathering LLC

Contact Person: Ms Megan D Stahl

Address: 625 Liberty Avenue Suite 1700

City: Pittsburgh State: PA Zip Code: 15222

County: Allegheny Township(s): Forward

Receiving Stream(s) and Classifications: Kelly Run (WWF) & Perry Mill Run (WWF)/Lower Monongahela; Other WWF

3/6/13

ESGP-2 No.: ESG13-125-0026

Applicant Name: MarkWest Liberty Midstream & Resources LLC

Contact Person: Mr Rick Lowry

Address: 601 Technology Drive Suite 300

City: Canonsburg State: PA Zip Code: 15317

COUNTY Washington Township(s): Hopewell

Receiving Stream(s) and Classifications: UNTs to Brush Run; HQ

4/17/13

ESCGP-2 No.: ESX13-005-0011

Applicant Name: EQT Production

Contact Person: Mr Todd Klaner

Address: 455 Racetrack Road Suite 101

City: Washington State: PA Zip Code: 15301

County: Armstrong Township(s): Plumcreek

Receiving Stream(s) and Classifications: UNT to Crooked Creek; Other WWF

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 pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

I. NPDES Renewal Permit Actions

Northeast Regional Office: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570.826.2511.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0063690 (Sewage)	Melroe's Restaurant 832 Salem Boulevard Berwick, PA 18603	Luzerne County Salem Township	Unnamed Tributary to Susquehanna River (5-B)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0087572 (IW)	Williamstown Borough Authority PO Box 32 Williamstown, PA 17098-0032	Dauphin County Williams Township	UNT to Wiconisco Creek / 6-C	Y
PA0083569 (Sew)	Riverview Homeowners Association 656 Excavating Drive Roaring Springs, PA 16673	Bedford County West Providence Township	Raystown Branch Juniata River / 11-C	Y
PA0246425 (Sew)	Dublin Township Supervisors 1366 Cole Road Hustontown, PA 17229	Fulton County Dublin Township	Little Aughwick Creek / 12-C	Y
PA0021776 (Sew)	Fairfield Municipal Authority 180 Water Street PO Box 705 Fairfield, PA 17320	Adams County Hamiltonban Township	Spring Run / 13-D	Y
PA0084255 (Sew)	Swatara Mobile Homes 2222 Grace Avenue Lebanon, PA 17046-8028	Lebanon County Swatara Township	UNT of Swatara Creek / 7-D	Y
PA0087734 Transfer (Sew)	Columbia Water Company 220 Locust Street PO Box 350 Columbia, PA 17512	York County Hellam Township	Dugan Run / 7-I	Y
PA0259900 (CAFO)	Bryan Byers Bryan Byers Farm 81 Four Pines Road, Quarryville, PA 17566-9799	Lancaster County East Drumore Township	UNT of Conowingo Creek / 7-K	Y
PA0031861 (Sew)	Zerbe Sisters Nursing Center 2499 Zerbe Road Narvon, PA 17555-9328	Lancaster County Caernarvon Township	UNT to Conestoga River / 7-J	Y
PA0086461 (Sew)	Pinch Pond Campground Inc. 3075 Pinch Road Manheim, PA 17545-9551	Lancaster County Rapho Township	Chickies Creek / 7-G	Y
PA0080055 (Sew)	Conewago Industrial Park Water & Sewer Co. PO Box 332 Lemoyne, PA 17043	Lancaster County West Donegal Township	Conewago Creek / 7-G	Y

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0087033 (Sew)	Rachel Esh 6352 McClays Mill Road Newburg, PA 17240	Franklin County Lurgan Township	UNT of Conodoguinet Creek / 7-B	Y
PA0080446 (Sew)	Thomas Grosh PO Box 223 State Line, PA 17263-0223	Franklin County Antrim Township	UNT to Conococheague Creek / 13-C	Y
PA0081299 (Sew)	Model Enterprises Inc. 630 Delp Road Lancaster, PA 17601-3077	Lancaster County Rapho Township	Chickies Creek / 7-G	Y
PA0248045 (Sew)	Jason Sauder 88 Oaktree Road Manheim, PA 17545	Lancaster County Rapho Township	UNT of Rife Run / 7-G	Y

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

<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>
PA0113514 (Sewage)	Madison Township- Hilner Project WWTP Intersection of Hump Road And Route 44N Bloomsburg, PA 17815	Columbia County Madison Township	Unnamed Tributary to Mud Creek (10-D)	Y
PA0229253 (Sewage)	Karthaus Burnside WWTP PO Box 97 Karthaus, PA 16845	Clearfield County Karthaus Township	West Branch Susquehanna River (8-D)	N
PA0009857 (Industrial Waste)	US Fish & Wildlife Service Lamar National Fish Hatchery PO Box 75, 308 Washington Avenue Lamar, PA 16848	Clinton County, Porter Township	Fishing Creek, Unnamed Stream and Unnamed Tributary to Fishing Creek (9-C)	Y
PA0229105	Garreau Farm 158 Miller Road Lewisburg, PA 17837	Union County Buffalo Township	Muddy Run (10-C)	N

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

<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>
PA0253430 Sewage	PBS Coals 688 Cook Road Central City, PA 15926	Somerset Cnty Shade Twp	Coal Run	Y
PA0028673 Sewage	Gallitzin Boro Sew & Disposal Auth Gallitzin, PA 16641	Cambria Cnty Gallitzin Boro	Bradley Run	N
PA0095982 Sewage	Albert Gallatin Sch Dist 2625 Morgantown Rd Uniontown, PA 15401-6703	Fayette Cnty German Twp	UNT to N Branch Browns Run	Y
PA0098299 Sewage	Donegal Ctr Inc 212 Snyder Rd Donegal, PA 15628	Westmoreland Cnty Donegal Twp	UNT of Fourmile Run	Y
PA0096598 Sewage	Mather STP 144 Chartiers Rd Jefferson, PA 15344	Greene Cnty Morgan Twp	S Fork Tenmile Creek	Y
PA0205877 Sewage	Redstone Twp Sew Auth PO Box 751 Republic, PA 15475	Fayette Cnty Redstone Twp	Dunlap Creek	Y
PA0094315 Sewage	PGH Spay & Vaccination Clinic 110 Sandy Creek Rd Penn Hills, PA 15235	Allegheny Cnty Penn Hills Twp	Sandy Creek	Y
PA0095907 Sewage	Albert Gallatin Sch Dist 120 Puritan Rd McClellandtown, PA 15458	Fayette Cnty German Twp	UNT of N Branch Browns Run	Y

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<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>
PA0032069 Sewage	St Francis Univ 492 Metz Rd Loretto, PA 15940-0600	Cambria Cnty Loretto Boro	UNT to Clearfield Creek	Y
PA0216178 Sewage	Cherrybrook STP 542 Cherryhill Dr Bridgeville, PA 15017	Washington Cnty Cecil Twp	UNT to Chartiers Creek	Y
PA0098965 Sewage	Carolyn S Roberts 1105 Elicker Rd New Kensington, PA 15068	Allegheny Cnty Plum Boro	UNT to Little Plum Creek	Y
PA0090786 Sewage	Hempfield Park 220 Forbes Trail Rd Greensburg, PA 15601	Westmoreland Cnty Hempfield Twp	UNT to Brush Creek	Y
PA0219436 Sewage	Clarksburg MHP 12554 RT 286 HWY W Clarksburg, PA 15725	Indiana Cnty Young Twp	UNT to Blacklegs Creek	Y
PA0217301 Sewage	Jerome STP 869 Penn Ave Jerome, PA 15937	Somerset Cnty Conemaugh Twp	UNT to Quemahoning Creek	Y
PA0096628 Sewage	Hamill MFG 500 Pleasant Vly Rd Trafford, PA 15085	Westmoreland Cnty Penn Twp	Lyons Run	Y
PA0097012 Sewage	Stonebridge Gardens MHP PO Box 117 Friedens, PA 15541-0117	Somerset Cnty Quemahoning Twp	UNT of Higgins Run	Y
PA0219258 Sewage	Mechling Shakley Veterans Center Cowansville, PA 16218	Armstrong Cnty Sugarcreek Twp	UNT of Patterson Creek	Y
PA0216330 Sewage	Homewood Maint Fac 256 Foxwood Rd Wampum, PA 16157	Beaver Cnty Big Beaver Boro	Clarks Run	Y
PA0032212 Sewage	Camp Silver Lake 144 Silver Lake Ln Fombell, PA 16123	Beaver Cnty Marion Twp	UNT to Connoquenessing Creek	Y
PA0218740 Sewage	Mtn Shadows Phase I SR 981 Norvelt, PA 15674	Westmoreland Cnty Mt Pleasant Twp	Boyer Run	Y
PA0098663 Sewage	R P Woodhouse RT 519 & I 70 Eighty Four, PA 15330	Washington Cnty Somerset Twp	UNT of Chartiers Creek	Y
PA0218944 Sewage	Franklin Fayette Sew Auth Hursch & Burma Rds Smock, PA 15480	Fayette Cnty Franklin Twp	Redstone Creek	Y
PA0096466 Sewage	PA Svcs Corp PO Box 1020 158 Portal Rd Waynesburg, PA 15370	Greene Cnty Franklin Twp	UNT to Smith Creek	Y
PA0217743 Sewage	Days Inn Donegal Donegal, PA 15628	Westmoreland Cnty Donegal Twp	Minnow Run	Y
<i>Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481</i>				
<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>
PA0005622 (IW)	Bessemer & Lake Erie RR Ohl Street 85 Ohl Street PO Box 471 Greenville, PA 16125	Mercer County Hempfield Township	Shenango River (20-A)	Y
PA0037133 (Industrial Waste)	Fairview State Fish Hatchery 2000 Lohrer Road Fairview, PA 16415	Erie County Fairview Township	Unnamed Tributary to Trout Run (15)	Y

<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>
PA0103861 (Sew)	Zoccoli MHP, RR #1, Box 215, Edinburg, PA 16116	Lawrence County Mahoning Township	Unnamed Tributary to the Shenango River (20-A)	Y
PA0103381 (IW)	Merisol Antioxidants 292 State Route 8 Oil City, PA 16301	Venango County Cornplanter Township	Oil Creek (16-E)	Y

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

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

NPDES Permit No. PA0060089, Sewage, SIC Code 4952, **Middle Smithfield Township**, 147 Municipal Drive, East Stroudsburg, PA 18302.

This existing facility is located in Middle Smithfield Township, **Monroe County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated sewage at the Fernwood Wastewater Treatment Plant.

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

NPDES Permit No. PA0262005, Sewage, **John J. Leffel and Linda M. Leffel**, 391 Franklin Road, Bechtelsville, PA 19505.

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

Description of Proposed Action/Activity: Authorization to discharge to a UNT to Ironstone Creek in Watershed 3-D.

NPDES Permit No. PA0261998, Sewage, **Brian B. Weidenhammer**, 44 Penn-Bern Road, Bernville, PA 19506-8248.

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

Description of Proposed Action/Activity: Authorization to discharge to a swale of Plum Creek in Watershed 3-C.

NPDES Permit No. PA0261947, Sewage, **Terry T. Helmick**, 147 Seiger Road, Kutztown, PA 19530.

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

Description of Proposed Action/Activity: Authorization to discharge to a UNT to Maiden Creek in Watershed 3-B.

NPDES Permit No. PAS223501, Stormwater, **Mountain Valley Farms & Lumber Products, Inc.**, 1240 Nawakwa Road, Biglerville, PA 17307-9728.

This proposed facility is located in Menallen Township, **Adams County**.

Description of Proposed Action/Activity: Authorization to discharge to Opossum Creek in Watershed 7-F.

NPDES Permit No. PA0260223, CAFO, **Scott Brinton**, Riverview Farms, 323 Riverview Road, Peach Bottom, PA 17563.

This proposed facility is located in Fulton Township, **Lancaster County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate a 468.26 AEU's swine and beef operation.

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

NPDES Permit No. PAS324802, Storm Water, SIC Code 1389, **O-Tex Pumping LLC**, 2916 Old Route 422 East, Fenelton, PA 16034.

This proposed facility is located in Laporte Township, **Sullivan County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated Storm Water.

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

NPDES Permit No. PA0254631, Sewage, **Jessee Patterson**, 258 Kimmel Sch Rd., Shelocta, PA 15774

This proposed facility is located in Plumcreek Twp, **Armstrong Cnty**

Description of Proposed Action/Activity: Permit issuance for treated discharge.

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

NPDES Permit No. PA0103225, Sewage, **Amendment No. 1, Jiffy Mini Mart, Inc.**, 17 Westminster Place, Grove City, PA 16127.

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

Description of Proposed Action/Activity: Transfer of existing NPDES permit from KRS Development, Inc. to Jiff Mini Mart, Inc.

Central Office: Bureau of Point and Non-Point Source Management, Planning and Permitting Program Manager, 400 Market Street, Harrisburg, PA 17105-8774, Telephone: 717.787.8184.

NPDES Permit No. PA0270750, SIC Code 0782, **PA DCNR State Parks Bureau**, PO Box 8551, Harrisburg, PA 17105-8551.

This proposed facility is located in Harrisburg City, **Dauphin County**.

Description of Proposed Activity: The NPDES Pesticides Permit is amended to add some new pesticides in the treatment areas where pest resistant has been developed. The proposed discharges are associated with the application of pesticides to control weeds and algae in all lakes associated with Pennsylvania State Parks statewide.

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

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

WQM Permit No. 4801403-T1, Sewerage, **Bath Borough Authority**, PO Box 87 160 Mill Street, Bath, PA 18014.

This proposed facility is located in East Allen Township, **Northampton County**.

Description of Proposed Action/Activity: Transfer of a Water Quality Management Permit from East Allen Township Municipal Authority to Bath Borough. Facilities include Village of Old Jacksonville pump station and collection system.

WQM Permit No. 4805403-T1, Sewerage, **Bath Borough Authority**, PO Box 87 160 Mill Street, Bath, PA 18014.

This proposed facility is located in East Allen Township, **Northampton County**.

Description of Proposed Action/Activity: Transfer of a Water Quality Management Permit from East Allen Township Municipal Authority to Bath Borough. The facilities include Arcadia East Industrial Park pump station, force main and sewers.

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

WQM Permit No. 5080401, Amendment 13-1, Sewerage, **Suzanne Hammaker, Paradise MHP, Inc.**, PO Box 37, Marysville, PA 17053-0037.

This proposed facility is located in Wheatfield Township, **Perry County**.

Description of Proposed Action/Activity: Permit approval for the construction/modification/operation of sewage facilities consisting of: muffin monster, 2 EQ tanks in series, 5 aeration tanks in series, 2 clarifiers in parallel, chlorine contact tank w/liquid chlorination, dechlorination tank, polishing clarifier, post aeration, connection to existing outfall, control building, and sludge holding tank.

WQM Permit No. 3613402, Sewerage, **J. Douglas Metzler**, 631 Martic Heights Drive, Holtwood, PA 17532.

This proposed facility is located in Martic Township, **Lancaster County**.

Description of Proposed Action/Activity: Permit approval for the construction/operation of sewage facilities consisting of: An Individual Residential Spray Irrigation System with a 1,500-gallon dual compartment septic tank, a 500-gallon dosing tank, two 60 square feet free access sand filters, a 3,000-gallon.

WQM Permit No. 3199402, Amendment 13-1, Sewerage, **Mt. Union Municipal Authority**, 400 North Duke Street, Mount Union, PA 17066.

This proposed facility is located in Mount Union Borough, **Huntingdon County**.

Description of Proposed Action/Activity: Permit approval for the construction/operation of sewage facilities consisting of: Installation of a 5000 gallon tank to store alum and alum feed system to remove phosphorus. Also, increase the Maximum Monthly Organic Loading from 1,835 #/day to 2,150 #/day.

WQM Permit No. 2213403, Sewerage, **PA DGS, B001 PA Judicial Center**, Harrisburg, PA 17120.

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

Description of Proposed Action/Activity: Permit approval for the construction of sewage facilities consisting of two new sanitary sewer laterals from the main and ancillary buildings that will flow by gravity to the proposed pumping station. A duplex grinder submersible pumping station rated for 50 gpm (peak instantaneous flow). A 2,025 lineal feet of 3-inch force main that will connect the pumping station with Susquehanna's Township Authority's collection and conveyance system tributary to the Paxton Creek Interceptor.

WQM Permit No. 0613401, Sewerage, **John J. Leffel and Linda M. Leffel**, 391 Franklin Road, Bechtelsville, PA 19505.

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

Description of Proposed Action/Activity: Permit approval for the construction / operation of sewage facilities consisting of 1,500 gallon dual chamber septic tank, Orenco AdvanTex treatment unit, Ultraviolet disinfection unit, 4" diameter outfall line to UNT Ironstone Creek.

WQM Permit No. 0613201, Sewerage, **Brian B. Weidenhammer**, 44 Penn-Bern Road, Bernville, PA 19506-8248.

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

Description of Proposed Action/Activity: Permit approval for the construction / operation of sewage facilities consisting of four 2000-gallon concrete primary tanks, one 2000-gallon fiberglass recirculating tank, with automatic distribution valve, three textile packed bed filters in series, UV disinfection with three lamps and a remote telemetry control panel for alarm conditions, one 1000-gallon pumping tank, discharge through existing outfall pipe, remote monitoring with

telemetry control panel. Note: the four primary tanks are already installed and leak-tested; system is to replace failing septic system and four primary tanks have been used as temporary holding tanks.

WQM Permit No. 0612406, Sewerage, **Terry R. Helmick**, 147 Swiger Road, Kutztown, PA 19530.

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

Description of Proposed Action/Activity: Permit approval for the construction / operation of sewage facilities consisting of one 1,000 gallon 2-compartment concrete septic tank with a float alarm and pump filter; one fiberglass recirculating tank with a textile filter media unit (Orenco's Advantex AX-20RTUV); UV disinfection (by Orenco) with an alarm which will also disable the pump if lamp not operating adequately; with discharge of treated wastewater via a 4" outfall pipe to an unnamed tributary of Maiden Creek; service contract required by manufacturer and maintenance agreement entered into with township.

WQM Permit No. 0611401, Sewerage, **Jeff Moyer, Rodale Institute**, 611 Siegfriedale Road, Kutztown, PA 19530.

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

Description of Proposed Action/Activity: Permit approval for the construction of sewage facilities consisting of: replacement of the existing on-lot disposal system service the Rodale Institute Visitor's Center. The new system will serve an average daily flow of 400 gpd with provisions for pumping and hauling peak flows during the local festival periods.

WQM Permit No. 0798201 Transfer No. 1, Industrial Waste, **Columbia Water Company**, 220 Locust Street, PO Box 350 Columbia PA 17512.

This proposed facility is located in Hellam Township, **York County**.

Description of Proposed Action/Activity: Transfer approving the transfer of industrial wastewater facilities consisting of two backwash holding tanks, a sand drying bed (20' long x 17' wide x 3' deep), a perforated underdrain pipe system and outfall.

WQM Permit No. 0612203, Industrial Waste, **NGK Metals Corp.** 917 Highway 11 South, Sweetwater, TN 37874.

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

Description of Proposed Action/Activity: Permit approval for the construction / modification / operation of industrial wastewater facilities consisting of an aerated Equalization tank holding wastewater from three extraction wells and two sump areas; a Reactor tank; an Inclined Plate Clarifier; a Sand Filter; two activated alumina absorbers for polishing; a Sludge Holding tank and Filter Press.

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

WQM Permit No. 1400408 A-1, Sewage, SIC Code 4952, **University Area Joint Authority**, 1576 Spring Valley Road, State College, PA 16801-8401.

This existing facility is located in Benner Township, **Centre County**.

Description of Proposed Action/Activity: Operation of a constructed wetland at the site of the Spring Creek Pollution Control Facility.

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

WQM Permit No. 0313400, Sewerage, **Manor Twp Jt Muni Auth**, 2310 Pleasant View Dr, Ford City, PA 16226

This proposed facility is located in Manor Twp, **Armstrong Cnty**

Description of proposed Action/Activity: Permit issuance for the construction and operation of a pump station.

WQM Permit No. 1113401, Sewerage, **Johnstown Redev Auth**, 4th Fl, Public Safety Bldg, 401 Washington St, Johnstown, PA 15901-2874

This proposed facility is located in the City of Johnstown, **Cambria Cnty**

Description of proposed Action/Activity: Permit issuance for the construction and operation of a sewer system.

The Pennsylvania Infrastructure Investment Authority (Pennvest) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

WQM Permit No. 0312401, Sewerage, **Jesse Patterson**, 258 Kimmel Sch Rd, Shelocta, PA 15774

This proposed facility is located in Plumcreek Twp, **Armstrong Cnty**

Description of proposed Action/Activity: Permit issuance for the construction and operation of a sewage treatment facility.

WQM Permit No. 6513403, Sewerage, **E Vandergrift Boro**, 254 Kennedy Ave, E Vandergrift, PA 15629

This proposed facility is located in Vandergrift Boro, **Westmoreland Cnty**

Description of proposed Action/Activity: Permit issuance for the construction and operation of a sewer system.

The Pennsylvania Infrastructure Investment Authority (Pennvest) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

WQM Permit No. 3274203-A5, Industrial Waste, **GenOn wholesale Generation, LP**, 595 Plant Rd, New Florence, PA 15944-8927

This existing facility is located in E Wheatfield Twp, **Indiana Cnty**

Description of proposed Action/Activity: Permit amendment issuance.

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

WQM Permit No. 2503431, Sewage, **LeRoy & Rebecca Wells**, 15630 Tionesta Road, Pleasantville, PA 16341.

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

Description of Proposed Action/Activity: Cancellation of permit.

WQM Permit No. 1687403, Sewage, **Jiffy Mini Mart, Inc.**, 17 Westminster Place, Grove City, PA 16127.

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

Description of Proposed Action/Activity: Transfer of existing WQM permit from KRS Development, Inc. to Jiff Mini Mart, Inc.

WQM Permit No. WQG018672, Sewage, **John & Kathye Schutt**, 10942 Oliver Road, McKean, PA 16426.

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

Description of Proposed Action/Activity: Transfer of existing WQM permit from James V. Gallagher to John & Kathye Schutt.

IV. NPDES Stormwater Discharges from MS4 Permit Actions

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

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
West Pikeland Township Chester County	PAI130531	West Pikeland Township Chester County 1645 Art School Road Chester Springs, PA 19425	Pickering Creek and Unnamed Tributary to Pickering Creek— 3-D	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970

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>
PAG133605	PA State Univ. York Campus 1031 Edgecomb Ave York, PA 17403	York	York City	UNT Codorus Creek / WWF, MF
PAG133583	Dover Borough 46 Butter Road Dover, PA 17315	York	Dover Borough	Fox Run / TSF, MF
PAG133687	New Salem Borough PO Box 243 80 N Water Street New Salem, PA 17371	York	New Salem Borough	Codorus Creek / WWF, MF
PAG133682	Union Township 3111 State Route 72 Jonestown, PA 17038	Lebanon	Union Township	Swatara Creek / WWF, MF
PAG133622	Lancaster County 150 N Queen St, Suite 612 Lancaster, PA 17603-3994	Lancaster	Lancaster City	Conestoga River, Mill Creek, UNT Little Conestoga Creek / WWF, MF
PAG133642	Dixon University Center 2986 North Second Street, Harrisburg, PA 17110	Dauphin	City of Harrisburg	Susquehanna River / WWF, MF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAI01 1506061-R	Renehan Building Group 318 E. King Street Malvern, PA 19355	Chester	East Goshen Township	Unnamed Tributary to Ridley Creek HQ

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 1507056-R	The Stonewall Links P. O. Box 203 375 Bulltown Road Elverson, PA 19520	Chester	Warwick Township	French Creek EV
<i>Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790</i>				
PAI02450601R	Hirshland & Company 1055 Westlakes Drive, Su. 300 Berwyn PA 19312	Monroe	Mount Pocono Boro	Forest Hills Run (HQ-CWF, MF)
PAI024812017	Meadows at Lehigh Valley L.P. c/o Larken Associates 390 Amwell Road Hillsborough NJ 08844	Northampton	City of Bethlehem	Monocacy Creek (HQ-CWF, MF) Nancy Run (CWF, MF)
PAI026412010	First Presbyterian Society of Honesdale 201 10th Street Honesdale PA 18431	Wayne	Honesdale Boro	UNT to Lackawaxen River (HQ-CWF, MF)
PAI026608001	Mehoopany Wind Energy, LLC 455 2nd Street SE Suite 400 Charlottesville VA 22902	Wyoming	Eaton Twp. Forkston Twp. Mehoopany Twp. Noxen Twp. Washington Twp.	Stone Run (HQ-CWF, MF) Kasson Brook (HQ-CWF, MF) South Branch Roaring Run (HQ-CWF, MF) Roaring Run (HQ-CWF, MF) Newton Run (HQ-CWF, MF) Sugar Hollow Creek (HQ-CWF, MF) Bowman's Creek (HQ-CWF, MF) UNT to Bowman's Creek (HQ-CWF, MF) Hettesheimer Run (HQ-CWF, MF) York Run (HQ-CWF, MF) Bowman Hollow (HQ-CWF, MF) Susquehanna River (CWF, MF) UNT to Susquehanna River (CWF, MF)
PAI023905007R	Toll Brothers, Inc. 250 Gibraltar Rd. Horsham PA 19044	Lehigh	Lower Macungie Twp.	Little Lehigh Creek (HQ-CWF, MF)

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone 717.705.4802.

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI0306110081	East Penn Manufacturing Company 1 Deka Road PO Box 147 Lyon Station, PA 19536	Berks	Richmond and Maxatawny Townships, Lyons Borough	UNT to Moselem Creek (HQ-CWF)
PAI035006002R	Ralph Lesh III 15 Creekview Drive Newport, PA 17074	Perry	Oliver Township	Buffalo Creek (HQ-CWF)

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI030605002R	STMA, LP Wendy G. Ney Manley 415 Ellis Woods Road Pottstown, PA 19465-9323	Berks	Longswamp Township	Toad Creek/Little Lehigh Creek (HQ-CWF)
PAI032106002R	WG Development Corporation 1860 Baltimore Pike, Suite 1 Gettysburg, PA 17325	Cumberland	Mount Holly Springs Borough, South Middleton Township	Yellow Breeches Creek Mountain Creek (HQ-CWF)

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

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Small Flow Treatment Facilities
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water 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 Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
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

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Bedminster Township Bucks County	PAG0200 0909076	Elsie Healy 2000 Sweetbriar Road Ottsville, PA 18942-1523	Unnamed Tributary Tohickon Creek CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Buckingham Township Bucks County	PAG0200 0912057	Buckingham Friends School 5684 York Road Box 159 Lahaska, PA 18931	Lahaska Creek CWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
New Britain Borough Bucks County	PAG0200 0913018	Central Bucks School District 320 W. Swamp Road Doylestown, PA 18901	Pine Run TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Southampton & Northampton Townships Bucks County	PAG0200 0913017	PA Department of Transportation District 6-0 7000 Geerdes Boulevard King of Prussia, PA 19406-1525	Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

<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>
Hilltown Township Bucks County	PAG0200 0912064	Toll PA VI, L.P. 250 Gibraltar Road Horsham, PA 19044-2323	Morris Run TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Newtown Township Bucks County	PAG0200 0912073	Goodnoe Elementary School Council Rock School District 30 North Chancellor Street Newtown, PA 18940	Newtown Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Buckingham Township Bucks County	PAG0200 0913028-R	Orleans Homebuilders 3333 Street Road One Greenwood Sq., Suite 101 Bensalem, PA 19020	Tributary to Mill Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Marple Township Delaware County	PAG0200 2313009	The Galco Group, LLC 2375 West Chester Pike Broomall, PA 19008	Crum Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Aston & Chester Townships Delaware County	PAG0200 2313007	Penn-Delco School District 3000 Dutton Mill Road Aston, PA 19014	Chester Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Merion Township Montgomery County	PAG0200 4613016	Mr. & Mrs. Shanin Specter 718 Merion Square Road Gladwyne, PA 19035	Mill Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Springfield Township Montgomery County	PAG0200 4608030-1	Danny Jake Corporation 3625 Welsh Road Willow Grove, PA 19090	Sandy Run TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Gwynedd Township Montgomery County	PAG0200 4613004	Newbury Court Holdings, LP 1211 Turnbury Lane North Wales, PA 19454	Unnamed Tributary to Wissahickon Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Merion Township Montgomery County	PAG0200 4613010	Rosemont College 1400 West Montgomery Avenue Bryn Mawr, PA 19010	Mill Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Hanover Township Montgomery County	PAG0200 4606020R1	Parklands, LLC 1590 Canary Road Quakertown, PA 18951	Perkiomen Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Worcester Township Montgomery County	PAG0200 4604187R1	Stony Creek Farms, Inc. 1805 Berks Road Worcester, PA 19490	Stony Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Bryn Athyn Borough Montgomery County	PAG0200 4613017	Daniel Allen P. O. Box 462 2945 Collegeville Drive Bryn Athyn, PA 19009	Unnamed Tributary to Pennypack Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Franklin Twp. Carbon Co.	PAG02001312002	PA Turnpike Commission PO Box 67676 Harrisburg PA 17106	Pohopoco Creek (CWF, MF)	Carbon Co. Conservation District 610-377-4894
Upper Saucon Twp. Lehigh Co.	PAG02003907018(6)	Marc Albanese DeSales University 2755 Station Ave. Center Valley PA 18034	Laurel Run (CWF, MF)	Lehigh Co. Conservation District 610-391-9583

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Lower Nazareth Twp. Palmer Twp. Northampton Co.	PAG02004813002	Nazareth Borough Municipal Authority PO Box A Nazareth PA 18064	Schoeneck Creek (WWF, MF) UNT to Schoeneck Creek (WWF, MF)	Northampton Co. Conservation District 610-746-1971
Pen Argyl Boro Northampton Co.	PAG02004813001	John Goffredo NuCor Management 122 North Broadway Wind Gap PA 18091	Waltz Creek (CWF, MF)	Northampton Co. Conservation District 610-746-1971

Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 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>
Penn and Heidelberg Townships, York County	ESG131330001	Columbia Gas Transmission, LLC 1700 MacCorkle Avenue SE Charleston, WV 25314	Oil Creek South Branch to Conewago Creek (WWF)	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
Jackson Township, Lebanon County	PAG02003807005R	S. Gerald Musser 1310 Mt. Pleasant Road Lebanon, PA 17042	Tulpehocken Creek (TSF)	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
Bethel Township, Lebanon County	PAG02003813009	Mark Erler 3340 Peachtree Road NE Atlanta, GA 30326	Beach Run (WWF)	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
Swatara Township, Lebanon County	PAG02003813010	Dean Patches 136 Horst Drive Lebanon, PA 17046	UNT to Swatara Creek (WWF)	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
Bethel Township, Lebanon County	PAG02003813011	Rick Kreitzer 2609 US Route 22 PO Box 70 Fredericksburg, PA 17026	Deep Run to Swatara Creek (WWF)	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
Union Township, Lebanon County	PAG02003809001(14)	Jerry Beck Building T-0-1 FTIG Annville, PA 17003	Aires Run (WWF)	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
Silver Spring Township, Cumberland County	PAG02002113007	Key Development Group James Clymer 930 East Boot Road Suite 400 West Chester, PA 19380	Hogestown Run (CWF)	Cumberland Co Conservation Dist. 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812
Southampton Township, Cumberland County	PAG02002108018R	Rine Land Development Darrin Rine 39 Independence Drive Shippensburg, PA 17257	Burd Run (CWF)	Cumberland Co Conservation Dist. 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812

<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>
Ephrata Township, Lancaster County	PAG02003608015R	Gardel LLC 471 N Reading Road Ephrata, PA 17522	UNT to Cocalico Creek (WWF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
East Donegal Township, Lancaster County	PAG02003611030R	Donald Hess 471 N Reading Road Ephrata, PA 17522	Donegal Creek (TSF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
East Hempfield Township, Lancaster County	PAG02003612094	The Sports Complex LP 1175 Manheim Pike Lancaster, PA 17601	UNT to Chickies Creek (WWF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
East Lampeter Township, Lancaster County	PAG02003613018	East Lampeter Township 1175 Manheim Pike Lancaster, PA 17601	UNT to Mill Creek (WWF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
West Donegal Township, Lancaster County	PAG02003613029	Donegal Woods LLC PO Box 277 Landisville, PA 17538	UNT to Conewago Creek (TSF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Straban Township, Adams County	PAG02000113013	Woodhaven Building & Development Inc. 4175 Hanover Pike Manchester, MD 21102	Rock Creek (WWF)	Adams Co. Conservation District 670 Old Harrisburg Rd, Suite 201 Gettysburg, PA 17325 717.334.0636
West Donegal Township, Lancaster County	PAG02003611047R	Robert L. Gruber 48 S. Market Street Elizabethtown, PA 17022	Conoy Creek (TSF; MF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Perry Township, Berks County	PAG02000613025 (corrected)	Hamburg Logistics Park 220 Zion's Church Road Shoemakersville, PA	Pigeon Creek & Schuylkill River (WWF)	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Tilden Township, Berks County	PAG02000613026 (corrected)	Advance Auto Wilderness Trail & Mountain Road Hamburg, PA	Schuylkill River (WWF)	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Derry Township, Dauphin County	PAG02002213006	Tana Properties LLC 2106 Hammonds Avenue Woodstock, MD 21104	Spring Creek (WWF)	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Susquehanna Township, Dauphin County	PAG02002213016	Co Commissioners' Association of Pennsylvania 2789 Old Post Road Harrisburg PA 17110	Paxton Creek (WWF)	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
Elizabethtown Borough, Lancaster County	PAG02003613019	Gerald Horst 120 North Pointe Blvd Lancaster, PA 17602	Conoy Creek (TSF; MF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Manor Township, Lancaster County	PAG02003613026	Turkey Hill Dairy 2601 River Rd Conestoga, PA 17516	Manns Run (WWF; MF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5

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

<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>
Blossburg Borough Tioga County	PAG02005911013R	Southern Tioga Sch Dist 241 Main St Blossburg PA 16912	Tioga River CWF	Tioga County Conservation District 50 Plaza Lane Wellsboro, PA 16901 (570) 724-1801, X 3
White Deer Township Union County	PAG02006013003	Broc Troxell 250 Showers Rd New Columbia PA 17856	W B Susquehanna River WWF	Union County Conservation District Union County Government Center 155 N 15th St Lewisburg PA 17837 (570) 524-3860

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

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
Big Beaver Borough Beaver County	PAG0200413011	Big Beaver Borough 114 Forest Drive Darlington, PA 16115	UNT to Beaver Run (WWF)	Beaver County CD 156 Cowpath Road Aliquippa, PA 15001 (724) 378-1701
Harmony Township Beaver County	PAG02000413012	Richard Macklin 2747 Legionville Road Ambridge, PA 15003	Legionville Run (WWF)	Beaver County CD 156 Cowpath Road Aliquippa, PA 15001 (724) 378-1701
East Wheatfield Township West Wheatfield Township Indiana County	PAG02003213002	Trans-Allegheny Interstate Line Company 76 South Main Street Akron, OH 44308	UNTs to Conemaugh River (CWF)	Indiana County CD 625 Kolter Drive Suite 8 Indiana, PA 15701
Cecil Township Washington County	PAG02006305042-3	Quattro Investment Group, LP 750 Holiday Drive Suite 570 Pittsburgh, PA 15220	UNT to Chartiers Creek (WWF), Chartiers Creek (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
South Strabane Township Washington County	PAG02006306027R	WCW, Inc. 300 Weyman Plaza Suite 210 Pittsburgh, PA 15236	UNT to Chartiers Creek (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Canton Township Washington County	PAG02006307004R-1	Angel Quature 259 Johnson Road Canonsburg, PA 15317	UNT to Chartiers Creek (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
South Strabane Township Washington County	PAG02006308003R	Meadows Landing Associates, LP. 650 Washington Road Pittsburgh, PA 15228	Chartiers Creek (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Donora Borough City of Monessen Washington County	PAG02006313002	Mon Valley Sewage Authority 20 S. Washington Avenue Donora, PA 15033	Monongahela River (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
City of Washington Washington County	PAG02006313010	PennDOT District 12-0 825 North Gallatin Ave Ext Uniontown, PA 15401	UNT to Chartiers Creek (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098

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>
Cranberry Township Butler County	PAG02001011003R	Grace Community Church 216 Mystic Pine Trail Cranberry Township PA 16066	Brush Creek (Unt) WWF	Butler County Conservation District 724-284-5270
Penn Township Butler County	PAG02001012031(1)	Mountain Gathering LLC 310 Houston Street Fort Worth TX 76102	Connoquenessing Creek WWF	Butler County Conservation District 724-284-5270
City of St. Mary's Elk County	PAG02002412003R	PennDOT 2-0 1924 Daisy Street PO Box 342 Clearfield County, PA 16830	Iron Run (Trib Elk Creek) CWF	Elk County Conservation District 814-776-5373
Benezette Township Elk County	PAG02002413001	Blue Sky PA LP 362 North Park Street Sykesville PA 15865	Trout Run (Unt) CWF	Elk County Conservation District 814-776-5373
Millcreek Township Erie County	PAG02002511012R	Millcreek Township Sewer Authority 3608 West 26th Street Erie PA 16506	Walnut Creek CWF; MF	Erie County Conservation District 814-825-6403
Union Township Erie County	PAG02002513007	LeBaron Post 237 Inc One South Main Street Union City PA 16438	South Branch French Creek CWF	Erie County Conservation District 814-825-6403
Millcreek Township Erie County	PAG02002513009	Millcreek Marketplace LLC 2450 Village Commons Drive Erie PA 16506	Walnut Creek (Unt) CWF; MF	Erie County Conservation District 814-825-6403

<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>
Borough of Greenville Mercer County	PAG02004313005	Thiel College 75 College Avenue Greenville PA 16125	Little Shenango River TSF	Mercer County Conservation District 724-662-2242
Clearfield County, Woodward Township	PAG2091713002	Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	Lytle Run & Upper Morgan Run/ CWF & CWF	PA DEP Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 814-472-1800
Knox Township Jefferson County	PAG02-1033-13-003	BAMR P. O. Box 8461 Harrisburg, PA 17105-8461	Swamp Run (CWF) to Fivemile Run (CWF) to Sandy Lick Cr (TSF)	BAMR P. O. Box 8461 Harrisburg, PA 17105-8461 717-787-4973

General Permit Type—PAG-3

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Cumberland County / Carlisle Borough	PAR803710	Penske Logistics, Inc. PO Box 7635 Reading, PA 19603	Alexanders Spring Creek / CWF & MF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Lancaster County / Mount Joy Borough	PAR223532	Patrick Industries, Inc. 20 Eby Chiques Road Mount Joy, PA 17552-9335	Little Chiques Creek / TSF & MF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Lancaster County / Denver Borough	PAR113557	Weaver Industries, Inc. 425 S. 4th St. Denver, PA 17517	Cocalico Creek / WWF & MF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
York County / Hellam Township	PAR203559	New Standard Corporation 74 Commerce Way York, PA 17406-8038	UNT Kreutz Creek / WWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Adams County Conewago Township	PAR113562	Precision Cut Industries 115 Ram Drive Hanover, PA 17331	Plum Creek / WWF, MF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Adams County Conewago Township	PAR113561	Precision Cut Industries 60 Ram Drive Hanover, PA 17331	Plum Creek / WWF, MF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
W Finley Twp Washington Cnty	PAR206143	Hansen Eng, Inc. 167 Laidleys Run Rd W Alexander, PA 15376-2246	Laidleys Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000

<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>
Rankin Boro Allegheny Cnty	PAR806248	First Student, Inc. 110 Perimeter Park Ste E Knoxville, TN 37922	Homestead Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000
City of PGH Allegheny Cnty	PAR806266	FedEx Ground Package System, Inc. 1000 FedEx Dr Moon Twp, PA 15108	Ohio River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000

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

<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>
Saint Marys City Elk County	PAR248301	Bingaman & Son Lumber, Inc. 913 Windfall Road, St Marys, PA 15857	Unnamed Tributary to Elk Creek 17-A	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

General Permit Type—PAG-12

<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>
Huntingdon County Union Township	PAG123658	Jason Fox Jason Fox Farm 15629 Trough Creek Valley Pike Huntingdon, PA 16652	UNT Little Trough Creek / TSF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Lebanon County North Cornwall Township	PAG123750	Robert Bomberger Meadow Wood Farms 2075 Colebrook Road Lebanon, PA 17042	Beck Creek / TSF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

General Permit Type—PAG-13 & MS4 Waivers

Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

<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>
Canaan Township Wayne County	PAG132308	Canaan Township Wayne County PO Box 246 Waymart, PA 18472	Racket Brook—CWF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Northampton Borough Northampton County	PAG132237	Northampton Borough Northampton County 1401 Laubach Avenue Northampton, PA 18067-0070	Lehigh River— TSF, MF Hokendauquau Creek—CWF, MF Dry Run—CWF, MF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511

*Facility Location:
Municipality &
County*

Waiver Newton
Township
Lackawanna
County

Permit No.

PAG132296

*Applicant Name &
Address*

Newton Township
Lackawanna County
1528 Newton Ransom
Boulevard
Clarks Summit, PA
18422

*Receiving
Water / Use*

Buttermilk Falls
Creek—CWF, MF
Gardner Creek—
CWF, MF

*Contact Office &
Phone No.*

DEP Northeast
Regional Office
Clean Water Program
2 Public Square,
Wilkes-Barre, PA
18701-1915
570.826.2511

General Permit Type—PAG-13

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

*NPDES
Permit No.*

PAG133616

*Applicant Name &
Address*

Borough of
Wormleysburg
20 Market Street
Wormleysburg, PA
17043

County

Cumberland

Municipality

Wormleysburg
Borough

*Receiving
Water/Use*

Conodoguinet
Creek, UNT
Susquehanna River
/ WWF, MF

*Contact Office &
Phone No.*

DEP Southcentral
Regional Office
Clean Water
Program
909 Elmerton
Avenue
Harrisburg, PA
17110-8200
717.705.4707

PAG133637

Derry Township
650 Clearwater Rd
Hershey, PA 17033

Dauphin

Derry Township

Spring Creek,
Swatara Creek,
UNT Iron Run,
UNT Spring Creek,
UNT Swatara
Creek / WWF, MF

DEP Southcentral
Regional Office
Clean Water
Program
909 Elmerton
Avenue
Harrisburg, PA
17110-8200
717.705.4707

PAG133556

Hummelstown Borough
136 S Hanover St
Hummelstown, PA
17036-2207

Dauphin

Hummelstown
Borough

Swatara Creek,
UNT Swatara
Creek / WWF, MF

DEP Southcentral
Regional Office
Clean Water
Program
909 Elmerton
Avenue
Harrisburg, PA
17110-8200
717.705.4707

PAG133577

Lancaster City
120 N Duke St
PO Box 1599
Lancaster, PA
17608-1599

Lancaster

Lancaster City

Conestoga River,
UNT Conestoga
River, UNT Little
Conestoga Creek /
WWF, MF

DEP Southcentral
Regional Office
Clean Water
Program
909 Elmerton
Avenue
Harrisburg, PA
17110-8200
717.705.4707

PAG133669

Loganville Borough
PO Box 88
Loganville, PA 17342

York

Loganville
Borough

Fishel Creek /
CWF, MF UNT
East Branch
Codus Creek /
WWF, MF

DEP Southcentral
Regional Office
Clean Water
Program
909 Elmerton
Avenue
Harrisburg, PA
17110-8200
717.705.4707

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

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

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

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

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

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

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Hanover Shoe Farm 2310 Hanover Pike PO Box 339 Hanover, PA 17331	Adams	2188.1	953.37	Horses	NA	Approved

PUBLIC WATER SUPPLY PERMITS

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania 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 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

Southcentral Region: Water Supply Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110

Permit No. 0713502 MA, Minor Amendment, Public Water Supply.

Applicant	Altoona Water Authority
Municipality	Altoona
County	Blair
Responsible Official	Mark A. Perry, General Manager 900 Chestnut Avenue Altoona, PA 16601
Type of Facility	Construction of a mobile bulk water loading station. Authority to sell bulk water at 3 locations.
Consulting Engineer	Michael V Sinisi, P.E. Altoona Water Authority 900 Chestnut Avenue Altoona, PA 16601
Permit to Construct Issued:	5/14/2013

Permit No. 0613506 MA, Minor Amendment, Public Water Supply.

Applicant **Acorns MHP**
 Municipality Earl Township
 County **Berks**
 Responsible Official James Meade, Owner
 PO Box 60
 Cape May Courthouse, NJ 08210
 Type of Facility Installation of 120' of 2" and 60' of 6" contact pipe to increase contact time to meet 4-Log Treatment of Viruses for GWR. Change well pump to a smaller capacity pump.
 Consulting Engineer Angelika B Forndran, P.E.
 Cowan Associates, Inc.
 120 Penn-Am Drive
 Quakertown, PA 18951
 Permit to Construct Issued: 5/13/2013

Responsible Official John A. Lichman,
 Executive Director
 State College Borough
 Water Authority
 1201 West Branch Road
 State College, PA 16801
 Type of Facility Public Water Supply
 Consulting Engineer Mark V. Glenn, P.E.
 Gwin, Dobson & Foreman, Inc.
 3121 Fairway Drive
 Altoona, PA 16602
 Permit Issued May 21, 2013
 Description of Action Installation of a solar-powered mixer within the 2.0 MG finished water storage tank no. 6—Toftrees and the installation of solar powered tank mixer controls on top of this tank.

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

Permit No. 0612526, Public Water Supply.

Applicant **Kutztown Borough**
 Municipality Maxatawny Township
 County **Berks**
 Responsible Official Walter Hess, Superintendent
 105 Railroad Street
 Kutztown, PA 19530-1112
 Type of Facility Installation of nitrate treatment at existing treatment plant.
 Consulting Engineer Steven E Riley, P.E.
 Entech Engineering, Inc
 PO Box 32
 Reading, PA 19603
 Permit to Construct Issued: 5/13/2013

Operation Permit issued to **Ronald Haluka d/b/a Wesley's Hideaway Mobile Home Park**, PWSID #5100126, Summit Township, **Butler County**. Permit Number 1089508-MA1 issued April 8, 2013 for the operation of 4-Log treatment of viruses for Entry Point 101. This action is taken under the requirements of the Groundwater Rule.

Operation Permit issued to **Piney Creek Limited Partnership**, PWSID #6160881, Piney Township, **Clarion County**. Permit Number 1612501 issued May 22, 2013 for the operation of the public water supply system. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on April 25, 2013.

Operations Permit issued to: **Craley MHP**, 7670038, Lower Windsor Township, **York County** on 5/21/2013 for the operation of facilities submitted under Application No. 7670038.

Operations Permit issued to: **Roaring Spring Bottling**, 7076209, Roaring Spring Borough, **Blair County** on 5/13/2013 for the operation of facilities submitted under Application No. 7076209.

Operations Permit issued to: **Brush Creek Estates**, 4050008, East Providence Township, **Bedford County** on 5/17/2013 for the operation of facilities approved under Construction Permit No. 0512510 MA.

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

Permit No. 1413501-MA—Construction Public Water Supply.

Applicant **State College Borough Water Authority**
 [Township or Borough] Patton Township
 County **Centre**

Permit No. 4313501 Public Water Supply
 Applicant **Borough of Stoneboro**
 Township or Borough Borough of Stoneboro
 County **Mercer**
 Type of Facility Public Water Supply
 Consulting Engineer Olgierd K. Wodzianski, P.E.
 Wodzianski Engineering, Inc.
 1322 Elk Street
 Franklin, PA 16323
 Permit to Construct Issued May 24, 2013

Permit No. 2512510 Public Water Supply
 Applicant **Waterford Borough Municipal Authority**
 Township or Borough Waterford Borough
 County **Erie**
 Type of Facility Public Water Supply
 Consulting Engineer August E. Maas, P.E.
 Hill Engineering, Inc.
 8 Gibson Street
 North East, PA 16428
 Permit to Construct Issued May 24, 2013

WATER ALLOCATIONS

Actions taken on applications received under the Act of June 24, 1939 (35 P. S. §§ 631—641) relating to the acquisition of rights to divert waters of the Commonwealth.

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

WA 47-1015, Water Allocations. Cooper Township Municipal Authority, 19 Steltz Road, Danville, PA 17821, Cooper Township, **Montour County**. This Water Allocation Permit grants Cooper Township Municipal Authority the right to purchase a maximum of 0.125 million gallons per day from the Danville Municipal Authority in Danville Borough, Montour County.

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

WA 10-1013, Water Allocations. Municipal Water Authority of Adams Township, 690 Valencia Road, P. O. Box 807, Mars, PA 16046-0807, Adams Township, **Butler County**. The permit grants leave to the permittee to acquire the right to purchase 1.3 MGD on a peak month basis from the Municipal Authority of the Borough of West View.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Tobyhanna Township	105 Government Center Way Pocono Pines, PA 18350	Monroe
Pocono Township	P. O. Box 197 Tannersville, PA 18332	Monroe

Plan Description: The Plan calls for the construction of a new wastewater collection system, pump station and a force main to serve the proposed Kalahari indoor/outdoor water park/resort and a Commercial Center Project. The estimated average daily wastewater flow is 440,000 gpd equating to 1,781 Equivalent Dwelling Units (EDU's). The new land development is located in Tobyhanna Township, Monroe County. The pump station/force main will convey the collected wastewater from a common point near the Kalahari/Commercial Center main access road through the Pocono Manor property and then along SR 314 where it connects to the Pocono Township Sewage Collection System near the junction of SR 314 and Route 611. The wastewater collection/transmission facilities from the common point of collection to the connection to the Pocono Township system will be owned by Tobyhanna Township.

A Clean Streams Law (CSL) Permit must be obtained in the name of Tobyhanna Township for the construction and operation of the proposed wastewater facilities.

Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Port Clinton Borough	P. O. Box 246 Port Clinton, PA 19549	Schuylkill

Plan Description: The approved Port Clinton Borough Act 537 Update Revision / Component 3M / Race Street Extension—Pump Station Relocation (Plan), dated December 2012, provides for sewage service for the residents on Race Street. This will be done via a low pressure sewer line with individual grinder pumps for each property. The U.S. Department of Agriculture / Rural Utilities Service is the project's funding source.

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Middlesex Township	350 North Middlesex Road Carlisle, PA 17013	Cumberland

Plan Description: Approval of a revision to the official plan of Middlesex Township, Cumberland County. The project is known as Melvin Spahr. The plan provides for the repair of a sewage malfunction at an existing residential dwelling with a small flow treatment facility. The proposed development is located at 3501 Spring Road. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-21915-219-3s and the APS Id is 807492. Any permits must be obtained in the name of the property owner.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Lykens Township	2073 E Middle Rd, Lykens, PA 17048	Dauphin

Plan Description: The approved official plan provides for a Public Information and Public Education Program, and the adoption of an On-lot Disposal System Ordinance to require maintenance and inspection of on-lot sewage disposal systems in all areas of the township that will continue to rely on on-lot sewage disposal systems. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal.

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:

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

Colavito Residence, 92 Fairview Avenue, Mount Pocono Borough, **Monroe County**, John Lydzinski, Cardno MM & A, has submitted a Final Report on behalf of his client, Paul Colavito, 92 Fairview Avenue, Mt. Pocono, PA 18344, concerning the remediation of soil found to have been impacted by #2 fuel oil from an overflow resulting in the release of approximately 5 to 10 gallons to the interior and exterior of the property. The report was submitted to document attainment of the Residential Statewide Health Standards of soil. A public notice regarding the submission of the Final Report will be published in the surrounding area in the near future.

Reimel Property, 145 Lincoln Street, Montrose Borough, **Susquehanna County**, Dawn L. Washo, Resource Environmental Management, Inc., 36 Taylor Lane,

Montrose, PA 18801 has submitted a Final report on behalf of her client, Alan Reimel, 65 Crusier Street, Montrose, PA 18801, concerning the remediation of soil and groundwater found to have been impacted by heating oil and/or leaded gasoline as a result of releases from underground storage tanks. The report submitted to document attainment of the Residential Statewide Health Standards for soil and groundwater. A public notice regarding the submission for the NIR was published on March 28, 2012 in the *Susquehanna County Transcript* and a public notice regarding the Final Report was published in the *Susquehanna County Transcript* on May 1, 2013.

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

Willard Seidel Residence, 4682 New Holland Road, Mohnton, PA 19540, Cumru Township/Mohnton Borough, **Berks County**. Mountain Research, 825 25th Street, Altoona, PA 16601, on behalf of Willard Seidel, 4682 New Holland Road, Mohnton, PA 19540, submitted a Final Report concerning site soils and groundwater contaminated with #2 fuel oil. The report is intended to document remediation of the site to meet the Residential Statewide Health standard.

Millersville University Lancaster Campus / former PA Academy of Music, 42 North Prince Street, Lancaster, PA 17603, City of Lancaster, **Lancaster County**. GCI Environmental Services, 1250 East King Street, Lancaster, PA 17602, on behalf of Union Community Bank, 570 Lausch Lane, Lancaster, PA 17601, submitted a Remedial Investigation and Final Report concerning remediation of site groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site Specific standard.

Former Pfaltzgraff West York Facility, 1857 West King Street, York, PA 17404, West York Borough and West Manchester Township, **York County**. ARM Group, Inc., PO Box 797, Hershey, PA 17033, on behalf of 128 Lucky LLC, 1857 West King Street, York, PA 17404, submitted a combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with lead. The combined report is intended to document remediation of the site to meet the Residential Statewide Health and Site Specific standards.

Former Central Catholic Convent, 1500 Eckert Avenue, Reading, PA 19602, City of Reading, **Berks County**. Hafer Environmental Services, Inc., PO Box 4418, Reading, PA 19606, on behalf of Diocese of Allentown, 1515 Martin Luther King, Jr. Drive, PO Box F, Allentown, PA 18105-1538, submitted a Final Report concerning remediation of site soils contaminated with #2 fuel oil. The report is intended to document remediation of the site to meet the Residential Statewide Health standard.

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

PHC K Well Pad (PHC 36H Gas Well), 167 North Branch Road (off McGeorge Road), Lawrence Township, **Clearfield County**. Wilson Ecological Consulting, LLC, 314 Hill Top Lane, Port Matilda, PA 16870, on behalf of EOG Resources Inc., 2039 South Sixth Street, Indiana, PA 15701, submitted a Final Report concerning remediation of site soils and groundwater contaminated with

Aluminum, Barium, Manganese, Chloride. The report is intended to document remediation of the site to meet the Statewide Health Standard.

PHC K Well Pad (PHC 36H Gas Well), 167 North Branch Road (off McGeorge Road), Lawrence Township, **Clearfield County**. Wilson Ecological Consulting, LLC, 314 Hill Top Lane, Port Matilda, Pa 16870, on behalf of EOG Resources Inc., 2039 South Sixth Street, Indiana, Pa 15701, submitted a Final Report concerning the remediation of site soils and groundwater contaminated with Aluminum, Barium, Manganese, Chloride. The Final Report demonstrated attainment of the Background and Statewide Health Standards, and was approved by the Department on April 18, 2013.

Access Synergy SJW Gathering Line, Wilmont Township, **Bradford County**. Appalachia Midstream, 100 IST Center, Horseheads, New York, 14845, has submitted a Final Report concerning remediation of site soils contaminated with Diesel, Motor Oil, Hydraulic Fluid. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Access Synergy SJW Gathering Line, Wilmont Township, **Bradford County**. Appalachia Midstream, 100 IST Center, Horseheads, New York, 14845, has submitted a Final Report concerning remediation of site soils contaminated with Diesel, Motor Oil, Hydraulic Fluid. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on April 5, 2013.

Former Location of Breon Confair Car Dealership, 9604 Route 220, Piatt Township, **Lycoming County**. Mr. David Confair, RHC Family Limited Partnership II, P. O. Box 1356, Williamsport, Pa 17703, on behalf of Mr. Michael Sander, Farmer Company, 13 Fleming Street, South Williamsport, Pa 17702, submitted a Final Report concerning remediation of site soils contaminated with #2 heating fuel oil and hydraulic oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Former Location of Breon Confair Car Dealership, 9604 Route 220, Piatt Township, **Lycoming County**. Mr. David Confair, RHC Family Limited Partnership II, on behalf of Mr. Michael Sander, Farmer Company, 13 Fleming Street, South Williamsport, Pa 17702, submitted a Final Report concerning the remediation of site soils contaminated with #2 heating fuel oil and hydraulic oil. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on May 9, 2013.

Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, Pa 15222-4745

Former Robertshaw Controls Facility (phase 3), Hillis Street and Third, Youngwood Borough, **Westmoreland County**. American Geosciences, Inc., 3925 Reed Blvd, Suite 400, Murrysville PA 15668-1848 on behalf of Robertshaw Controls Company c/o Invensys Foxboro, 33 Commercial Street, C41-2#, Foxboro, MA 02035 has submitted a Risk Assessment Report and Cleanup Plan concerning the remediation of site soil and groundwater contaminated with TCE and its degradation products. Remediation to a Site-specific standard is being sought.

Banner Parklet, William Penn Highway, Murrysville, **Westmoreland County**. CP Environmental Group, Inc., 1092 5th Avenue, New Kensington, PA 15068, on behalf of

Herky Pollock, Regional Development Partners-Blue Spruce LP, 600 Grant Street, Suite 4800, Pittsburgh, PA 15219 submitted a Remedial Investigation Report, Risk Assessment Report and Final report regarding site soil and groundwater contaminated with VOCs and SVOCs attributed to the historical use of the site as a gasoline station. The anticipated future use of the site is retail/commercial. Remediation to a site-specific standard is being sought.

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:

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

Slag Bank 3 Bethlehem Commerce Center, 530 East Third Street, City of Bethlehem, **Northampton County**, James Koval, HDR Engineering, Inc., has submitted a Cleanup Plan on behalf of his client, Kerry Wrobel, Lehigh Valley Industrial Park, Inc., 1720 Spillman Drive, Bethlehem, PA 18015-2164, concerning the remediation of soil found to have been impacted by volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs) and heavy metals at concentrations exceeding their respective PADEP Medium Specific Concentrations (MSCs) for soil on Lot 6. The Cleanup Plan was submitted to document attainment of the Site Specific Standard for soil and was approved on April 26, 2013.

I-80 Eastbound Mile Marker 256.2 Diesel Fuel Spill Site, I-80 Eastbound at Mile Marker 256.2, Sugarloaf Township, **Luzerne County**. Martin Gilgallon and Dean Cruciani, Pennsylvania Tectonics, Inc., 723 Main Street, Archbald, PA 18403 have submitted a Final Report on behalf of their client, Con-Way Truckload, 4701 East 32nd Street, Joplin, MO 64804, concerning the remediation of soil and groundwater found to have been impacted by diesel fuel as a result of a leaking tractor-trailer's fuel tank. The Final Report did not demonstrate attainment of the Residential Statewide Health Standard for soil and groundwater and was disapproved by the Department on May 14, 2013.

Hoover 1V/2H Wellsite, 5825 State Route 29, Dimock Township, **Susquehanna County**, James Pinta, Civil & Environmental Consultants, 333 Baldwin Rd, Pittsburgh, PA 15205, has submitted a Final Report on behalf of his client, (Cabot Oil & Gas Corporation, 5 Penn Center West, Suite 401, Pittsburgh, PA 15276), concerning the remediation of soil found to be impacted during the removal of the mudshelf liner. The report documented attainment of the Residential Statewide Health Standard and Background Standard for soil and was approved on May 17, 2013. The report was submitted within 90 days of the release.

Judd Property, 12199 State Route 267, Rush Township, **Susquehanna County**, Patrick Crawford, Crawford Environmental Services, 195 Proudfoot Drive, Birdsboro, PA 19508, has submitted a Final Report on behalf of his client, Gerald Judd, 12199 State Route 267, Montrose, PA 18801, concerning the remediation of soil from an accidental release of heating oil from a fuel tanker that rolled over. The report documented attainment of the Residential Statewide Health Standard for soil and was approved on May 22, 2013.

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

Former Gipe Residence and Garage, 2055 Buchanan Trail East, Shady Grove, PA 17256, Antrim Township, **Franklin County**. Groundwater Sciences Corporation, 2601 Market Place Street, Suite 310, Harrisburg, PA 17110, on behalf of Gladys B. Gipe Estate, Ronald Gipe, Executor, 463 Lindman Drive, Chambersburg, PA 17202, submitted a Remedial Investigation and Final Report for soils and groundwater contaminated with leaded and unleaded gasoline from the operation of a former automotive repair facility. The combined report

demonstrated attainment of the Site Specific standard and was approved by the Department on May 20, 2013.

Emerson Electric, Formerly Fincor Automation, 3750 East Market Street, York, PA, 17402, Springettsbury Township, **York County**. WSP Environment & Energy, 750 Holiday Drive, Suite 410, Pittsburgh, PA 15220, on behalf of Emerson Electric Company, 8000 West Florissant Avenue, St. Louis, MO 63136-8506, submitted a Remedial Investigation Report concerning the remediation of site soils and groundwater contaminated with VOCs, PAHs, PCBs and Inorganics. The Final Report demonstrated attainment of the Site Specific standard, and was approved by the Department on May 23, 2013.

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

Berry Plastics, 844 E. Columbus Avenue, City of Corry, **Erie County**. Moody & Associates, Inc., 11548 Cotton Road, Meadville, PA 16335, on behalf of Corry Area Industrial Development Corporation, 1524 Enterprise Road, Corry, PA 16407 submitted a Baseline Remedial Investigation Work Plan concerning the remediation of site soils and groundwater contaminated with non-halogenated solvents. The Plan was approved by the Department on May 16, 2013.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit Application No. 101687. FMRA, Inc., located at the confluence of Delaware and Schuylkill Rivers, Philadelphia PA 19153, **Philadelphia County**. This major permit modification application is to include 300 tons per day of municipal waste as a new waste type to be accepted at the Fort Mifflin Rail Transfer Facility and be part of the approved maximum daily waste tonnage of 1500 tons. The permit was issued by the Southeast Regional Office on May 15, 2013.

Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone 412.442.4000.

Permit ID No. 300369: Allegheny Energy Supply Company, LLC, 800 Cabin Hill Drive, Greensburg, PA 15601. Closure activities for the coal combustion by-products (ash) disposal landfill in Washington Township, **Armstrong County**. Modification to the closure plan issued in the Regional Office on May 23, 2013.

Applications renewed Under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110

Permit Application No. 100345. Delaware County Solid Waste Authority located in Earl Township, **Berks County**. The Department has reviewed the above refer-

enced application for permit renewal in order to determine whether it contains the information, maps, fees, and other documents necessary to be considered administratively complete. Please be advised that the application has been determined to be administratively complete.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

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

Contact: Sachin Shankar, New Source Review Chief—Telephone: 484-250-5920

GP9-46-0064: 3M Co. (546 Enterprise Drive, Royersford, PA 19474) on May 24, 2013, was authorized to operate (1) one diesel fired internal combustion engine in Limerick Township, **Montgomery County**.

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

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

GP3-58-007: Meshoppen Stone, Inc. (PO BOX 127, Frantz Road, Meshoppen, PA 18630) on May 16, 2013, for construction and operation of a Portable Crushing Operation with watersprays in Dimock Township, **Susquehanna County**.

GP9-58-007: Meshoppen Stone, Inc. (PO BOX 127, Frantz Road, Meshoppen, PA 18630) on May 16, 2013, for installation and operation of a Diesel I/C engine in Dimock Township, **Susquehanna County**.

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

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

GP1-41-00015A: Pennsylvania Department of Corrections (6454 Route 405 Highway, Muncy, Pa 17756) on May 23, 2013, to construct and operate a 49 million Btu per hour, Nebraska model WB-1-22-IFGR natural gas-fired boiler pursuant to General Plan Approval and/or General Operating Permit BAQ-GPA/GP-1, Small Gas and #2 Oil Fired Combustion Units for their Muncy Correctional Institution located in Clinton Township, **Lycoming County**.

GP3-08-384: M. R. Dirt, Inc. (21186 State Route 187, Towanda, PA 18848) on May 23, 2013, to construct and operate a Parker SR 105 vibratory screen, a Powerscreen M85 stacking conveyor, a Powerscreen Warrior 1800 vibratory screen and an Emerald 5030 radial stacking conveyor pursuant to General Plan Approval and/or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at the Forbes Pit facility in Wysox Township, **Bradford County**.

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

Contact: Mark Gorog and Barb Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226

GP5-30-00133A: CNX Gas Company, LLC (1000 CONSOL Energy Drive, Canonsburg, PA 15317) on May 20, 2013, for the operation of the previously installed 220

bhp Caterpillar G3306 TA natural gas-fired compressor engine with air/fuel ratio controller and controlled by an NSCR at Compressor Station #2 (aka Booster 1) located in Gilmore Township, **Greene County**.

GP5-30-00140B: CNX Gas Company, LLC (1000 CONSOL Energy Drive, Canonsburg, PA 15317) on May 16, 2013, for the operation of the previously installed 425 bhp Caterpillar G3408 LE natural gas-fired compressor engine at Greene #9 Compressor Station located in Gilmore Township, **Greene County**.

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

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

GP3-16-162A: Quality Aggregates, Inc.—Mascharka Plant (51 Heeter Road, Emlenton, PA 16373) on May 20, 2013, for operation of a portable nonmetallic mineral processing plant consisting of a crusher rated at 300 tph and a screener rated at 300 tph (BAQ-GPA/GP-3) in Richland Township, **Clarion County**. This permit was previously permitted under General Permit No. GP3-10-363A, at Hilliards Plant in Washington Township, **Butler County**.

GP9-16-162B: Quality Aggregates, Inc.—Mascharka Plant (51 Heeter Road, Emlenton, PA 16373) on May 20, 2013, for operation of a diesel engine rated at 500 bhp, John Deere, Model No. 9JDXL13.5103 (BAQ-GPA/GP-9) in Richland Township, **Clarion County**. This permit was previously permitted under General Permit No. GP9-10-363B, at Hilliards Plant in Washington Township, **Butler County**.

GP3-37-338A: Cardinal Aggregates, Inc.—Davis Yard—Lippman Plant (751 Moravia Road, New Galilee, PA 16141) on May 20, 2013, for operation of a portable nonmetallic mineral processing plant consisting of a crusher rated at 400 tph, a vibratory screen and fourteen (14) conveyers (BAQ-GPA/GP-3) in New Beaver Township, **Lawrence County**.

GP9-37-338B: Cardinal Aggregates, Inc.—Davis Yard—Lippman Plant (751 Moravia Road, New Galilee, PA 16141) on May 20, 2013, for the operation of a Caterpillar, Model No. OK5712 diesel engine, 440 bhp, (BAQ-GPA/GP-9) located in New Beaver Township, **Lawrence County**.

GP14-42-218B: Bradford Crematory (105 Hilton Street, Bradford, PA 16701) on May 17, 2013, for operation of one (1) Matthews International Cremation Division human crematory, model Power-Pak II rated 150 lbs/hr (BAQ-GPA/GP-14) in Bradford City, **McKean County**.

GP5-43-300B: Laurel Mountain Midstream—Hurtt Compressor Station (57 Drake Road, Mercer, PA 16137) on May 17, 2013, for operation of a 1,340 bhp compressor engine (Caterpillar G3516 LE, Serial No. 4EK01841), a 0.5 MMBtu/hr TEG Dehydrator, a thermal oxidizer and three (3) process storage tanks (BAQ-GPA/GP-5) in East Lackawannock Township, **Mercer County**.

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

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

Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or William Weaver, Program Manager—Telephone: 717-705-4702.

06-05077B: Can Corp. of America (326 June Ave., P. O. Box 170, Blandon, PA 19510) on May 20, 2013, to install a new oven for a metal sheet coater controlled by a new oxidizer at the Blandon Plant in Maiden Creek Township, **Berks County**.

36-03172B: Trinity Alloys, Inc. (950 Square Street, Mount Joy, PA 17552) on May 21, 2013, for installation of a sweat furnace at their Trinity Alloys, Inc. facility in Mount Joy Borough, **Lancaster County**.

28-05009B: Borough of Chambersburg (100 South Second Street, Chambersburg, PA 17201) on May 21, 2013, for the installation of a dedicated oxidation catalyst on three existing natural gas/No. 2 fuel oil-fired reciprocating internal combustion engines (Source IDs 105, 106 and 107) at their Falling Spring Generating Station in Chambersburg Borough, **Franklin County**.

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

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

16-161A: Kelly IMG Energy, LLC (301 Oxford Valley Rd., Ste. 1603A, Yardley, PA 19067) on May 23, 2013, for the construction of a 6.2 MW electric generating station, consisting of two (2) 4,835 bhp natural gas-fired engines with associated oxidation catalysts, in Toby Township, **Clarion County**.

42-004H: American Refining Group (77 Kendal Avenue, Bradford, PA 16701), on May 23, 2013, for the modification of plan approval 42-004F with regards to the refinery fuel gas process factor which was used in determining emission limitations in Bradford City, **McKean County**. This is a Title V facility.

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: Sachin Shankar, New Source Review Chief—Telephone: 484-250-5920

09-0189B: Eureka Stone Quarry, Inc. (P. O. Box 249, Chalfont, PA 18914) on May 20, 2013, for operation of a water suppression system in Warrington Township, **Bucks County**.

46-0020G: Superior Tube Co., Inc. (3900 Germantown Pike, PA 19426) on May 20, 2013, for operation of a new pickling and passivation operation in Lower Providence Township, **Montgomery County**.

46-0200C: Johnson Middleton Co. (475 North Lewis Road, Limerick, PA 19468) on May 20, 2013, for operation of a new 700hp (29.0 MMBtu/hr) natural gas-fired boiler in Upper Merion Township, **Montgomery County**.

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

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

08-00038A: Appalachia Midstream Services, LLC (PO Box 54382, Oklahoma City, OK 73154-1368) on May 14, 2013, to extend the authorization an additional 180

days from May 14, 2013 to November 10, 2013 in order to allow the company's ongoing evaluation of the operational requirements for the facility in Liberty Township, **Bradford County**, to be completed and continued construction for the project. The plan approval has been extended.

47-00001E: PPL Montour LLC (P. O. Box 128, Washingtonville, PA 17884-0128) on May 1, 2013, to extend the authorization an additional 180 days from May 13, 2013 to November 9, 2013 in order to continue and allow the ongoing compliance evaluation of the air contaminant aspects of the source including evaluating the performance of continuous parametric monitoring system that will be used to continuously monitor the nitrogen oxides emissions from the unit located at the steam electric generating station in Derry Township, **Montour County**. The plan approval has been extended.

08-00044B: Barefoot Pellets Co. (PO Box 96, Troy, PA 16947) on May 14, 2013, to extend the operation of the sources pursuant to the plan approval an additional 180 days from June 14, 2013 to December 10, 2013 at their facility in Troy Borough, **Bradford County**. The plan approval has been extended.

19-00001B: Rieter Automotive North America, Inc. (480 West Fifth St., Bloomsburg, PA 17815) on May 17, 2013, to extend the authorization to operate the natural gas Boiler #7 (Source ID 033) on a temporary basis to November 15, 2013, at their facility in the Town of Bloomsburg, **Columbia County**. The plan approval has been extended.

14-00014C: Glenn O. Hawbaker, Inc. (711 E College Avenue, Bellefonte, PA 16823) on May 14, 2013, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from May 16, 2013 to November 12, 2013 in Spring Township, **Centre County**. The plan approval has been extended.

59-00005J: Dominion Transmission, Inc. (445 West Main St., Clarksburg, WV 26301) on May 24, 2013, to extend the authorization for the construction of a 12.07 million Btu per hour ETI model THE-1207 natural-gas fired salt bath heater (Source ID 044) and a 3.0 million Btu per hour Ajax model WRF-3000 natural-gas fired boiler (Source ID 045) at the Sabinsville Compressor Station in Clymer Township, **Tioga County** to November 24, 2013. The plan approval has been extended.

59-00002C: Dominion Transmission, Inc. (445 West Main St., Clarksburg, WV 26301) on May 24, 2013, to extend the authorization for the installation of oxidation catalysts (Control Devices C101 and C102) to control the carbon monoxide and non-methane hydrocarbon emissions from the two (2) existing natural gas-fired compressor engines (Source ID P101 and P102) and to modify the volatile organic compounds emission limitations for Source IDs P101 and P102 at the Dominion Transmission, Inc. Tioga Compressor Station located in Farmington Township, **Tioga County** to November 24, 2013. The plan approval has been extended.

14-00002H: Graymont (PA), Inc. (965 East College Avenue, State College PA 16823) for authorization to operate the semi-wet scrubber at the Pleasant Gap plant located in Spring Township, **Centre County** pursuant to the plan approval an additional 180 days from June 19, 2013 to December 16, 2013. The plan approval has been extended.

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

03-00229E: Rosebud Mining Co. (301 Market Street, Kittanning PA 16201) on May 23, 2013, for an extension of Plan Approval PA-03-00229E to allow the construction and temporary operation of the Logansport Coal Preparation Plant in Bethel Township, **Armstrong County**. The plan approval has been extended.

32-00393B: Prime Metals & Alloys, Inc. (101 Innovation Drive, P. O. Box 194, Lucerne Mines, PA 15754) On May 24, 2013, to extend the period of temporary operation of four electric induction furnaces, one argon-oxygen decarburization (AOD) vessel, four natural gas-fired annealing boxes, two natural gas-fired ladle pre-heaters, ingot and pig pouring, slag handling, and a parts washer at its Homer City Plant in Center Township, **Indiana County**. The plan approval has been extended.

03-00250: Rosebud Mining Co. (301 Market Street, Kittanning, PA 16201) on May 24, 2013, to grant a 180 day Plan Approval extension for their Coal Preparation Plant at the Long Run Mine site located in West Franklin Township, **Armstrong County**.

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

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

20-304A: Ernst Biomass LLC (9006 Mercer Pike, Meadville, PA 16335) on May 20, 2013, effective June 30, 2013, will issue a plan approval extension for the construction of a wood and switchgrass pellet manufacturing plant at their facility in Union Township, **Crawford County**. The plan approval has been extended.

16-124B: Peoples Natural Gas Company, LLC (1201 Pitt Street, Pittsburgh, PA 15221-2029) on May 20, 2013, effective June 30, 2013, will issue a plan approval extension for the replacement of a compressor engine at their Truittsburg Compressor Station in Fairmont City, **Clarion 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.

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

Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or William Weaver, Program Manager—Telephone: 717-705-4702.

06-05033: Texas Eastern Transmission LP (2601 Market Place, Suite 400, Harrisburg, PA 17110-9363) on May 22, 2013, for the Bernville natural gas compressor station in North Heidelberg Township, **Berks County**. The Title V permit was renewed.

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

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

55-00005: Wood-Mode, Inc. (1 2nd St, PO Box 250, Kreamer, PA 17833) on May 21, 2013, was issued a renewal Title V Operating permit for their facility in Middlecreek Township, **Snyder County**. The facility's main sources include three boilers, various woodworking operations, and surface coating of wood products. The Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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

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

09-00216: B. Blair Corp. (95 Louise Drive, Ivyland, PA 18974) on May 17, 2013, for installation of a portable nonmetallic mineral processing plant in Northampton Township, **Bucks County**. The operating permit is for a non-Title V facility and will consist of a new 220 ton per hour impact crusher and powered by a 2002 model year 326 horsepower diesel-fired engine. Potential emissions to the atmosphere will be less than or equal to the following: NO_x—4.06 tpy, VOC—2.08 tpy, CO—0.62 tpy, SO_x—0.62 tpy, and PM/PM₁₀—0.42 tpy. There will be no add-on control technology for the air emissions from this engine. PM emissions from the crusher will be controlled by appropriate water sprays. The operating permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

09-00120: BASF Corp. (6450 Bristol Pike, Levittown, PA 19057) on May 21, 2013, to operate four (4) dust collectors associated with mixing/packing lines, in Bristol Township, **Bucks County**. The facility is subject to 40 CFR Part 63 Subpart VVVVVV, and the main emitting pollutants are particulate matter, manganese, and acetaldehyde. This action is a renewal and the original State Only Operating Permit (Natural Minor) was issued on April 21, 2003. The proposed Operating Permit sets forth total manganese and acetaldehyde emission limits at 50 and 200 pounds per year, respectively. It contains monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

39-00072: Hamilton 9999 Association LP (9999 Hamilton Boulevard, Breinigsville, PA 18031-9359) on May 24, 2013, for an electronic manufacturing facility in Upper Macungie Township, **Lehigh County**. The facility's main sources include three natural gas/No. 2 fuel fired boilers. The facility has potential to emit PM, VOCs, HAPs, NO_x, SO_x and CO below the major emission thresholds. The State-only Operating Permit contains applicable requirements for emissions limitations, monitoring, recordkeeping, reporting and work practice standards designed to ensure facility compliance with Federal and State air pollution regulations. This is a renewal State-Only Synthetic Minor operating permit.

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

Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or William Weaver, Program Manager—Telephone: 717-705-4702.

38-03035: V&S Galvanizing LLC (987 Buckeye Park Road, Columbus, OH 43207-2509) on May 21, 2013, for their hot dip galvanizing facility in Union Township, **Lebanon County**. The State-only permit was renewed.

38-03003: Bayer Healthcare LLC (400 W. Stoeber Avenue, Myerstown, PA 17067-1418) on May 21, 2013, for their pharmaceuticals manufacturing facility in Myerstown Borough, **Lebanon 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

49-00029: Clark's Feed Mill, Inc. (PO Box W, Shamokin, Pa 17872-0923) on May 2, 2013, issued a state only operating permit for their facility in the Shamokin Township, **Northumberland County**. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

49-00043: Shamokin Filler Co. (PO Box 568, Shamokin, PA 17872) on May 10, 2013, issued a State Only operating permit for their facility in Coal Township, **Northumberland County**. The State Only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

49-00038: Xylem Water Solutions—Zelienople LLC (PO Box 128, 455 East Eight Street, Watsontown, PA 17777) on May 10, 2013, issued State Only operating permit for their facility in Delaware Township, **Northumberland County**. The State Only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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

65-00602: Derry Construction Co.—Torrance Asphalt Plant (323 Quarry Rd Torrance, Pa 15779) on May 28, 2013, to operate a hot mix batch asphalt facility in Derry Township, **Westmoreland County**. The subject facility consists of one hot mix batch asphalt plants rated at 150 tons per hour. The batch plant is limited to 495,000 tons production in any consecutive 12-month period. The facility has the potential to emit: 99 tpy CO; 25.89 tpy NO_x; 22.92 tpy SO_x; 2.03 tpy VOC; 2.43 tpy PM₁₀ and 1.86 tpy HAPs. The facility is required to conduct annual burner tune up tests and stack testing for all criteria pollutants every five years. The facility must perform daily survey of the facility to ensure compliance with the operating permit limitations. The proposed authorization is subject to State and Federal Regulations. The permit includes operation requirements, monitoring requirements, and recordkeeping requirements.

04-00719: Lehigh Cement Co.—Aliquippa Terminal (100 Woodlawn Road, Aliquippa, PA 15001) on May 28, 2013, to operate a cement transfer terminal and lime storage facility in the City of Aliquippa, **Beaver County**. The subject facility consists of rail hopper unloading, bucket elevator, cement storage silos, and trucking loading. Particulate emissions are controlled by enclosed transfer points and a baghouse. The facility has the potential to emit 5.7 tpy PM and 3.58 tpy PM₁₀. The facility is required to conduct a weekly survey of the facility during daylight hours while the facility is operating to ensure compliance with the visible emission, fugitive emission and malodor restrictions. Records of the weekly survey performed must be recorded. Monthly preventative maintenance inspections are to be performed

on the control devices and recorded in an on-site log. The facility is also required to water all in-plant roads as needed, maintain a set vehicle pattern, post speed limit sign of 15 mph as well as promptly remove earth or other material from paved roads onto with earth or other material has been transported by trucking or earth moving equipment, or other means. Particulate matter emissions from the baghouse are not to exceed 0.02 gr/dscf. The proposed authorization is subject to State and Federal Regulations. The permit includes operation requirements, monitoring requirements, and recordkeeping requirements.

26-00594: CalFrac Well Services, Corp.—CalFrac Plant (2001 Summit View Drive, Smithfield, PA 15478) on May 28, 2013, to operate a cement and fly ash storage facility for the oil and gas industry in Georges Township, **Fayette County**. The subject facility consists of four storage silos and two blend tanks control by a dust collector used to store materials used for oil and gas well isolation. The facility has the potential to emit less than 1.0 tpy PM / PM₁₀. The facility is required to conduct a weekly survey of the facility during daylight hours while the facility is operating to ensure compliance with the visible emission, fugitive emission and malodor restrictions. Records of the weekly survey performed must be recorded. Monthly preventative maintenance inspections are to be performed on the control devices and recorded in an on-site log. The facility is also required to water all in-plant roads once per day, dependent on the weather, maintain a set vehicle pattern, post speed limit sign of 15 mph as well as promptly remove earth or other material from paved roads onto with earth or other material has been transported by trucking or earth moving equipment, or other means. Particulate matter emissions are not to exceed 0.04 gr/dscf. The proposed authorization is subject to State and Federal Regulations. The permit includes operation requirements, monitoring requirements, and recordkeeping requirements.

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

Contact: Matthew M. Williams, Environmental Program Manager—Telephone: 814-332-6636

24-00124: PIHT LLC (118 Access Road, Saint Marys, PA 15857-3370) on May 21, 2013, for a Natural Minor Permit to operate a metal heat-treating facility. Emissions sources associated with this facility included, 1) Nine Tempering Furnaces (Source 101), 2) Tempering Furnace #3 (Source 102), 3) Tempering Furnace #10 (Source 103), 4) Eight continuous heat treating furnaces (Source 104) and, 5) Tempering furnace #12 (Source 105). The emissions from the facility are less than Title V threshold limits. Thus, the facility is natural minor. The actual emissions from the facility are, PM-10 (particulate matter less than 10 micron): 31.05 Tons per year (TPY), NO_x (Oxides of Nitrogen): 5.3 TPY and, SO_x (Oxides of Sulfur): 0.9 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 19401

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

23-00038: Delaware County Regional Water Quality Control Authority—DELCORA (P. O. Box 999,

Chester, PA 19016) on May 21, 2013 for the major (Title V) facility located in the City of Chester, **Delaware County**. The Administrative Amendment incorporates the conditions of Plan Approval 23-0038D and corrects the name of a model used in emissions calculations.

09-00105: Naceville Materials, Inc. (483 Springfield Street Coopersburg, PA 18036) on May 22, 2013, for modification of a State Only, Synthetic Minor Operating Permit in Springfield Township, **Bucks County**. Naceville Materials operates an Asphalt Plant at this site.

With this revision, the type of fuel to be used during the source test has been modified. The previous condition was, "The source test shall be conducted while firing the worst case fuel, which is WDLF in this case. The testing shall be performed while the source is operating at a maximum routine operating conditions rate and while producing a typical mix formulation."

The new condition is, "The source test shall be conducted while firing natural gas. If the permittee should ever use WDLF or No. 2 fuel oil in the batch asphalt plant burner for 30 or more cumulative days within a 12-month rolling period the permittee shall then perform source testing on the batch asphalt plant while the source is operating at a maximum routine operating conditions rate and while producing a typical mix formulation. Source testing shall be performed no later than 90 days following the 30th day of cumulative WDLF or No. 2 fuel oil usage. This required source testing is a one-time requirement during the term of the operating permit."

There are no changes to any other conditions and no emissions in the modification of the operating permit. The facility maintains a synthetic minor operating status by maintaining total NO_x emissions to less than 12.40 tons per year. The modified permit includes testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable local, state, and federal air quality requirements.

46-00020: Superior Tube Co., Inc. (3900 Germantown Pike, Collegeville, PA 19426) on May 22, 2013, located in Lower Providence Township, **Montgomery County**. The permit is being amended to incorporate conditions from Plan Approval No. 46-0020F & 46-0020I.

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

Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or William Weaver, Program Manager - Telephone: 717-705-4702.

05-05021: Hill & Smith Holdings, Inc. (214 Industrial Lane, Alum Bank, PA 15521-8304) on May 15, 2013, for the reinforced fiberglass pultrusion manufacturing facility in West Saint Clair Township, **Bedford County**. The Title V permit was administratively amended to incorporate the provisions of Plan Approval No. 05-05021A.

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

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

41-00026: General Cable Industries, Inc. (409 Reighard Avenue, Williamsport, PA 17701) on May 1, 2013, is a State Only facility in the City of Williamsport, **Lycoming County**. The State Only Operating Permit was amended to incorporate the change in ownership of the facility from Alcan Cable Inc. The amended State Only permit do not change any monitoring, recordkeep-

ing, reporting, and work practice requirements already included in existing operating permit.

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 Actions

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

14743701 and NPDES No. PA0600156. Pennsylvania Mines, LLC, (PPL Generation, LLC, 2 North Ninth Street, GEN PL6, Allentown, PA 18101). To renew the permit for the Pauline Hollow Coal Refuse Disposal Site in Rush Township, **Centre County** and related NPDES permit. No additional discharges. The application was considered administratively complete on February 26, 2013. Application received December 20, 2012. Permit issued May 21, 2013.

17043701 and NPDES No. PA0215635. ArcelorMittal Pristine Resources, Inc., (PO Box 36, 129 Bethlehem Road, Revloc, PA 15948). To renew the permit for the Fawn Mine No. 91 CRDA in Clinton Township, **Butler County** and related NPDES permit. No additional discharges. The application was considered administratively complete on December 9, 2010. Application received September 9, 2010. Permit issued May 23, 2013.

56081301 and GP-12-56081301-R3. LCT Energy, LP, (938 Mt. Airy Drive, Suite 200, Johnstown, PA 15905). To revise the permit for the Brubaker Mine in Shade Township, **Somerset County** to establish an emission inventory for fugitive emissions in coal handling/screening based on maximum total annual raw coal throughput at the facility of 800,000 tons per calendar year. Emission sources consist of conveyors, transfer points, raw coal screening, coal storage pile manipulation and wind erosion, unpaved haul road, and truck loading. Approval is authorized under General Permit BAQ-GAP/GP12 and is required to meet all applicable limitations, terms, and conditions of authorization GP12-56081301-R3. The application was considered administratively complete on September 26, 2012. Application received September 26, 2012. Permit issued May 23, 2013.

Greensburg District Mining Office: Armbrust Professional Center, 8205 Route 819, Greensburg, PA 15601, 724-925-5500

65110101 and NPDES Permit No. PA0252140. Gary Gioia Coal Company (319 Karen Drive, Elizabeth, PA 15037). Permit issued for commencement, operation, and

reclamation of a bituminous surface mining site located in South Huntingdon Township, **Westmoreland County**, affecting 188.2 acres. Receiving streams: Unnamed tributary to the Youghiogheny River to the Monongahela River. Application received: November 9, 2011. Permit issued: May 20, 2013

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

33920109. Sky Haven Coal, Inc. (5510 State Park Road, Penfield, PA 15849) Renewal of an existing bituminous surface and auger mine in Winslow Township, **Jefferson County** affecting 315.0 acres. Receiving streams: Trout Run, McCreight Run, and unnamed tributary to Soldier Run. This renewal is issued for reclamation only. Application received: March 18, 2013. Permit Issued: May 20, 2013.

33080101 and NPDES Permit No. PA0258555. RES Coal, LLC (224 Grange Hall Road, P. O. Box 228, Armagh, PA 15920) Transfer of an existing bituminous surface and auger mine from Hepburnia Coal Company in Fox Township, **Elk County** affecting 225.0 acres. Receiving streams: Unnamed tributaries to Kyler Run and Little Toby Creek. Application received: February 11, 2013. Permit Issued: May 20, 2013.

24110110 and NPDES Permit No. PA0259055. RES Coal, LLC (224 Grange Hall Road, P. O. Box 228, Armagh, PA 15920) Transfer of an existing bituminous surface and auger mine from Hepburnia Coal Company in Fox Township, **Elk County** affecting 68.0 acres. Receiving streams: Little Toby Creek. Application received: February 11, 2013. Permit Issued: May 20, 2013.

33030110 and NPDES Permit No. PA0242454. RES Coal, LLC (224 Grange Hall Road, P. O. Box 228, Armagh, PA 15920) Transfer of an existing bituminous surface mine from Hepburnia Coal Company in Snyder Township, **Jefferson County** affecting 122.5 acres. Receiving streams: Unnamed tributaries to Little Toby Creek. Application received: February 11, 2013. Permit Issued: May 20, 2013.

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

17110103 and NPDES No. PA0257605. AMFIRE Mining Co., LLC (One Energy Place, Latrobe, PA 15650). Commencement, operation and restoration of a bituminous surface and auger mine located in Girard Township, **Clearfield County** affecting 257.0 acres. Receiving streams: Unnamed Tributaries to Bald Hill Run and Bald Hill Run classified for Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: March 29, 2011. Permit issued: May 14, 2013.

17970101 and NPDES No. PA0220540. Sky Haven Coal, Inc. (5510 State Park Road, Penfield, PA 15849). Permit renewal for reclamation only of a bituminous surface mine in Lawrence Township, **Clearfield County**, affecting 103.9 acres. Receiving streams: Jerry Run and Flegals Run classified for the following uses: High Quality - Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received March 25, 2013. Renewal issued May 21, 2013.

17050104 and NPDES No. PA0256200. RES Coal LLC (8912 Clearfield-Curwensville Highway, Clearfield, PA 16830). Transfer of an existing bituminous surface and auger mine from Hepburnia Coal Company (P. O. Box 1, Grampian, PA 16838) located in Chest Township, **Clearfield County** affecting 295.9 acres. Receiving

streams: Unnamed Tributaries to North Camp Run and North Camp Run classified for the following uses: Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: January 4, 2013. Permit issued: May 14, 2013.

17070112 and NPDES No. PA0256617. RES Coal LLC (8912 Clearfield-Curwensville Highway, Clearfield, PA 16830). Transfer of an existing bituminous surface and auger mine from Hepburnia Coal Company (P. O. Box 1, Grampian, PA 16838) located in Bell and Gaskill Townships, **Clearfield and Jefferson Counties** affecting 295.0 acres. Receiving streams: Unnamed Tributaries to Bear Run and Unnamed Tributaries to Whiskey Run classified for the following uses: Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: January 4, 2013. Permit issued: May 14, 2013.

17080101 and NPDES No. PA 0256692. RES Coal LLC (8912 Clearfield-Curwensville Highway, Clearfield, PA 16830). Transfer of an existing bituminous surface mine from Hepburnia Coal Company (P. O. Box 1, Grampian, PA 16838) located in Beccaria Township, **Clearfield County** affecting 217.1 acres. Receiving streams: Unnamed Tributary to Dewitt Run, Dewitt Run classified for the following uses: Cold Water Fishes and Migratory Fishes also Unnamed Tributaries to Clearfield Creek and Clearfield Creek classified for the following uses: Warm Water Fishes and Migratory Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: January 4, 2013. Permit issued May 14, 2013.

17120102 and NPDES No. PA0257915. Rob Holland Enterprises (52 Holland Lane, Curwensville PA 16833). Commencement, operation and restoration of a bituminous surface mine located in Penn Township, **Clearfield County** affecting 42.5 acres. Receiving streams: Kratzer Run and Hiles Run classified for the following uses: Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: July 13, 2012. Permit issued: May 22, 2013.

Coal Permits Withdrawn

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

03851303. McVile Mining Company, (301 Market Street, Kittanning, PA 16201). To revise the permit for the Clementine Mine #1 in South Buffalo Township, **Armstrong County** to add acreage to the subsidence control plan. Subsidence Control Plan Acres Proposed 147.1. No additional discharges. The application was considered administratively complete on March 26, 2013. Application received February 21, 2013. Application withdrawn May 21, 2013.

Noncoal Permits Actions

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

Permit No. 4077SM7 and NPDES Permit No. PA0212580. New Enterprise Stone & Lime Company, Inc., P. O. Box 77, New Enterprise, PA 16664, renewal of NPDES Permit, Jenner Township, **Somerset County**. Receiving stream: Roaring Run classified for the flowing use: cold water fishery. The first downstream potable water supply intake from the point of discharge is Cambria-Somerset Authority Quemahoning Reservoir located 5 miles downstream. Application received February 12, 2013. Permit Issued May 14, 2013.

Permit No. 4273SM2 and NPDES Permit No. PA0212547, Mellott Company, 100 Mellott Drive, Suite 100, Warfordsburg, PA 17267, renewal of NPDES Permit, Bethel Township, **Fulton County**. Receiving stream: Tonoloway Creek classified for the following use: warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received February 27, 2013. Permit Issued May 20, 2013.

Permit No. 40A76SM9 and NPDES Permit No. PA0212491, Keystone Lime Company, P. O. Box 278, Springs, PA 15562, renewal of NPDES Permit, Elk Lick Township, **Somerset County**. Receiving stream: Glad Run classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received February 22, 2013. Permit Issued May 20, 2013.

Greensburg District Mining Office: Armbrust Professional Center, 8205 Route 819, Greensburg, PA 15601, 724-925-5500

65930601-GP104. Hoover Stone Quarry, LLC (3497 Route 981, Saltsburg, PA 15681). General NPDES Permit for stormwater discharges associated with mining activities on the existing large Noncoal Surface Mining Permit No. 65930601, in Loyalhanna Township, **Westmoreland County**, affecting 77.4 acres. Receiving Stream: unnamed tributary to Conemaugh River. Application received: December 11, 2012. Permit issued: May 22, 2013.

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

08090304 and NPDES No. PA0257206. M. R. Dirt, Inc. (21186 Rt 187, Towanda, PA 18848). Revision of an existing large noncoal surface mine to modify permit boundary, add variance to authorize mining within 100 feet of PA SR-187, revise Erosion and Sedimentation Plan to control runoff from the stockpile area, and add additional bonding acres. The permit is located in Wysox Township, **Bradford County** affecting 52.0 acres. Receiving stream(s): Unnamed Tributary to Wysox Creek, Wysox Creek classified for the following use(s): Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: June 22, 2012. Permit issued: May 14, 2013.

08122501GP-104. Bill Johnson (7231 Route 708, Wyalusing, PA 18853) hereby approves the Notice of Intent (NOI) submitted for coverage to discharge stormwater associated with NPDES permit to the following surface water in Stevens Township, **Bradford County**. Receiving stream: Unnamed Tributary to Wyalusing Creek. Application received: February 24, 2012. Permit issued: May 14, 2013.

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

36120301 and NPDES Permit No. PA0225266. ICM of Pennsylvania, Inc., (638 Lancaster Avenue, Malvern, PA 19355), commencement, operation and restoration of a quarry operation in Manheim and Upper Leacock Townships, **Lancaster County** affecting 106.3 acres, receiving streams: Conestoga River and unnamed tributary to Conestoga River. Application received: February 16, 2012. Permit issued: May 22, 2013.

58130802. Dean M. Mack, (738 South Weston Road, Kingsley, PA 18226), commencement, operation and restoration of a bluestone quarry operation in Lenox Township, **Susquehanna County** affecting 5.0 acres, receiving stream: unnamed tributary to East Branch Tunkhannock Creek. Application received: February 7, 2013. Permit issued: May 24, 2013.

58130802GP104. Dean M. Mack, (738 South Weston Road, Kingsley, PA 18226), NPDES General Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58130802 in Lenox, **Susquehanna County**, receiving stream: unnamed tributary to East Branch Tunkhannock Creek. Application received: February 7, 2013. Permit issued: May 24, 2013

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 Actions

Greensburg District Mining Office: Armbrust Professional Center, 8205 Route 819, Greensburg, PA 15601, 724-925-5500

30134001. Geokinetics USA, Inc. (P. O. Box 487, Washington, PA 15301). Blasting activity permit for the Waynesburg Phase IV 3D, to conduct seismic activity located in Waynesburg, Monongahela, and Springhill Townships, etc., **Greene and Fayette Counties**. The duration of blasting is expected to last one year. Blasting permit issued: May 21, 2013.

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

10134002. Mark Mashuda Excavating, Inc. (113 Lakeland Drive, Mars, PA 16046) Blasting activity permit for service line installation in Forward Township, **Butler County**. This blasting activity permit expires on June 1, 2013. Permit Issued: May 23, 2013.

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

41134104. MD Drilling & Blasting Inc. (88 Goldledge Ave, Ste 2, Auburn, NH 03032). Blasting for Muncy 48 in Pipeline Loop located in Wolf and Penn Townships, **Lycoming County** with an expiration date of May 10, 2014. Permit issued May 21, 2013.

14134103. Douglas Explosives Inc. (P. O. Box 77, Philipsburg, PA 16866-0077). Blasting for Trubuild Townhouse Foundation residential development located in Benner Township, **Centre County** with an expiration date of May 22, 2014. Permit issued May 23, 2013.

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

36124122. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Spooky Nook Sports Complex in East Hempfield Township, **Lancaster County** with an expiration date of December 30, 2013. Permit issued: May 20, 2013.

39134104. American Rock Mechanics, Inc., (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Lehigh Hills in Upper Macungie Township, **Lehigh County** with an expiration date of May 10, 2014. Permit issued: May 21, 2013.

35134001. Brainard Explosives LLC, (3978 State Route 2073, Kingsley, PA 18826), construction blasting for Whitetail Run House Foundation in Dunmore Borough, **Lackawanna County** with an expiration date of June 30, 2013. Permit issued: May 24, 2013.

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 pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-1915, Telephone 570-826-2511.

E39-518. 4 Seasons Garden Center, 8354 Carpet Road, New Tripoli, PA 18066. Upper Macungie Township, **Lehigh County**, Army Corps of Engineers Philadelphia District.

To construct and maintain an outfall in the floodway of Breinig Run (HQ-CWF) consisting of an 18-inch diameter HDPE pipe, endwall and riprap apron. The project is located at 9005 Hamilton Boulevard (Topton, PA Quadrangle Latitude: 40°32'29"; Longitude: -75°38'3.5"). Sub-basin: 2C

E48-419. Bushkill Township, 1114 Bushkill Center Road, Nazareth, PA 18064. Bushkill Township, **Northampton County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a 10-foot wide at-grade stone aggregate walking trail crossing approximately 750 feet of wetlands within the Sobers Run Watershed (HQ-CWF, MF) with cross-pipes placed at 15-foot intervals. The project will impact 0.24 acre of wetlands. The trail begins at Keller Road (T-638) (Wind Gap, PA Quadrangle Latitude: 40° 48' 2.3"; Longitude: -75° 18' 39.5") and extends approximately 2 miles north to Moorestown Road (SR 0512) (Wind Gap, PA Quadrangle Latitude: 40° 49' 39.3"; Longitude: -75° 18' 50.2") in Bushkill Township, Northampton County. Subbasin: 2C

E40-710. Jill Schwartz, 315 Simpson Street, Harvey's Lake, PA 18704, **Luzerne County**, Army Corps of Engineers Baltimore District.

To remove the existing structure and to construct and maintain a 1,948 sq. ft., pile-supported boathouse structure extending approximately 52-foot from the shoreline of Harveys Lake (HQ-CWF). The project is located at Pole # 226, along the east side of S.R. 415 (Benbal Drive) adjacent to Anderson Road, approximately 1.8 miles south of the intersection of S.R. 415 and S.R. 29 (Harveys Lake, PA Quadrangle Latitude: 41° 21' 53"; Longitude: -76° 2' 37") in Harveys Lake Borough, Luzerne County. Sub-basin: 5B

E54-350. Port Clinton Borough, P. O. Box 246, Port Clinton, PA 19549. Port Clinton Borough & West Brunswick Township, **Schuylkill County**, Army Corps of Engineers Philadelphia District.

To construct and maintain the following water obstructions and encroachments associated with the Schuylkill County portion of the Port Clinton Sanitary Borough Sewer Project:

1. An 8-inch diameter PVC sanitary sewer line crossing of a UNT to the Little Schuylkill River (CWF, MF) below an existing culvert. (Port Clinton Borough - Latitude: 40° 35' 06.3"; Longitude: -76° 01' 33.1")
2. An 8-inch diameter PVC sanitary sewer line crossing of a UNT to the Little Schuylkill River (CWF, MF) below an existing culvert. (Port Clinton Borough - Latitude: 40° 35' 06.9"; Longitude: -76° 01' 29.5")
3. An 8-inch diameter PVC sanitary sewer line crossing of a UNT to the Little Schuylkill River (CWF, MF) below an existing culvert. (West Brunswick Township - Latitude: 40° 35' 07.8"; Longitude: -76° 01' 24.6")
4. An 8-inch diameter PVC sanitary sewer line crossing of a UNT to the Little Schuylkill River (CWF, MF) below an existing culvert. (West Brunswick Township - Latitude: 40° 35' 9.0"; Longitude: -76° 01' 18.3")
5. An 8-inch diameter concrete encased PVC sanitary sewer line crossing of Rattling Run (EV, MF) and adjacent wetlands. (Port Clinton Borough - Latitude: 40° 34' 56.5"; Longitude: -76° 01' 24.9")
6. An 8-inch diameter concrete encased PVC sanitary sewer line crossing of Rattling Run (EV, MF) and adjacent wetlands. (Port Clinton Borough - Latitude: 40° 34' 52.3"; Longitude: -76° 01' 32.9")
7. A 3-inch diameter PVC sanitary force main crossing of Little Schuylkill River (CWF, MF) attached to an existing bridge. (Port Clinton Borough - Latitude: 40° 34' 48.1"; Longitude: -76° 01' 34.6")

8. A 6-inch diameter PVC sanitary force main crossing of approximately 20 feet of wetlands. (West Brunswick Township - Latitude: 40° 34' 38.8"; Longitude: -76° 01' 26.6")

9. A pump station located in the floodway fringe of the Little Schuylkill River. (Port Clinton Borough - Latitude: 40° 34' 48.1"; Longitude: -76° 01' 33.33")

The project is located along Route 61 (Center Turnpike), Blue Mountain Road and Port Clinton Avenue (Auburn and Hamburg, PA Quadrangles Latitude: 40° 34' 48"; Longitude: -76° 01' 31") in Port Clinton Borough and West Brunswick Township, Schuylkill County. Subbasin: 3A

E48-412. Elizabeth A. Burns, 259 Neal Dow Avenue, Staten Island, NY 10314. Washington Township, **Northampton County**, Army Corps of Engineers Philadelphia District.

To construct and maintain three 30-foot wide driveway crossings of a tributary to Waltz Creek (HQ-CWF, MF), each consisting of an open-bottom aluminum arch culvert having a 24-foot span and a 4-foot approximate under-clearance for the purpose of providing access to six single family homes within the Elizabeth Burns Subdivision. The project is located on the south side of West Factoryville Road approximately 0.25 mile west of its intersection with Ackermanville Road (Bangor, PA Quadrangle Latitude: 40° 49' 17.4"; Longitude: -75° 13' 1.3") in Washington Township, Northampton County. Subbasin: 1F

E35-443. Pennsylvania American Water Company, 800 West Hershey Park Drive, Hershey, PA 17033. City of Scranton, **Lackawanna County**, Army Corps of Engineers Baltimore District.

To fill approximately 270 feet of an isolated watercourse and a de minimus area of isolated wetlands equal to 0.05 acre located in the Lackawanna River Watershed (CWF, MF) for the purpose of constructing a project known as the Stafford Avenue Operations Center. The project is located on the northwest side of Stafford Avenue approximately 0.20 mile northeast of its intersection with Kane Street (Avoca, PA Quadrangle Latitude: 41°22'30"; Longitude: -75°40'40.8"). Subbasin: 5A

E35-426. Compression Polymers Group International, 801 Corey Street, Scranton, PA 18505. City of Scranton, Lackawanna County, Army Corps of Engineers Baltimore District.

To maintain approximately 1.7 acres of fill varying in depth from 0.5 feet to 6 feet in the floodway of Keyser Creek (CWF, MF) for the purpose of constructing a 17,500 square foot addition to an existing manufacturing building. The project is located at 888 Keyser Avenue (Scranton, PA Quadrangle Latitude: 41°25'43"; Longitude: -75°41'25"). Subbasin: 5A

E40-739. Michael Rieker, 105 Pickering Lane, Nottingham, PA 19362. Harveys Lake Borough, **Luzerne County**, Army Corps of Engineers Baltimore District.

To remove the existing floating dock and to construct and maintain a 5-foot by 40-foot, 200 square-foot, pile-supported dock in Harveys Lake (HQ-CWF). The project is located along Lakeside Drive at Pole 129 (Harveys Lake, PA Quadrangle Latitude: 41° 22' 36"; Longitude: -76° 2' 8") in Harveys Lake Borough, Luzerne County. Subbasin: 5B

E64-295. Patrick J. Johnston, 504 Oak Road, Merion Station, PA 19066. Lehigh Township, **Wayne County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a dock cantilevered over approximately 40 square feet of Lake Watawga (EV, MF), extending into the lake approximately 2 feet from the shoreline. The project is located at 89 Lakeview Lane (Tobyhanna, PA Quadrangle Latitude: 41°14'36.76"; Longitude: -75°26'7.62"). Subbasin: 2A

E35-440. PV Realty, Inc., 3 Bucknell Drive, Clarks Green, PA 18411. Blakely Borough, **Lackawanna County**, Army Corps of Engineers Baltimore District.

To fill 0.36 acre of isolated wetlands and 260 feet of an isolated watercourse within the Lackawanna River Watershed for the purpose of constructing a residential development known as Hilltop Acres. The permittee is required to provide 0.36 acre of replacement wetlands. The project is located on the south side of Business Route 6 (Scranton-Carbondale Highway) approximately 0.5 mile northeast of its intersection with SR 0347 (Olyphant PA Quadrangle Latitude: 41°29'09"; Longitude: -75°36'07"). Subbasin: 5A

E40-737. Dr. John Siegal, 313 Perry Street, North PH, New York, NY 10014. Harveys Lake Borough, **Luzerne County**, Army Corps of Engineers Baltimore District.

To construct and maintain a 2050 sq. ft. boathouse and dock within the basin of Harveys Lake (HQ-CWF). The project is located along Lake Side Drive at Pole No. 177 (Harveys Lake, PA Quadrangle Latitude: 41°22'2"; Longitude: -76°3'20") in Harveys Lake Borough, Luzerne County. Subbasin: 5B

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

E18-481. Keystone Central School District, 110 East Bald Eagle Street, Lock Haven, PA 17745. Basebal Fields in Bald Eagle Township, **Clinton County**, (Beech Creek, PA Quadrangle N: 41°06'44.05", W: -77°30'39.90").

To construct and maintain: 1) an 87 foot long by 5-foot by 5-foot concrete box culvert and its associated concrete wingwalls with the culvert invert set 1 foot below the stream bed, 2) fill 0.523 acre of emergent wetlands and 0.095 acre of scrub/shrub wetlands that will be compensated through wetland replacement of a 1:1 ratio for the emergent wetlands and a 2:1 ratio for the scrub/shrub wetlands, 3) all the wetlands on the property will be protected by a conservation deed restriction in order to build two baseball fields, parking lot, access road and associated infrastructure. This permit also includes 401 Water Quality Certification.

E19-297. Berwick Borough, 1800 N Market St., Berwick, PA 18603-1300. Test Track Susquehanna River Trail and Boat Launch in Berwick Borough, **Columbia County**, ACOE Baltimore District (Mifflinville, PA Quadrangle N: 41.042656 inches; W: -76.260952 inches).

To improve 5000 linear feet of existing hiking trails along the Susquehanna River that will consist of stone sub base and an asphalt wearing surface. The trail consists of an at-grade sidewalk 2500 linear feet downstream of the existing boat launch along the river's edge and 2500 linear feet upstream of the existing boat launch along the river's edge. The permit also authorizes the removal of the old concrete boat launch and installation of a new concrete launch to extend into the Susquehanna River. The permit also authorizes the construction, operation and maintenance an ADA compliant access ramp along the northern bank downstream of the boat launch facility. This structure travels along the bank and con-

tains 125 cubic yards of rock, compacted fill and concrete sidewalk. This structure will create a two tiered bench and stabilize the bank. This permit also authorizes a floating dock that measures 5 feet wide and shall extend 40 feet projecting into the Susquehanna River, which carries a water quality designation of Warm Water Fishery Berwick Borough, Columbia County. This permit also includes 401 Water Quality Certification.

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

E02-1551-A1. Pleasant Hills Authority, 610 Old Clairton Road, Pittsburgh, PA 15236, South Park Township, **Allegheny County**; ACOE Pittsburgh District

Applicant has been given consent to amend Permit No. E02-1551 that authorized Pleasant Hills Authority to construct and maintain a gabion wall 18.0 feet in height and 105.0 feet in length in the channel and along the right bank of Lick Run (TSF) for the purpose of preventing erosion and landslides at the applicant's screw pump building (copy enclosed) is hereby amended to include constructing and maintaining a new headworks building, along with other associated upgrades (a new headworks building, diversion chamber, second stage pump station, wet weather force main, effluent piping and Grit No. 1 & 2 additions) to the wastewater treatment plant, within the floodplain of Lick Run (TSF) for the purpose of preventing sanitary sewer overflows.

E56-355. Pennsylvania Department of Transportation, District 9-0, 1620 North Juniata Street Hollidaysburg, PA 16648, Somerset, Summit, Black and Brothersvalley Townships, **Somerset County**; ACOE Pittsburgh District

Applicant has been given consent to construct and maintain:

1. A 48 inch diameter 240 ft long RCP culvert (Culvert 3) depressed 6 inches in an unnamed tributary to Buffalo Creek (UNT 05A-BC; CWF) with a 114 acre drainage area (Murdock, PA Quadrangle, North 9.9 inches and West 11.6 inches; Latitude: 39° 54' 32.67" and Longitude: 79° 02' 53.57");

2. A 48 inch diameter 182 ft long RCP culvert (Culvert 5) depressed 6 inches in an unnamed tributary to Buffalo Creek (UNT 05B-BC; CWF) with a 152 acre drainage area (Murdock, PA Quadrangle, North 10.9 inches and West 11.9 inches; Latitude: 39° 54' 37.22" and Longitude: 79° 02' 57.31");

3. A 48 inch diameter 218 ft long RCP culvert (Culvert 7) depressed 6 inches in an unnamed tributary to Buffalo Creek (UNT 05-BC; CWF) with a 25 acre drainage area (Murdock, PA Quadrangle, North 13.2 inches and West 12.0 inches; Latitude: 39° 55' 2.7" and Longitude: 79° 02' 59.69");

4. A 60 inch diameter 223 ft long RCP culvert (Culvert 8) depressed 6 inches in Wilson Creek (WWF) with a 118 acre drainage area, and associated upstream relocation of 1,929 feet of Wilson Creek due to construction of Mud Pike Interchange (Murdock, PA Quadrangle, North 17.7 inches and West 11.9 inches; Latitude: 39° 55' 54.91" and Longitude: 79° 02' 58.46");

5. A 54 inch diameter 168 ft long RCP culvert (Culvert 9) depressed 6 inches in an unnamed tributary to Laurel Run (UNT 01A-LR; WWF) with a 118 acre drainage area (Murdock, PA Quadrangle, North 20.2 inches and West 11.2 inches; Latitude: 39° 56' 24.67" and Longitude: 79° 02' 48.02");

6. A 48 inch diameter 215 ft long RCP culvert (Culvert 10) depressed 6 inches in a unnamed tributary to Laurel Run (UNT 04-LR; WWF) with a drainage area of 103 acres (Murdock, PA Quadrangle, North 23.6 inches and West 11.1 inches; Latitude: 39° 57' 3.2" and Longitude: 79° 02' 46.79");

7. A 22'0" by 11'0" precast reinforced concrete box culvert 136 ft long with a slope of 1.85% (Culvert 11) depressed 12 inches in an unnamed tributary to Laurel Run (UNT 07-LR; WWF) with a 92 acre drainage area (Murdock, PA Quadrangle, North 24.7 inches and West 10.9 inches; Latitude: 39° 57' 15.82" and Longitude: 79° 02' 45.54"). This culvert is designed as a wildlife underpass with waterflow;

8. A 8 ft wide by 8 ft high, 296 ft long box culvert (Culvert 12) depressed 1 ft. in Laurel Run (WWF) with a drainage area of 305 acres (Murdock, PA Quadrangle, North 26.7 inches and West 10.8 inches; Latitude: 39° 57' 40.37" and Longitude: 79° 02' 42.46");

9. A 10 ft wide by 5 ft high, 166 ft long box culvert (Culvert 13) depressed 1 ft, and 206 ft of upstream relocation in an unnamed tributary to Kimberly Run (UNT 01-KR; CWF) with a drainage area of 148 acres (Murdock, PA Quadrangle, North 30.2 inches and West 10.1 inches; Latitude: 39° 58' 21.35" and Longitude: 79° 02' 30.48");

10. A 10 ft wide by 7 ft high, 246 ft long box culvert (Culvert 14) depressed 1 ft. in an unnamed tributary to Kimberly Run (UNT 01-KR; CWF) with a drainage area of 256 acres (Murdock, PA Quadrangle, North 31.3 inches and West 10.2 inches; Latitude: 39° 58' 33.17" and Longitude: 79° 02' 34.13");

11. A 72 inch diameter 68 ft long RCP culvert (Culvert 15) depressed 6 inches in a unnamed tributary to Buffalo Creek (UNT 07-BC; CWF) with a 298 acre drainage area, and 1,066 feet of associated stream relocation (Meyersdale, PA Quadrangle, North 38.1 inches and West 10.9 inches; Latitude: 39° 52' 20.85" and Longitude: 79° 02' 43.2");

12. Two 45 ft wide two lane, five span, high level bridges with the northbound structure 523.8 ft in length and the southbound structure 482.5 ft in length (Structure 1) over an unnamed tributary to Casselman River (UNT 01-CR; CWF) with a 1.59 sq mi drainage area and a high water clearance of 40.5 ft, and associated 270 ft of stream relocation (Meyersdale, PA Quadrangle, North 30.4 inches and West 10.9 inches; Latitude: 39° 50' 53.45" and Longitude: 79° 02' 30.78");

13. Two 45.4 ft wide two lane, three span, 714 ft total length high level bridges (Structure 2) over Swamp Creek (CWF) and an unnamed tributary to Swamp Creek (UNT 02-SC; CWF) with a drainage area of 2.63 sq mi (on Swamp Creek) and a high water clearance of 112 ft (Meyersdale, PA Quadrangle, North 35.9 inches and West 9.0 inches; Latitude: 39° 51' 54.78" and Longitude: 79° 02' 15.79");

14. Two 45.4 ft wide two lane, five spans, 1100 ft total length high level bridges (Structure 3) over Buffalo Creek (CWF) with a drainage area of 34.30 sq mi and a high water clearance of 183 ft, as well as a 130 ft wide temporary causeway consisting of six - 5 ft corrugated metal pipes, for construction of Pier 2 (Meyersdale, PA Quadrangle, North 38.0 inches and West 10.3 inches; Latitude: 39° 52' 20.51" and Longitude: 79° 02' 34.1");

15. 983 feet of permanent impact to unnamed tributary to Blue Lick Creek (UNT 01-BLC; CWF) with existing drainage area of 145.9 acres, due to construction of Southern Interchange, relocation of Pony Farm Road, and associated stormwater management basin, Basin K-1 (Meyersdale, PA Quadrangle, North 27.5 inches and West 9.2 inches; Latitude: 39° 50' 18.53" and Longitude: 79° 02' 19.37"). An additional 219 feet of temporary impact due to the rerouting of surface water along the relocation of Pony Farm Road. Additional impacts to unnamed tributaries to Blue Lick Creek in this area include 205 feet of intermittent (UNT 01B-BLC), 71 feet of perennial (UNT 01C-BLC), and 338 feet of ephemeral (UNT 01D-BLC);

16. 614 feet of impact to unnamed tributary to Blue Lick Creek (UNT 01A-BLC; CWF) with existing drainage area of 22.0 acres, due to construction of stormwater management basin, Basin K-1 at the Southern Interchange (Meyersdale, PA Quadrangle, North 27.5 inches and West 9.5 inches; Latitude: 39° 50' 18.84" and Longitude: 79° 02' 23.79")

17. 1,161 feet of impact to unnamed tributaries to Swamp Creek (UNT 01A-SC, UNT 01A1-SC, UNT 01B-SC, UNT 01C-SC, UNT 01D-SC, and UNT 03-SC; CWF) due to cut and fill of hillslope along proposed SR 6219 mainline (Meyersdale, PA Quadrangle, North 32.8 inches and West 9.6 inches; Latitude: 39° 51' 20.41" and Longitude: 79° 02' 24.89"). An additional 958 feet of temporary impact, including UNT 01-SC and the above resources due to the placement of the engineered fill slope.

18. 592 feet of enclosure of unnamed tributary to Buffalo Creek (UNT 01-BC; CWF) with existing drainage area of 66.2 acres, in stormwater management system piping and outletted to Buffalo Creek (Meyersdale, PA Quadrangle, North 37.4 inches and West 11.2 inches; Latitude: 39° 52' 13.94" and Longitude: 79° 02' 48.59")

19. 49 feet of relocation and 1,118 feet of impact of unnamed tributary to Buffalo Creek (UNT 02-BC; CWF) with existing drainage area of 21.2 acres, due to relocation to stormwater management Basin K-5 and enclosure in stormwater management system piping from Basin outlet until outlet at Buffalo Creek (Meyersdale, PA Quadrangle, North 37.6 inches and West 10.2 inches; Latitude: 39° 52' 15.25" and Longitude: 79° 02' 33.01")

20. 581 feet of impact (171 feet direct impact and 410 feet due to loss of perennial flow) to an unnamed tributary to Laurel Run (UNT 01-LR; WWF) with an existing drainage area of 52.5 acres due construction of SR 6219 mainline (Murdock, PA Quadrangle, North 20.7 inches and West 11.1 inches; Latitude: 39° 56' 29.24" and Longitude: 79° 02' 47.8")

21. 7,202 ft of additional stream impacts to be mitigated on- and off-site; on-site mitigation will include 9,491 ft of relocations as well as additional stream enhancements on various stream channels. Off-site mitigation will include 5,154 ft of restoration/remediation.

22. Fill within 1.27 acres of Wetland W09 (PEM/PSS 80/20), Wetland W10 (PEM), Wetland W11 (PEM/PSS 80/20) due to construction of Southern Interchange ramp and associated stormwater management basin, Basin K-1 (Meyersdale, PA Quadrangle, North 27.2 inches and West 9.9 inches; Latitude: 39° 50' 13.75" and Longitude: 79° 02' 26.35");

23. Cut within 0.14 acre of Wetland W12 (PEM), Wetland W13 (PEM), Wetland 14 (PEM), and Wetland 15 (PEM) due to the relocation of Pony Farm Road

(Meyersdale, PA Quadrangle, North 27.2 inches and West 9.9 inches; Latitude: 39° 50' 13.75" and Longitude: 79° 02' 26.35");

24. Fill in 0.87 acre of Wetland R (PEM/PFO/PSS 50/30/20) due to construction of SR 6219 mainline and Mud Pike interchange (Murdock, PA Quadrangle, North 17.5 inches and West 11.9 inches; Latitude: 39° 55' 52.88" and Longitude: 79° 02' 59.44");

25. Fill in 1.19 acres of Wetland NA (PEM/POW 70/30) due to construction of SR 6219 mainline (Murdock, PA Quadrangle, North 20.2 inches and West 11.2 inches; Latitude: 39° 56' 23.2" and Longitude: 79° 02' 49.02");

26. Impacts to 2.08 acres of Wetland N1 (PSS) due to cut and hydrology loss associated with construction of SR 6219 mainline (Murdock, PA Quadrangle, North 20.9 inches and West 11.2 inches; Latitude: 39° 56' 32.51" and Longitude: 79° 02' 48.3");

27. Impacts to 1.40 acres of Wetland L (PEM) due to cut associated with construction of SR 6219 mainline (Murdock, PA Quadrangle, North 23.1 inches and West 11.0 inches; Latitude: 39° 56' 57.34" and Longitude: 79° 02' 46.84");

28. Fill in 0.86 acre of Wetland J (PEM) due to construction of SR 6219 mainline (Murdock, PA Quadrangle, North 24.9 inches and West 10.9 inches; Latitude: 39° 57' 18.4" and Longitude: 79° 02' 45.21");

29. Fill in 1.05 acres of Wetland F (PFO/PEM 60/40) due to construction of SR 6219 mainline (Murdock, PA Quadrangle, North 27.2 inches and West 10.7 inches; Latitude: 39° 57' 44.73" and Longitude: 79° 02' 42.49");

30. Impacts to 3.25 acres of an existing wetland replacement system (considered a complete loss) consisting of Wetlands W30 (PEM/PSS 75/25), FA (PEM/PSS/POW 40/30/30), FB (PEM/PSS/POW 40/30/30), and FC (PEM/PSS/POW 40/30/30) due to construction of SR 6219 mainline (Murdock, PA Quadrangle, North 27.3 inches and West 10.7 inches; Latitude: 39° 57' 47.28" and Longitude: 79° 02' 40.73");

31. Fill in 2.17 acres of Wetland WA01 (PFO) due to construction of SR 6219 mainline (Murdock, PA Quadrangle, North 30.2 inches and West 9.9 inches; Latitude: 39° 58' 19.19" and Longitude: 79° 02' 30.23");

32. Fill (or cut impacts) in an additional 4.10 acres of PEM, PSS, PFO, POW wetlands due to construction of SR 6219 mainline and associated roadway/intersection improvements;

33. A total of 18.24 acres of wetland impacts to be mitigated off and on site; 13.66 acres of PEM/PSS/PFO habitat will be created on site at the Airesman property (9.32 acres PEM, 2.74 acres PFO, and 1.6 acres PSS) (Murdock, PA Quadrangle, North 23.8 inches and West 11.7 inches; Latitude: 39° 57' 04.77" and Longitude: 79° 02' 55.73")

In addition, there are associated temporary crossings, temporary stream diversions, floodplain impacts and stormwater outfalls for the purpose of completing the 11 mile long SR 6219 four lane road section from 1.5 mile southeast of Somerset to 1 mile north of Meyersdale (Murdock, PA Quadrangle, North 19.7 inches and West 6.0 inches; Latitude: 39° 59' 01" and Longitude: 79° 2' 31"; extending south to Meyersdale, PA Quadrangle, North 15.7 inches and West 5.5 inches; Latitude: 39° 50' 8.8" and Longitude: 79° 2' 25.2") in Somerset, Summit, Black and Brothersvalley Townships, Somerset County, PA.

Northwest Region: Watershed Management Program Manager, 230 Chestnut Street, Meadville, PA 16335.

E20-587, Meadville Medical Center, 751 Liberty Street, Meadville, PA 16335 in Vernon Township **Crawford County**, ACOE Pittsburgh District. (Geneva, PA Quadrangle N: 41°, 37', 19.3"; W: 80°, 11', 58.4").

To conduct the following activities associated with construction of a new outpatient medical complex:

1. Permanently impact:
 - a. Wetland A—0.90 acre PEM wetland fill for building parking lot
 - b. Wetland BCDF—0.71 acre PEM wetland fill for parking and storm water facilities
 - 0.24 acre PEM wetland fill for parking
 - 0.11 acre PSS wetland fill for parking
2. Construct 2.07 acres of mitigation wetlands:
 - a. Mitigation A—0.37 acre adjacent to Wetland A
 - b. Mitigation BCDF1—0.32 acre adjacent to Wetland BCDF
 - c. Mitigation BCDF2—0.07 acre adjacent to Wetland BCDF
 - d. Mitigation BCDF3—0.41 acre adjacent to Wetland BCDF
 - e. Mitigation BCDF4—0.58 acre adjacent to Wetland BCDF
 - f. Mitigation BCDF5—0.32 acre adjacent to Wetland BCDF

District Oil & Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA 17701

E5729-045: Appalachia Midstream Services, LLC, 100 IST Center, Horseheads, NY 14845, Fox Township, **Sullivan County**, ACOE Baltimore District.

To construct, operate and maintain the Fox Gathering Line Project, which consists of one 16-inch steel natural gas pipeline, with the following impacts:

1. 6,390 square feet of temporary impacts to Exceptional Value (EV) Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Grover, PA Quadrangle, Latitude: N41°34'08.68", Longitude: W76°46'20.96");
2. 1,287 square feet of temporary impacts to Exceptional Value (EV) Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Grover, PA Quadrangle, Latitude: N41°33'26.32", Longitude: W76°45'32.39");
3. 150.0 linear feet of Fall Run (EV, CWF) via open cut trenching and a temporary road crossing (Grover, PA Quadrangle, Latitude: N41°33'03.46", Longitude: W76°45'48.34");
4. 80.0 linear feet of a UNT to Fall Run (EV, CWF) via open cut trenching and a temporary road crossing (Grover, PA Quadrangle, Latitude: N41°33'02.76", Longitude: W76°45'49.31");
5. 240.0 linear feet of three UNTs to Fall Run (EV, CWF) via open cut trenching and a temporary road crossing (Grover, PA Quadrangle, Latitude: N41°33'01.54", Longitude: W76°45'49.11");

6. 212.0 linear feet of two UNTs to Fall Run (EV, CWF) via open cut trenching and a temporary road crossing (Grover, PA Quadrangle, Latitude: N41°32'59.70", Longitude: W76°45'48.81");

7. 150.0 linear feet of a UNT to Fall Run (EV, CWF) via open cut trenching and a temporary road crossing (Grover, PA Quadrangle, Latitude: N41°32'51.93", Longitude: W76°45'47.55");

8. 80.0 linear feet of a UNT to Fall Run (EV, CWF) via open cut trenching and a temporary road crossing (Grover, PA Quadrangle, Latitude: N41°32'51.10", Longitude: W76°45'47.41");

9. 80.0 linear feet of a UNT to Fall Run (EV, CWF) via open cut trenching and a temporary road crossing (Grover, PA Quadrangle, Latitude: N41°32'49.70", Longitude: W76°45'47.19");

10. 223.0 linear feet of two UNTs to Fall Run (EV, CWF) and 381 square feet of temporary impacts to Exceptional Value (EV) Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Grover, PA Quadrangle, Latitude: N41°32'22.58", Longitude: W76°45'59.80"); and

11. 416 square feet of temporary impacts to Exceptional Value (EV) Palustrine Emergent (PEM) Wetlands for a temporary access road crossing (Grover, PA Quadrangle, Latitude: N41°33'09.30", Longitude: W76°45'55.14").

The project will result in 1215.0 linear feet of temporary stream impacts, and 8,474 square feet (0.19 acre) of temporary EV PEM wetland impacts all for the purpose of installing a natural gas gathering line and associated access roadways for Marcellus shale development.

E6629-016: PVR NEPA Gas Gathering, LLC, 101 West Third Street, Williamsport, PA 17701, Lemon Township, **Wyoming County**, ACOE Baltimore District.

To construct, operate and maintain the T. Brown Unit 8" Extension Natural Gas Pipeline, which consists of one 8-inch steel natural gas pipeline, with the following impacts:

1. 87.0 linear feet of a UNT to Meade Brook (CWF, MF) via open via open cut trenching and a temporary road crossing (Springville, PA Quadrangle, Latitude: N41°38'09.00", Longitude: W75°55'00.00");
2. 1,263 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Springville, PA Quadrangle, Latitude: N41°38'06.00", Longitude: W75°55'00.00");
3. 84 square feet of temporary impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Springville, PA Quadrangle, Latitude: N41°38'00.00", Longitude: W75°55'03.00"); and
4. 84.0 linear feet of Meade Brook (CWF, MF) and 582 square feet of temporary impacts to Exceptional Value (EV) Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Springville, PA Quadrangle, Latitude: N41°37'46.00", Longitude: W75°55'22.00").

The project will result in 171.0 linear feet of temporary stream impacts, 1,347 square feet (0.03 acre) of temporary Palustrine Emergent (PEM) Wetland impacts, and 582 square feet (0.01 acre) of temporary Exceptional Value (EV) Palustrine Emergent (PEM) Wetland impacts all for the purpose of installing a natural gas gathering line and associated access roadways for Marcellus shale development.

ENVIRONMENTAL ASSESSMENTS

Central Office: Environmental Program Manager, P. O. Box 8461, Harrisburg, PA 17105.

EA1010-001. Pennsylvania Department of Environmental Protection, Bureau of Abandoned Mine Reclamation, P. O. Box 8461, Harrisburg, PA 17105. Abandoned Mine Land Reclamation Project, in Donegal Township, **Butler County**, Pittsburgh ACOE District.

The applicant proposes to backfill an abandoned surface mine, which includes a total of 750 linear feet of dangerous highwall. The project will include the backfilling of 0.6 acre of open water that have developed within the open surface mine pits. (Chicora Quadrangle N: 9 inches, W: 16 inches).

EA5610-001. Pennsylvania Department of Environmental Protection, Bureau of Abandoned Mine Reclamation, P. O. Box 8461, Harrisburg, PA 17105. Abandoned Mine Land Reclamation Project, in Stonycreek Township, **Somerset County**, Pittsburgh ACOE District.

The applicant proposes to backfill an abandoned surface mine, which includes a total of 1,165 linear feet of dangerous highwall. The project will include the backfilling of 0.24 acre of open water and 0.009 acre of wetlands that have developed within the open surface mine pits. (Stoystown Quadrangle N: 1 inch, W: 12 inches).

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 pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

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

ESCGP-1 # ESX13-115-0033
Applicant Name PVR NEPA Gas Gathering LLC
Contact Person Nicholas Bryan

Address 101 West Third Street
City, State, Zip Williamsport, PA 17701
County Susquehanna County
Township(s) Lathrop Township
Receiving Stream(s) and Classification(s) Horton Creek (CWF/MF), UNT thereto, and East Branch Field Brook (CWF/MF)

ESCGP-1 # ESX13-015-0032
Applicant Name Talisman Energy USA, Inc.
Contact Person Tracy Gregory
Address 337 Daniel Zenker Drive
City, State, Zip Horseheads, NY 14845
County Bradford County
Township(s) Pike Township
Receiving Stream(s) and Classification(s) UNT to Rockwell Creek (WWF/MF);
Secondary: Rockwell Creek (WWF/MF)

ESCGP-1 # ESX13-131-0015
Applicant Name PVR NEPA Gas Gathering LLC
Contact Person Nicholas Bryan
Address 101 West Third Street
City, State, Zip Williamsport, PA 17701
County Wyoming County
Township(s) Nicholson Township
Receiving Stream(s) and Classification(s) UNT to Monroe Creek/Field Brook (CWF/MF);
Secondary: Monroe Creek (CWF/MF), Tunkhannock Creek (TSF/MF)

ESCGP-1 # ESX13-115-0053
Applicant Name PVR NEPA Gas Gathering LLC
Contact Person Nicholas Bryan
Address 101 West Third Street
City, State, Zip Williamsport, PA 17701
County Susquehanna County
Township(s) Springville Township
Receiving Stream(s) and Classification(s) White Creek and UNT's (CWF/MF)

ESCGP-1 # Esg13-015-0024
Applicant Name Chesapeake Appalachia, LLC
Contact Person Eric Haskins
Address 101 North Main Street
City, State, Zip Athens, PA 18810
County Bradford County
Township(s) Terry Township
Receiving Stream(s) and Classification(s) UNT to Foster Branch Sugar Run which is Trib to Sugar Run, which is Trib to Sugar Run Creek, Foster Branch Sugar Run which is Trib to Sugar Run, which is Trib to Sugar Run (CWF);
Secondary: Sugar Run Creek (CWF)

ESCGP-1 # ESX12-081-0136 (01)
Applicant Name PVR NEPA Gas Gathering LLC
Contact Person Nicholas Bryan
Address 101 West Third Street
City, State, Zip Williamsport, PA 17701
County Lycoming County
Township(s) Upper Fairfield Township
Receiving Stream(s) and Classification(s) UNT to Loyalsock Creek (EV);
Secondary: West Branch Susquehanna River (WWF)

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

<i>ESCGP-2 No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
30138003	Dominion Transmission 445 West Main Street Clarksburg, WV 26301	Greene	Franklin Township Morgan Township	UNT to South Fork Tenmile Creek (WWF)
65138002	Dominion Transmission 445 West Main Street Clarksburg, WV 26301	Westmoreland	Salem Township	UNT to Beaver Run (CWF)

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

ESCGP-1 #ESX13-085-0011—Pilgram 2H to TNG 200 Pipeline Project
Applicant Halcon Field Services LLC
Contact Rich DiMichele
Address 1000 Louisiana Street, Suite 6700
City Houston State TX Zip Code 77002
County Mercer Township(s) Delaware, Fairview, Otter Creek, Perry(s)
Receiving Stream(s) and Classification(s) UNT's of Otter Creek and UNT's to Little Shenango River/ Neshannock Creek and Little Shenango River

OIL AND GAS MANAGEMENT

The following Well Permits have been issued with a waiver under 58 Pa.C.S. § 3215(b)(4) (relating to well location restrictions).

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 which 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 pro bono representation. Call the Secretary to the Board at (717) 787-3483.

Northwest Region District Oil and Gas Operations, Program Manager, 230 Chestnut St., Meadville, PA 16335

Well Permit #: 113-20209-00-00
Well Farm Name Beaver Dam N Sul 2H
Applicant Name: Chesapeake Appalachia, LLC.
Contact Person: Eric Haskins
Address: 14 Chesapeake Lane, Sayre, PA 18840
County: Sullivan
Municipality Cherry Township:
Name of Stream, Spring, Body of Water as identified on

the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Colley, Birch Creek

Well Permit #: 015-22644-00-00
Well Farm Name Willouer Bra 4H
Applicant Name: Chesapeake Appalachia, LLC.
Contact Person: Eric Haskins
Address: 14 Chesapeake Lane, Sayre, PA 18840
County: Sullivan
Municipality Overton Township:
Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Overton, Mill Creek

SPECIAL NOTICES

Notice of Plan Revision Approval under the Municipal Waste Planning and Waste Reduction Act of 1988, Act 101

Northeast Region, William Tomayko, Waste Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570.826.2511.

The Department of Environmental Protection (DEP) approved a revision to the Lehigh County Municipal Waste Management Plan on May 29, 2013.

Any Person Aggrieved by this action may appeal, pursuant to Section 4 of the Environmental hearing board Act 35 P. S. Section 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, 800-654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of this 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 any right of appeal beyond that permitted by applicable statutes and decisional law.

If you want to challenge this action, your appeal must reach the Board within 30 days. You do not need a lawyer to file an appeal with the Board.

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

The Plan Revision is a public document and may be viewed at the DEP Regional Office noted above.

Questions concerning this approval should be directed to William Tomayko, Waste Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Request for Comments and Notice of Public Meeting for the Proposed Total Maximum Daily Loads (TMDLs) Developed for the Little Chiques Creek Watershed

The Pennsylvania Department of Environmental Protection (PADEP) and the Susquehanna River Basin Commission (SRBC) are holding a public meeting on June 19th, 2013, at 6:00 p.m., at the Mount Joy Borough Municipal Office, 21 East Main Street, Mount Joy, PA 17552. The purpose of the meeting is to discuss and accept comments on the proposed TMDL developed for the Little Chiques Creek Watershed. In accordance with the requirements of Section 303(d) of the Clean Water Act, stream segments in the Little Chiques Creek Watershed have been identified as impaired due to high levels of nutrients and sediment, as a result of agricultural land uses.

The proposed TMDLs set allowable loadings to meet water quality standards at specified points in Little Chiques Creek Watershed for nutrients and sediment. Loads have been allocated to nonpoint sources. The TMDLs were established using ArcView Generalized Watershed Loading Function (AVGWLF), a PADEP-approved method.

The data and all supporting documentation used to develop the proposed TMDLs are available from PADEP. The proposed TMDL and information on the TMDL program can be viewed on PADEP's website (www.dep.state.pa.us/watermanagement_apps/tmdl/). To request a copy of any of the TMDLs, contact Bill Brown, PADEP, Water Quality Assessment and Standards, 400 Market Street, P. O. Box 8467, Harrisburg, PA 17105, (717) 783-2951.

Written comments will be accepted at the above address and must be postmarked no later than July 8th, 2013. PADEP will consider all comments in developing the final TMDL, which will be submitted to the U.S. Environmental Protection Agency for approval.

Request for Comments and Notice of Public Meeting for the Proposed Total Maximum Daily Loads (TMDLs) Developed for the Lycoming Creek Watershed

The Pennsylvania Department of Environmental Protection (PADEP) and the Susquehanna River Basin Commission (SRBC) are holding a public meeting on June 24, 2013, at 6:00 p.m., at the Lewis Township Building, 69 Main Street, Trout Run, PA 17771. The purpose of the meeting is to discuss and accept comments on the proposed TMDL developed for the Lycoming Creek Watershed. In accordance with the requirements of Section 303(d) of the Clean Water Act, stream segments in the Lycoming Creek Watershed have been identified as impaired due to low pH, as a result of atmospheric deposition.

The proposed TMDLs set allowable loadings to meet water quality standards at specified points in Lycoming Creek Watershed for acidity. Loads have been allocated to nonpoint sources. The TMDLs were established using field data collected in 2012.

The data and all supporting documentation used to develop the proposed TMDLs are available from PADEP. The proposed TMDL and information on the TMDL program can be viewed on PADEP's website (www.dep.state.pa.us/watermanagement_apps/tmdl/). To request a copy of any of the TMDLs, contact Bill Brown, PADEP,

Water Quality Assessment and Standards, 400 Market Street, P. O. Box 8467, Harrisburg, PA 17105, (717) 783-2951.

Written comments will be accepted at the above address and must be postmarked no later than July 8th, 2013. PADEP will consider all comments in developing the final TMDL, which will be submitted to the U.S. Environmental Protection Agency for approval.

Request for Comments and Notice of Public Meeting for the Proposed Total Maximum Daily Loads (TMDLs) Developed for the Opossum Creek Watershed

The Pennsylvania Department of Environmental Protection (PADEP) and the Susquehanna River Basin Commission (SRBC) are holding a public meeting on June 17th, 2013, at 6:00 p.m., at the Menallen Township Building, 170 Memory Lane, Aspers, PA 17304. The purpose of the meeting is to discuss and accept comments on the proposed TMDL developed for the Opossum Creek Watershed. In accordance with the requirements of Section 303(d) of the Clean Water Act, stream segments in the Opossum Creek Watershed have been identified as impaired due to high levels of sediment, as a result of agricultural land use.

The proposed TMDLs set allowable loadings to meet water quality standards at specified points in Opossum Creek Watershed for sediment. Loads have been allocated to nonpoint sources. The TMDLs were established using ArcView Generalized Watershed Loading Function (AVGWLF), a PADEP-approved method.

The data and all supporting documentation used to develop the proposed TMDLs are available from PADEP. The proposed TMDL and information on the TMDL program can be viewed on PADEP's website (www.dep.state.pa.us/watermanagement_apps/tmdl/). To request a copy of any of the TMDLs, contact Bill Brown, PADEP, Water Quality Assessment and Standards, 400 Market Street, P. O. Box 8467, Harrisburg, PA 17105, (717) 783-2951.

Written comments will be accepted at the above address and must be postmarked no later than July 8th, 2013. PADEP will consider all comments in developing the final TMDL, which will be submitted to the U.S. Environmental Protection Agency for approval.

Request for Comments and Notice of Public Meeting for the Proposed Total Maximum Daily Loads (TMDLs) Developed for the Warrior Run Watershed

The Pennsylvania Department of Environmental Protection (PADEP) and the Susquehanna River Basin Commission (SRBC) are holding a public meeting on June 20th, 2013, at 6:00 p.m., at the McEwensville Borough Community Hall, 2578 Susquehanna Trail, McEwensville, PA 17749. The purpose of the meeting is to discuss and accept comments on the proposed TMDL developed for the Warrior Run Watershed. In accordance with the requirements of Section 303(d) of the Clean Water Act, stream segments in the Warrior Run Watershed have been identified as impaired due to high levels of sediment, organic enrichment, low D.O., and unionized ammonia, as a result of agricultural land use and municipal point source.

The proposed TMDLs set allowable loadings to meet water quality standards at specified points in Warrior Run Watershed for nutrients and sediment. Loads have been allocated to nonpoint sources. The TMDLs were

established using ArcView Generalized Watershed Load-Function (AVGWLF), a PADEP-approved method.

The data and all supporting documentation used to develop the proposed TMDLs are available from PADEP. The proposed TMDL and information on the TMDL program can be viewed on PADEP's website (www.dep.state.pa.us/watermanagement_apps/tmdl/). To request a copy of any of the TMDLs, contact Bill Brown, PADEP, Water Quality Assessment and Standards, 400 Market Street, P. O. Box 8467, Harrisburg, PA 17105, (717) 783-2951.

Written comments will be accepted at the above address and must be postmarked no later than July 8th, 2013. PADEP will consider all comments in developing the final TMDL, which will be submitted to the U.S. Environmental Protection Agency for approval.

[Pa.B. Doc. No. 13-1035. Filed for public inspection June 7, 2013, 9:00 a.m.]

Bid Opportunity

OSM 11(3041)101.1, Abandoned Mine Reclamation Project, Ehrenfeld, Ehrenfeld Borough and Croyle Township, Cambria County. The principal items of work and approximate quantities include mobilization and demobilization; implementation of the Erosion and Sediment Control Plan; road agreements; site access roads and traffic controls; clearing and grubbing; brush barrier 1,110 linear feet; diversion and care of water; topsoil excavation and placement 17,750 cubic yards; coal refuse reprocessing 317,900 tons; coal refuse disposal 2,861,300 tons; alkaline addition 6,200 tons; rock lining with geotextile 8,380 square yards; grout 400 cubic yards; gabions 1,400 cubic yards; price adjustment for diesel fuel cost fluctuations; and seeding 70 acres. This bid issues on June 7, 2013, and bids will be opened on August 6, 2013, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1308) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

E. CHRISTOPHER ABRUZZO,
Acting Secretary

[Pa.B. Doc. No. 13-1036. Filed for public inspection June 7, 2013, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Bucks County Access Center, LLC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Bucks County Access Center, LLC has requested an exception to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility

specifically requests exemption from the following standards contained in this publication: 3.1-8.4.4 (relating to medical gas and vacuum systems).

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).

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 13-1037. Filed for public inspection June 7, 2013, 9:00 a.m.]

Application of Charles Cole Memorial Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Charles Cole Memorial Hospital has requested an exception to the requirements of 28 Pa. Code § 101.172 (relating to patient limits).

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 Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 13-1038. Filed for public inspection June 7, 2013, 9:00 a.m.]

Application of Crozer-Keystone Surgery Center at Haverford for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Crozer-Keystone Surgery Center at Haverford has requested an exception to the requirements of 28 Pa. Code §§ 555.21 and 555.32(a) (relating to surgical procedures; and administration of anesthesia).

This facility is also requesting an exception to 28 Pa. Code § 569.35 (relating to general safety precautions) and is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

These requests are 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 Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 13-1039. Filed for public inspection June 7, 2013, 9:00 a.m.]

Application for Exception to 28 Pa. Code § 107.62

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that the following facilities have requested an exception to the requirements of 28 Pa. Code § 107.62 (relating to oral orders):

Hazleton General Hospital
Pinnacle Health Hospitals
Saint Luke's Hospital—Anderson Campus
Saint Luke's Hospital—Bethlehem
Saint Luke's Hospital—Miners Campus
Saint Luke's Hospital—Quakertown Campus

These requests are 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 Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 13-1040. Filed for public inspection June 7, 2013, 9:00 a.m.]

Application of Gettysburg Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Gettysburg Hospital has requested an exception to the requirements of 28 Pa. Code § 51.6(b) (relating to identification of personnel).

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 Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 13-1041. Filed for public inspection June 7, 2013, 9:00 a.m.]

Application of Heritage Valley Beaver for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Heritage Valley Beaver has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 3.1-7.2.2.3(1)(b) (relating to doors and hardware).

This request is on file with the Department. Persons may receive a copy of a request for exception by request-

ing 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).

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 13-1042. Filed for public inspection June 7, 2013, 9:00 a.m.]

Application of Kensington Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Kensington Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.2-4.3.6.2(7)(b) (relating to self-dispensing ice machine).

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).

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 13-1043. Filed for public inspection June 7, 2013, 9:00 a.m.]

Application of Lancaster General Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Lancaster General Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 3.1-7.2.2.1 (relating to minimum corridor width).

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).

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 13-1044. Filed for public inspection June 7, 2013, 9:00 a.m.]

Application of Memorial Hospital Outpatient Endoscopy Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Memorial Hospital Outpatient Endoscopy Center has requested an exception to the requirements of 28 Pa. Code § 553.22 (relating to admission criteria).

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 Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 13-1045. Filed for public inspection June 7, 2013, 9:00 a.m.]

Application of Pottstown Surgery Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Pottstown Surgery Center has requested an exception to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 3.9-3.2.2.2(1) (relating to space requirements for endoscopy procedure suite).

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).

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 13-1046. Filed for public inspection June 7, 2013, 9:00 a.m.]

Application of The Reading Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that The Reading Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.1-3.2.1.3(2), 2.1-3.2.1.3(4) and 2.2-3.1.3.6(2)(b)(i) (relating to handwashing stations; desk, counter or shelf space for writing; and work counters in ER treatment room).

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).

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 13-1047. Filed for public inspection June 7, 2013, 9:00 a.m.]

Application of Reading Surgery Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Reading Surgery Center has requested an exception to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 3.7-3.3.2 and 3.7-3.3.3 (relating to Class A operating room; and Class B operating room).

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).

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 13-1048. Filed for public inspection June 7, 2013, 9:00 a.m.]

Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.6(a)(b) (relating to function of building):

John J Kane Regional Center—Glen Hazel
955 Rivermont Drive
Pittsburgh, PA 15207

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.25(a) (relating to kitchen):

The Mennonite Home
1520 Harrisburg Pike
Lancaster, PA 17601
FAC ID 132102

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.36(h) (relating to bathing facilities):

Barclay Friends
700 North Franklin Street
West Chester, PA 19380
FAC ID 092702

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).

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 13-1049. Filed for public inspection June 7, 2013, 9:00 a.m.]

Prehospital Practitioner Scope of Practice

Under 28 Pa. Code §§ 1003.21(c)(13), 1003.22(e)(3), 1003.23(f), 1003.24(e) and 1003.25b(c), the Department of Health (Department) is publishing the scope of practice for ambulance attendants, emergency medical responders, emergency medical technicians (EMTs), EMT-paramedics (EMT-Ps) and prehospital registered nurses (PHRNs) under 35 Pa.C.S. §§ 8101—8157 (relating to Emergency Medical Services System Act).

Skills identified may be performed by a prehospital practitioner at the practitioner's level of certification or recognition only if the practitioner has successfully com-

pleted training (cognitive, affective and psychomotor) on the specified skill, which includes training to perform the skill on adults, children and infants, as appropriate.

A PHRN with medical command authorization may perform, in addition to those services within an EMT-P's scope of practice, other services authorized by The Professional Nursing Law (63 P. S. §§ 211—225.5) when authorized by a medical command physician through either online medical command or standing medical treatment protocols. To administer drugs in addition to those permitted by applicable medical treatment protocols, a PHRN also must have received approval to do so by the advanced life support service (ALS) medical director of the ALS ambulance service under which the PHRN is functioning.

This list supercedes the list of skills in the scope of practice of prehospital personnel published at 41 Pa.B. 2090 (April 16, 2011). One change has been made. The change is as follows:

- EMTs are permitted to use mechanical CPR devices.

Persons with a disability who require an alternate format of this notice (for example, large print, audiotape, Braille) should contact Robert D. Cooney, Bureau of Emergency Medical Services, Department of Health, Room 606, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120-0710, (717) 787-8740. Speech or hearing impaired persons may call by using V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

MICHAEL WOLF,
Secretary

Yes—The skill is in the scope of practice for the level of certification

No—The skill is not in the scope of practice for the level of certification

1. May assist higher level practitioner only when in the physical presence and under the direct supervision of the ALS practitioner.

2. Additional training and approval by service medical director required.

3. The skill may be performed by BLS personnel in accordance with Statewide BLS protocols or medical command order.

4. The skill is not approved for the level of certification regardless if taught in a course approved for that level of certification.

5. The acronym is explained following the table.

6. Skill may only be used when functioning with a licensed ambulance service or Quick Response Service (QRS) that complies with Department requirement for performing this skill.

7. May only be done as a physician extender under the Medical Practice Act.

8. FDA-Approved Hemostatic Agents enclosed in self contained package during treatment.

AA—Ambulance Attendant

EMR—Emergency Medical Responder

EMT—Emergency Medical Technician

EMT-P—Emergency Medical Technician-Paramedic

TOPIC	SKILL	AA	EMR	EMT	EMT-P
Airway / ventilation / oxygenation	Airway—Nonsurgical Alternative/Rescue Airway—CombiTube™, King LT-D Airway™ or King LTS-D Airway	No	No	No	Yes
Airway / ventilation / oxygenation	Airway—oral & nasal	Yes	Yes	Yes	Yes
Airway / ventilation / oxygenation	Airway—pharyngeal tracheal lumen (PTL)	No	No	No	No ⁴
Airway / ventilation / oxygenation	Bag-valve-ETT/Non-surgical alternative airway ventilation	No	Yes ¹	Yes ¹	Yes
Airway / ventilation / oxygenation	Bag-valve-mask—with in-line small-volume nebulizer	No	Yes ¹	Yes ¹	Yes
Airway / ventilation / oxygenation	Bag-valve-mask (BVM) ventilation	Yes	Yes	Yes	Yes
Airway / ventilation / oxygenation	Chest decompression—needle	No	No	No	Yes
Airway / ventilation / oxygenation	CPAP/BiPAP ⁵ —demonstrate application of	No	No	Yes ^{2,3,6}	Yes
Airway / ventilation / oxygenation	Cricoid pressure (Sellick maneuver)	No	Yes	Yes	Yes
Airway / ventilation / oxygenation	Cricothyrotomy—needle	No	No	No	Yes
Airway / ventilation / oxygenation	Cricothyrotomy—open/surgical	No	No	No	Yes
Airway / ventilation / oxygenation	Cricothyrotomy—overwire (Seldinger) technique	No	No	No	Yes
Airway / ventilation / oxygenation	End tidal CO ₂ monitoring/capnography	No	Yes ¹	Yes ¹	Yes
Airway / ventilation / oxygenation	Esophageal obturator airway (EOA)/esophageal gastric tube airway (EGTA)	No	No	No	No ⁴
Airway / ventilation / oxygenation	Extubation	No	No	No	Yes
Airway / ventilation / oxygenation	Flow restricted oxygen powered ventilation device (demand valve)	No	Yes	Yes	Yes
Airway / ventilation / oxygenation	Gastric decompression—OG ⁵ & NG ⁵ tube (suction)	No	No	No	Yes
Airway / ventilation / oxygenation	Gastric tube insertion—nasal & oral	No	No	No	Yes
Airway / ventilation / oxygenation	Head-tilt/chin-lift	Yes	Yes	Yes	Yes
Airway / ventilation / oxygenation	Inspiratory Impedance Threshold Device (ITD)	No	No	No	Yes ²
Airway / ventilation / oxygenation	Intubation—digital & lighted stylet	No	No	No	Yes
Airway / ventilation / oxygenation	Intubation—endotracheal tube	No	No	No	Yes
Airway / ventilation / oxygenation	Intubation—medication paralytics assisted (RSI ⁵)	No	No	No	No ⁴
Airway / ventilation / oxygenation	Intubation—nasotracheal & orotracheal	No	No	No ⁴	Yes
Airway / ventilation / oxygenation	Intubation—retrograde	No	No	No	No ⁴
Airway / ventilation / oxygenation	Intubation—transillumination/lighted stylet	No	No	No	Yes
Airway / ventilation / oxygenation	Jaw thrust & modified jaw thrust (trauma)	Yes	Yes	Yes	Yes

TOPIC	SKILL	AA	EMR	EMT	EMT-P
Airway / ventilation / oxygenation	Laryngeal mask airway (LMA)	No	No	No	No ⁴
Airway / ventilation / oxygenation	Mouth-to-mouth, nose, stoma, barrier & pocket mask	Yes	Yes	Yes	Yes
Airway / ventilation / oxygenation	Obstruction—direct laryngoscopy (remove with forceps)	No	No	No	Yes
Airway / ventilation / oxygenation	Obstruction—manual (Heimlich, finger sweep, chest thrusts) upper airway	Yes	Yes	Yes	Yes
Airway / ventilation / oxygenation	Oxygen therapy—blow-by delivery	Yes	Yes	Yes	Yes
Airway / ventilation / oxygenation	Oxygen therapy—humidifiers	No	Yes	Yes	Yes
Airway / ventilation / oxygenation	Oxygen therapy—nasal cannula	Yes	Yes	Yes	Yes
Airway / ventilation / oxygenation	Oxygen therapy—non-rebreather mask	Yes	Yes	Yes	Yes
Airway / ventilation / oxygenation	Oxygen therapy—partial rebreather	No	Yes	Yes	Yes
Airway / ventilation / oxygenation	Oxygen therapy—regulators	Yes	Yes	Yes	Yes
Airway / ventilation / oxygenation	Oxygen therapy—simple face mask	Yes	Yes	Yes	Yes
Airway / ventilation / oxygenation	Oxygen therapy—Venturi mask	No	No	No	Yes
Airway / ventilation / oxygenation	Peak expiratory flow assessment	No	No	No	Yes
Airway / ventilation / oxygenation	Pulse oximetry	Yes ¹	Yes ²	Yes ²	Yes
Airway / ventilation / oxygenation	Suctioning—meconium aspiration	No	No	No	Yes
Airway / ventilation / oxygenation	Suctioning—stoma/tracheostomy	No	No	Yes	Yes
Airway / ventilation / oxygenation	Suctioning—tracheobronchial	No	No	No	Yes
Airway / ventilation / oxygenation	Suctioning—upper airway (nasal)	No	Yes	Yes	Yes
Airway / ventilation / oxygenation	Suctioning—upper airway (oral)	Yes	Yes	Yes	Yes
Airway / ventilation / oxygenation	Transtracheal jet ventilation	No	No	No	Yes
Airway / ventilation / oxygenation	Ventilators—automated transport (ATV)	Yes ¹	Yes ²	Yes ²	Yes
Airway / ventilation / oxygenation	Ventilators—transport	No	No	No	Yes
Assessment of	Glasgow Coma Scale (GCS)	Yes	Yes	Yes	Yes
Assessment of	Level of consciousness (LOC)	Yes	Yes	Yes	Yes
Assessment of	Patient assessment skills identified in the NSC ⁵	Yes	Yes	Yes	Yes
Assessment of	Vital sign—body temperature	Yes	Yes	Yes	Yes
Assessment of	Vital sign—pulse	Yes	Yes	Yes	Yes
Assessment of	Vital sign—pupils	Yes	Yes	Yes	Yes
Assessment of	Vital sign—respirations	Yes	Yes	Yes	Yes
Assessment of	Vital sign—skin color/temperature & condition (CTC)	Yes	Yes	Yes	Yes
Cardiovascular / circulation	Blood pressure—auscultation	Yes	Yes	Yes	Yes

TOPIC	SKILL	AA	EMR	EMT	EMT-P
Cardiovascular / circulation	Blood pressure—electronic non-invasive	Yes	Yes	Yes	Yes
Cardiovascular / circulation	Blood pressure—palpation	Yes	Yes	Yes	Yes
Cardiovascular / circulation	Cardiac monitoring—apply electrodes	No	Yes ¹	Yes ¹	Yes
Cardiovascular / circulation	Cardiac monitoring—multi lead	No	No	No	Yes
Cardiovascular / circulation	Cardiac monitoring—single lead (interpretive)	No	No	No	Yes
Cardiovascular / circulation	Cardiopulmonary resuscitation (CPR) adult, infant, child, one & two person	Yes	Yes	Yes	Yes
Cardiovascular / circulation	Cardioversion—synchronized	No	No	No	Yes
Cardiovascular / circulation	Carotid massage (vagal maneuvers)	No	No	No	Yes
Cardiovascular / circulation	Defibrillation—Counter shock—manual	No	No	No	Yes
Cardiovascular / circulation	Defibrillation—automated external defibrillator (AED)	Yes ²	Yes ²	Yes ²	Yes
Cardiovascular / circulation	Hemodynamic monitoring/assist (Swan Ganz, arterial, central venous lines)	No	No	No	No ⁴
Cardiovascular / circulation	Intra-aortic balloon pump monitoring/assist	No	No	No	No ⁴
Cardiovascular / circulation	Mechanical CPR device	No	No	Yes ²	Yes
Cardiovascular / circulation	Thrombolytic therapy—initiation	No	No	No	No ⁴
Cardiovascular / circulation	Thrombolytic therapy—monitoring	No	No	No	No ⁴
Cardiovascular / circulation	Transcutaneous pacing	No	No	No	Yes
Cardiovascular / circulation	Use a (cardiac) magnet to alter the mode of an AICD ⁵ or pacemaker	No	No	No	Yes
Communications	Verbal patient report to receiving personnel	Yes	Yes	Yes	Yes
Communications	Communications with PSAPs ⁵ , hospitals, medical command facilities	Yes	Yes	Yes	Yes
Documentation	Out-of-Hospital Do Not Resuscitate (DNR) orders (Act #59)	Yes	Yes	Yes	Yes
Documentation	Patient Care Report completion	Yes	Yes	Yes	Yes
Hazardous materials	Contaminated equipment disposal (sharps & PPE ⁵)	Yes	Yes	Yes	Yes
Hazardous materials	Decontamination	Yes	Yes	Yes	Yes
Hazardous materials	Disinfection	Yes	Yes	Yes	Yes
Hazardous materials	PPE ⁵ (personal protection equipment) use	Yes	Yes	Yes	Yes
Immobilization	Spinal immobilization—helmet stabilization or removal	No	No	Yes	Yes
Immobilization	Spinal immobilization—long board w/pt supine & standing	Yes	Yes	Yes	Yes
Immobilization	Spinal immobilization—manual stabilization & cervical collar	Yes	Yes	Yes	Yes
Immobilization	Spinal immobilization—rapid extrication	No	No	Yes	Yes
Immobilization	Spinal immobilization—seated patient (KED ⁵ , etc.)	No	No	Yes	Yes
Immobilization	Splinting—manual, ridged, soft, vacuum	Yes	Yes	Yes	Yes
Immobilization	Splinting—traction	Yes	Yes	Yes	Yes
IV Initiation / maintenance / fluids	Central venous cannulation (femoral vein only)	No	No	No	Yes

TOPIC	SKILL	AA	EMR	EMT	EMT-P
IV Initiation / maintenance / fluids	Central venous line—access of existing catheters	No	No	No	Yes
IV Initiation / maintenance / fluids	Clean technique	No	No	No	Yes
IV Initiation / maintenance / fluids	External jugular vein cannulation	No	No	No	Yes
IV Initiation / maintenance / fluids	Heparin/saline lock insertions as no-flow IV	No	No	No	Yes
IV Initiation / maintenance / fluids	Indwelling intravenous catheters as described 28 Pa. Code § 1003.23(e)(2)	No	No	Yes	Yes
IV Initiation / maintenance / fluids	Intraosseous—needle placement & infusion—tibia, femur and humerus	No	No	No	Yes
IV Initiation / maintenance / fluids	Peripheral venous—initiation (cannulation)	No	No	No	Yes
IV Initiation / maintenance / fluids	Sub-cutaneous indwelling catheters—access of existing catheters	No	No	No	Yes
IV Initiation / maintenance / fluids	Vascular access devices in home healthcare—access of existing catheters	No	No	No	Yes
IV Initiation / maintenance / fluids	Venous (blood sampling)—obtaining	No	No	No	Yes
IV Initiation / maintenance / fluids	Venous central line (blood sampling)—obtaining	No	No	No	No ⁴
IV Initiation / maintenance / fluids	Arterial line—capped—transport	No	No	Yes	Yes
IV Initiation / maintenance / fluids	Arterial line—monitoring/assist	No	No	No	No ⁴
IV Initiation / maintenance / fluids	Blood/Blood-by-products	No	No	No	No ⁴
Lifting & moving	Patient lifting, moving & transfers per NSC ⁵	Yes	Yes	Yes	Yes
Lifting & moving	Patient restraints on transport devices	Yes	Yes	Yes	Yes
Medication administration routes	Endotracheal tube (ET)	No	No	No	Yes
Medication administration routes	Inhalation (aerosolized/nebulized)	No	No	No	Yes
Medication administration routes	Intramuscular (IM)	No	No	No	Yes
Medication administration routes	Intranasal	No	No	No	Yes
Medication administration routes	Intraosseous—tibia, humerus or femur	No	No	No	Yes
Medication administration routes	Intravenous (IV)—bolus	No	No	No	Yes
Medication administration routes	Intravenous (IV) infusion, including by intravenous pump	No	No	No	Yes
Medication administration routes	Nasogastric	No	No	No	Yes
Medication administration routes	Oral	No	No	No	Yes
Medication administration routes	Rectal	No	No	No	Yes
Medication administration routes	Subcutaneous	No	No	No	Yes
Medication administration routes	Sub-lingual	No	No	No	Yes
Medication administration routes	Topical	No	No	No	Yes

TOPIC	SKILL	AA	EMR	EMT	EMT-P
Medication administration routes	Auto-injectors	No	No	Yes ³	Yes
Medications	Activated charcoal	No	No	Yes ³	Yes
Medications	As published in <i>Pennsylvania Bulletin</i> by PA DOH	No	No	No	Yes
Medications	Immunizations	No	No	No	Yes ⁷
Medications	Oral glucose	No	No	Yes ³	Yes
Medications	Over-the-counter medications (OTC)	No	No	No	No ⁴
Medications	Oxygen	Yes	Yes	Yes	Yes
Medications	Auto-injected epinephrine—primary use—not patient’s own prescription	No	No	Yes ^{2,3,6}	Yes
Medications—Patient Assisted	Auto-injected epinephrine	No	No	Yes ³	Yes
Medications—Patient Assisted	Metered dose inhaler (MDI)—bronchodilator	No	No	Yes ³	Yes
Medications—Patient Assisted	Nitroglycerin	No	No	Yes ³	Yes
Patient assessment / management	Behavioral—Restrain violent patient	No	No	Yes	Yes
Patient assessment / management	Blood glucose assessment	No	No	No	Yes
Patient assessment / management	Burns—chemical, electrical, inhalation, radiation, thermal	Yes	Yes	Yes	Yes
Patient assessment / management	Childbirth—umbilical cord cutting	No	Yes	Yes	Yes
Patient assessment / management	Childbirth (abnormal/complications)	No	No	Yes	Yes
Patient assessment / management	Childbirth (normal)—cephalic delivery	Yes	Yes	Yes	Yes
Patient assessment / management	Carbon Monoxide CO—oximetry monitoring	Yes ¹	Yes ²	Yes ²	Yes ²
Patient assessment / management	Dislocation reduction (shoulder)	No	No	No	No ⁴
Patient assessment / management	Eye irrigation/care	Yes	Yes	Yes	Yes
Patient assessment / management	Hemorrhage control—diffuse, direct, pressure point, tourniquet, bandaging, hemostatic agents ⁸	Yes	Yes	Yes	Yes
Patient assessment / management	Intracranial monitoring/assist	No	No	No	No ⁴
Patient assessment / management	As outlined in DOH approved regional & statewide tx ⁵ & transport protocols	Yes	Yes	Yes	Yes
Patient assessment / management	Multiple Casualty Incident (MCI)/Incident Command System (ICS)	No	Yes	Yes	Yes
Patient assessment / management	Triage (prioritizing patients)—use of tags	Yes	Yes	Yes	Yes
Patient assessment / management	Urinary catheterization	No	No	No	Yes
Rescue	Vehicle access & extrication	Yes	Yes	Yes	Yes

Acronym

AICD

CPAP/BiPAP

KED

NSC

OG & NG

Explanation

Automatic Implantable Cardioverter Defibrillators

Continuous positive airway pressure / biphasic positive airway pressure

Kendrick Extrication Device

U.S. Department of Transportation National Standard Curriculum

Oral gastric & nasal gastric tube

Acronym	Explanation
PPE	Personal protective equipment
PSAP	Public safety answering point
RSI	Rapid sequence induction
TX	Treatment

[Pa.B. Doc. No. 13-1050. Filed for public inspection June 7, 2013, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Availability of the Low-Income Home Energy Assistance Program; Proposed State Plan and Public Hearing Schedule

The Department of Public Welfare (Department) is making available for public review and comment the Fiscal Year (FY) 2013-14 Low-Income Home Energy Assistance Program (LIHEAP) proposed State Plan. Comments on this notice and testimony received at public hearings will be used to formulate the Department's Final State Plan for using Federal funds for FY 2013-14 LIHEAP.

The Department has made the proposed State Plan available to the public through the Department's web site at www.dpw.state.pa.us/foradults/heatingassistanceliheap. In addition, copies of the proposed State Plan are available upon written request to Director, Division of Federal Programs and Program Management, Department of Public Welfare, DGS Annex, Room 224, Willow Oak Building, 1006 Hemlock Drive, Harrisburg, PA 17110.

The Department will hold three public hearings throughout this Commonwealth to allow testimony on the proposed State Plan and to fulfill the Federal mandate for public input into the planning process. This mandate appears in Title XXVI (The Low-Income Home Energy Assistance Act of 1981) of the Omnibus Budget Reconciliation Act of 1981 (Pub. L. No. 97-35) (42 U.S.C.A. §§ 8621—8629) as amended by the Human Services Reauthorization Act of 1984 (Pub. L. No. 98-558), the Human Services Reauthorization Act of 1986 (Pub. L. No. 99-425), the Augustus F. Hawkins Human Services Reauthorization Act of 1990 (Pub. L. No. 101-501), the National Institutes of Health Revitalization Act of 1993 (Pub. L. No. 103-43), the Low-Income Home Energy Assistance Amendments of 1994 (Pub. L. No. 103-252), the Coats Human Services Reauthorization Act of 1998 (Pub. L. No. 105-285) and the Energy Policy Act of 2005 (Pub. L. No. 109-58).

Public Hearing Schedule

July 9, 2013
10 a.m.—1 p.m.
Philadelphia Works, Inc.
One Penn Center at Suburban Station
1617 JFK Boulevard
Philadelphia, PA

July 11, 2013
9:30 a.m.—12 p.m.
Health and Welfare Building
Room 907, 9th Floor
Commonwealth and Forster Streets
Harrisburg, PA

July 17, 2013
9 a.m.—12 p.m.
Allegheny County Courthouse
Gold Room, 4th Floor
436 Grant Street
Pittsburgh, PA

This notice shall take effect upon publication in the *Pennsylvania Bulletin*.

Public Comment

Persons who wish to testify on the proposed State Plan at a public hearing should arrange a time by telephoning (717) 772-7906. Persons from outside the Harrisburg area should call (800) 692-7462 or send a written request, including telephone number, to Tammy Sampson, Federal Programs and Program Management, Room 224, Willow Oak Building No. 42, DGS Annex Complex, P. O. Box 2675, Harrisburg, PA 17105-2675.

Persons with a disability who require 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).

BEVERLY D. MACKERETH,
Acting Secretary

[Pa.B. Doc. No. 13-1051. Filed for public inspection June 7, 2013, 9:00 a.m.]

DEPARTMENT OF REVENUE

Life Estate and Remainder Factors; Pennsylvania Realty Transfer Tax

In accordance with 61 Pa. Code § 91.165(d) (relating to reservations or conveyances of life estates), the Department of Revenue is required to periodically publish notice of the Life Estate and Remainder Factors and their effective date to be used for the calculation of the taxable value of a Life Estate and Remainder Interest in real estate.

Section 91.165(d)(1) of 61 Pa. Code provides that the factors will be based upon tables published by the Internal Revenue Service (IRS) for calculating the present worth of a Life Estate and Remainder Interest. The IRS table of factors to be used is the table based upon an average interest rate for the 36 months prior to publication of the factors in the *Pennsylvania Bulletin*. The average interest rate rounded to the nearest two tenths of a percent for the 36 months prior to publication of this notice (June 2010—May 2013) is 1.8%.

Effective immediately, the Department is updating the Life Estate and Remainder Factors to account for changes in mortality and interest rates as follows:

**Pennsylvania Realty Transfer Tax
Factors for Conveyances or Reservations of
Life Estate and Remainder Interests in Real Estate**

*IRS Publication 1457
Table S (1.8)*

*Single Life Factors Based on Life Table 2000CM
Interest at 1.8 Percent*

<i>Age</i>	<i>Life Estate</i>	<i>Remainder</i>
0	0.73255	0.26745
1	0.73289	0.26711
2	0.72845	0.27155
3	0.72381	0.27619
4	0.71902	0.28098
5	0.71412	0.28588
6	0.70910	0.29090
7	0.70399	0.29601
8	0.69878	0.30122
9	0.69346	0.30654
10	0.68803	0.31197
11	0.68250	0.31750
12	0.67687	0.32313
13	0.67116	0.32884
14	0.66540	0.33460
15	0.65962	0.34038
16	0.65381	0.34619
17	0.64797	0.35203
18	0.64209	0.35791
19	0.63615	0.36385
20	0.63013	0.36987
21	0.62403	0.37597
22	0.61784	0.38216
23	0.61156	0.38844
24	0.60516	0.39484
25	0.59863	0.40137
26	0.59196	0.40804
27	0.58516	0.41484
28	0.57822	0.42178
29	0.57116	0.42884
30	0.56399	0.43601
31	0.55671	0.44329
32	0.54932	0.45068
33	0.54182	0.45818
34	0.53422	0.46578
35	0.52653	0.47347
36	0.51873	0.48127
37	0.51084	0.48916
38	0.50285	0.49715
39	0.49477	0.50523
40	0.48660	0.51340
41	0.47835	0.52165
42	0.47002	0.52998
43	0.46160	0.53840
44	0.45310	0.54690
45	0.44453	0.55547
46	0.43587	0.56413
47	0.42714	0.57286
48	0.41834	0.58166
49	0.40947	0.59053
50	0.40051	0.59949
51	0.39148	0.60852
52	0.38237	0.61763
53	0.37320	0.62680
54	0.36397	0.63603
55	0.35470	0.64530
56	0.34543	0.65457
57	0.33616	0.66384
58	0.32691	0.67309
59	0.31767	0.68233

<i>Age</i>	<i>Life Estate</i>	<i>Remainder</i>
60	0.30842	0.69158
61	0.29919	0.70081
62	0.28999	0.71001
63	0.28083	0.71917
64	0.27172	0.72828
65	0.26265	0.73735
66	0.25355	0.74645
67	0.24446	0.75554
68	0.23539	0.76461
69	0.22638	0.77362
70	0.21744	0.78256
71	0.20857	0.79143
72	0.19979	0.80021
73	0.19112	0.80888
74	0.18259	0.81741
75	0.17423	0.82577
76	0.16607	0.83393
77	0.15809	0.84191
78	0.15032	0.84968
79	0.14275	0.85725
80	0.13540	0.86460
81	0.12828	0.87172
82	0.12139	0.87861
83	0.11474	0.88526
84	0.10834	0.89166
85	0.10218	0.89782
86	0.09627	0.90373
87	0.09061	0.90939
88	0.08521	0.91479
89	0.08006	0.91994
90	0.07516	0.92484
91	0.07051	0.92949
92	0.06610	0.93390
93	0.06194	0.93806
94	0.05801	0.94199
95	0.05431	0.94569
96	0.05084	0.94916
97	0.04758	0.95242
98	0.04453	0.95547
99	0.04166	0.95834
100	0.03900	0.96100
101	0.03649	0.96351
102	0.03417	0.96583
103	0.03188	0.96812
104	0.02977	0.97023
105	0.02769	0.97231
106	0.02512	0.97488
107	0.02221	0.97779
108	0.01760	0.98240
109	0.00884	0.99116

DANIEL MEUSER,
Secretary

[Pa.B. Doc. No. 13-1052. Filed for public inspection June 7, 2013, 9:00 a.m.]

Pennsylvania Double Match Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Double Match.

2. *Price:* The price of a Pennsylvania Double Match instant lottery game ticket is \$2.

3. *Play Symbols:* Each Pennsylvania Double Match instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRTY). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRTY).

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTN), \$25⁰⁰ (TWY FIV), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and \$25,000 (TWYFIVTHO).

5. *Prizes:* The prizes that can be won in this game are: \$2, \$4, \$5, \$10, \$15, \$25, \$40, \$50, \$100, \$500, \$1,000 and \$25,000. The player can win up to 3 times on the ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 13,200,000 tickets will be printed for the Pennsylvania Double Match instant lottery game.

7. *Determination of Prize Winners:*

(a) Determination of prize winners for holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols are:

(1) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$25,000 (TWYFIVTHO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25,000.

(2) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(3) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(4) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(5) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(6) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$40⁰⁰ (FORTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(7) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$25⁰⁰ (TWY FIV) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(8) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$15⁰⁰ (FIFTN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$15.

(9) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(10) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(11) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$4⁰⁰ (FOR DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(12) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(b) Determination of prize winners for holders of tickets with three matching prize symbols in the "YOUR NUMBERS" area are:

(1) Holders of tickets with three matching prize symbols of \$1,000 (ONE THO) in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$1,000.

(2) Holders of tickets with three matching prize symbols of \$500 (FIV HUN) in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$500.

(3) Holders of tickets with three matching prize symbols of \$100 (ONE HUN) in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$100.

(4) Holders of tickets with three matching prize symbols of \$50⁰⁰ (FIFTY) in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$50.

(5) Holders of tickets with three matching prize symbols of \$25.⁰⁰ (TWY FIV) in the “YOUR NUMBERS” area, on a single ticket, shall be entitled to a prize of \$25.

(6) Holders of tickets with three matching prize symbols of \$15.⁰⁰ (FIFTN) in the “YOUR NUMBERS” area, on a single ticket, shall be entitled to a prize of \$15.

(7) Holders of tickets with three matching prize symbols of \$10.⁰⁰ (TEN DOL) in the “YOUR NUMBERS” area, on a single ticket, shall be entitled to a prize of \$10.

(8) Holders of tickets with three matching prize symbols of \$5.⁰⁰ (FIV DOL) in the “YOUR NUMBERS” area,

on a single ticket, shall be entitled to a prize of \$5.

(9) Holders of tickets with three matching prize symbols of \$4.⁰⁰ (FOR DOL) in the “YOUR NUMBERS” area, on a single ticket, shall be entitled to a prize of \$4.

(10) Holders of tickets with three matching prize symbols of \$2.⁰⁰ (TWO DOL) in the “YOUR NUMBERS” area, on a single ticket, shall be entitled to a prize of \$2.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>1. WHEN ANY OF YOUR NUMBERS MATCH EITHER WINNING NUMBER, WIN PRIZE SHOWN UNDER THE MATCHING NUMBER. WIN WITH:</i>	<i>2. MATCH 3 LIKE PRIZE AMOUNTS, WIN THAT AMOUNT. WIN WITH:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 13,200,000 Tickets</i>
\$2		\$2	18.75	704,000
	\$2	\$2	18.75	704,000
\$2 × 2		\$4	37.50	352,000
\$4		\$4	75	176,000
	\$4	\$4	75	176,000
\$5		\$5	75	176,000
	\$5	\$5	75	176,000
\$5 × 2		\$10	300	44,000
\$4 × 2	\$2	\$10	300	44,000
\$10		\$10	300	44,000
	\$10	\$10	300	44,000
\$5	\$10	\$15	300	44,000
\$10	\$5	\$15	500	26,400
\$15		\$15	500	26,400
	\$15	\$15	300	44,000
\$15	\$10	\$25	375	35,200
\$15 + \$10		\$25	750	17,600
\$25		\$25	750	17,600
	\$25	\$25	750	17,600
\$15 + \$10 + \$25		\$50	2,400	5,500
\$15 + \$10	\$25	\$50	1,600	8,250
\$50		\$50	2,400	5,500
	\$50	\$50	4,800	2,750
\$50 × 2		\$100	4,000	3,300
\$40 + \$10	\$50	\$100	4,000	3,300
\$50 + (\$25 × 2)		\$100	6,000	2,200
\$100		\$100	6,000	2,200
	\$100	\$100	6,000	2,200
\$500		\$500	30,000	440
	\$500	\$500	30,000	440
\$1,000		\$1,000	120,000	110
	\$1,000	\$1,000	120,000	110
\$25,000		\$25,000	660,000	20

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Double Match instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Double Match, prize money from winning Pennsylvania Double Match instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of

the Pennsylvania Double Match instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be

disseminated through media used to advertise or promote Pennsylvania Double Match or through normal communications methods.

DANIEL MEUSER,
Secretary

[Pa.B. Doc. No. 13-1053. Filed for public inspection June 7, 2013, 9:00 a.m.]

Pennsylvania \$1,000,000 Diamond Dazzler Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania \$1,000,000 Diamond Dazzler.

2. *Price:* The price of a Pennsylvania \$1,000,000 Diamond Dazzler instant lottery game ticket is \$20.

3. *Play Symbols:* Each Pennsylvania \$1,000,000 Diamond Dazzler instant game ticket will contain one play area featuring a “WINNING NUMBERS” area and a “YOUR NUMBERS” area. The play symbols and their captions located in the “WINNING NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY). The play symbols and their captions located in the “YOUR NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), 10X (10TIMES) symbol and a Diamond (DMND) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the “YOUR NUMBERS” area are: \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$25⁰⁰ (TWY FIV), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$5,000 (FIV THO), \$25,000 (TWYFIVTHO), \$100,000 (ONEHUNTHO) and \$1MILL (ONE MIL).

5. *Prizes:* The prizes that can be won in this game are: \$10, \$20, \$25, \$40, \$50, \$100, \$200, \$500, \$1,000, \$5,000, \$25,000, \$100,000 and \$1,000,000. A player can win up to 20 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 6,600,000 tickets will be printed for the Pennsylvania \$1,000,000 Diamond Dazzler instant game.

7. Determination of Prize Winners:

(a) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1MILL (ONE MIL) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000,000. This prize shall be paid as a lump-sum cash payment.

(b) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100,000 (ONEHUNTHO) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(c) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Diamond (DMND) symbol and a prize symbol of \$5,000 (FIV THO) appears in all twenty of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100,000.

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$25,000 (TWYFIVTHO) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$25,000.

(e) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5,000 (FIV THO) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a 10X (10TIMES) symbol and a prize symbol of \$500 (FIV HUN) appears under that 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Diamond (DMND) symbol and a prize symbol of \$500 (FIV HUN) appears in five of the “prize” areas, a prize symbol of \$200 (TWO HUN) appears in ten of the “prize” areas and a prize symbol of \$100 (ONE HUN) appears in five of the “prize” areas, on a single ticket, shall be entitled to a prize of \$5,000.

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a 10X (10TIMES) symbol and a prize symbol of \$200 (TWO HUN) appears under that 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$2,000.

(i) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1,000 (ONE THO) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a 10X (10TIMES) symbol and a prize symbol of \$100 (ONE HUN) appears under that 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Diamond (DMND) symbol and a prize symbol of \$50⁰⁰ (FIFTY) appears in all twenty of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X (10TIMES) symbol and a prize symbol of \$50⁰⁰ (FIFTY) appears under that 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$500.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Diamond (DMND) symbol and a prize symbol of \$25⁰⁰ (TWY FIV) appears in all twenty of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X (10TIMES) symbol and a prize symbol of \$25⁰⁰ (TWY FIV) appears under that 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$250.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X (10TIMES) symbol and a prize symbol of \$20⁰⁰ (TWENTY) appears under that 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$200.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Diamond (DMND) symbol and a prize symbol of \$10⁰⁰ (TEN DOL) appears in all twenty of the "prize" areas, on a single ticket, shall be entitled to a prize of \$200.

(s) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the

"WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(t) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X (10TIMES) symbol and a prize symbol of \$10⁰⁰ (TEN DOL) appears under that 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$100.

(u) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(v) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$40⁰⁰ (FORTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(w) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$25⁰⁰ (TWY FIV) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(x) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20⁰⁰ (TWENTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(y) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 6,600,000 Tickets</i>
\$10 × 2	\$20	20	330,000
\$20	\$20	20	330,000
\$25	\$25	15	440,000
\$10 × 4	\$40	37.50	176,000
\$20 × 2	\$40	50	132,000
\$40	\$40	50	132,000
\$10 × 5	\$50	150	44,000
\$25 × 2	\$50	300	22,000
(\$20 × 2) + \$10	\$50	300	22,000
\$40 + \$10	\$50	75	88,000
\$50	\$50	150	44,000
\$10 × 10	\$100	300	22,000
\$20 × 5	\$100	150	44,000
\$50 × 2	\$100	150	44,000
\$10 w/ 10X	\$100	300	22,000
\$100	\$100	150	44,000
DIAMOND w/ \$10 × 20	\$200	545.45	12,100

When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 6,600,000 Tickets
\$40 × 5	\$200	1,000	6,600
\$100 × 2	\$200	1,000	6,600
\$20 w/ 10X	\$200	545.45	12,100
\$200	\$200	1,000	6,600
DIAMOND w/ \$25 × 20	\$500	2,000	3,300
\$50 × 10	\$500	4,800	1,375
\$100 × 5	\$500	4,800	1,375
(\$40 × 10) + (\$10 × 10)	\$500	4,800	1,375
(\$50 × 5) + (\$25 × 10)	\$500	4,800	1,375
\$50 w/ 10X	\$500	2,000	3,300
\$500	\$500	4,000	1,650
DIAMOND w/ \$50 × 20	\$1,000	6,000	1,100
\$200 × 5	\$1,000	24,000	275
\$500 × 2	\$1,000	24,000	275
(\$100 × 6) + (\$40 × 10)	\$1,000	24,000	275
(\$50 w/ 10X) × 2	\$1,000	6,000	1,100
\$100 w/ 10X	\$1,000	6,000	1,100
\$1,000	\$1,000	24,000	275
DIAMOND w/ (\$500 × 5) + (\$200 × 10) + (\$100 × 5)	\$5,000	120,000	55
\$1,000 × 5	\$5,000	120,000	55
(\$25 w/ 10X) × 20	\$5,000	120,000	55
\$500 w/ 10X	\$5,000	120,000	55
\$5,000	\$5,000	120,000	55
((200 w/10X) × 5) + ((100 w/10X) × 15)	\$25,000	660,000	10
\$25,000	\$25,000	660,000	10
DIAMOND w/ \$5,000 × 20	\$100,000	1,320,000	5
\$100,000	\$100,000	1,320,000	5
\$1,000,000	\$1,000,000	1,320,000	5

Reveal a "10X" (10TIMES) symbol, win 10 times the prize shown under that symbol.

Reveal a "DIAMOND" (DMND) symbol, win all 20 prizes shown.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania \$1,000,000 Diamond Dazzler instant game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania \$1,000,000 Diamond Dazzler instant game, prize money from Pennsylvania \$1,000,000 Diamond Dazzler instant game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania \$1,000,000 Diamond Dazzler instant game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. Such announcement will be

disseminated through media used to advertise or promote Pennsylvania \$1,000,000 Diamond Dazzler instant game or through normal communications methods.

DANIEL MEUSER,
Secretary

[Pa.B. Doc. No. 13-1054. Filed for public inspection June 7, 2013, 9:00 a.m.]

DEPARTMENT OF STATE

Electronic Recording Commission Meeting

Public notice is hereby given of the first meeting of the Electronic Recording Commission (Commission) established under Uniform Real Property Electronic Recording Act (act) (21 P. S. §§ 483.1—483.9). The meeting will be held on Monday, June 10, 2013, at 2 p.m. in the Taylor Room, Omni Bedford Springs Resort, 2138 Business 220, Bedford, PA. The purpose of the meeting will be for the Commission to begin to consider regulations to implement the act. Visit www.dos.state.pa.us for more information and to view a copy of the complete agenda.

CAROL AICHELE,
Secretary

[Pa.B. Doc. No. 13-1055. Filed for public inspection June 7, 2013, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Aviation Advisory Committee Meeting

The Aviation Advisory Committee will hold a meeting on Wednesday, June 12, 2013, from 11 a.m. to 3 p.m. in the Commonwealth Keystone Building. For more information, contact William Sieg at (717) 705-1253 or wisieg@pa.gov.

BARRY J. SCHOCH, P.E.,
Secretary

[Pa.B. Doc. No. 13-1056. Filed for public inspection June 7, 2013, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Rosebud Mining Company v. DEP; EHB Doc. No. 2013-065-B

Rosebud Mining Company has appealed the issuance by the Department of Environmental Protection of a renewed NPDES permit to Rosebud Mining Company in Adams and Paint Townships, Somerset County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to

the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,
Chairperson

[Pa.B. Doc. No. 13-1057. Filed for public inspection June 7, 2013, 9:00 a.m.]

ENVIRONMENTAL QUALITY BOARD

Meeting Cancellation

The June 18, 2013, meeting of the Environmental Quality Board (Board) is cancelled. The next regularly scheduled meeting of the Board will occur on Tuesday, July 16, 2013, at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105. An agenda and meeting materials for the July 16, 2013, meeting will be available on the Department of Environmental Protection's web site at www.dep.state.pa.us (Select "Public Participation"; "Public Participation Center").

Questions concerning the Board's next scheduled meeting may be directed to Michele Tate at (717) 783-8727 or mtate@pa.gov.

E. CHRISTOPHER ABRUZZO,
Acting Chairperson

[Pa.B. Doc. No. 13-1058. Filed for public inspection June 7, 2013, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b).

The Commission has issued comments on the following proposed regulations. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
126-3	Philadelphia Parking Authority Impoundment of Vehicles and Equipment 43 Pa.B. 1720 (March 30, 2013)	4/29/13	5/29/13
126-4	Philadelphia Parking Authority Taxicab and Limousine Amendments 43 Pa.B. 1725 (March 30, 2013)	4/29/13	5/29/13

Philadelphia Parking Authority
Regulation #126-3 (IRRC #2992)
Impoundment of Vehicles and Equipment
May 29, 2013

We submit for your consideration the following comments on the proposed rulemaking published in the March 30, 2013 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 45.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the Philadelphia Parking Authority (PPA or Authority) to respond to all comments received from us or any other source.

1. Statutory authority; Whether the regulation is consistent with the intent of the General Assembly.

In the Regulatory Analysis Form (RAF), PPA states that this rulemaking will affect approximately 4,300 drivers, 700 taxicab medallion owners, six partial-rights carriers, four brokers, 13 dispatchers, and 127 limousine companies. We have received comments from a partial-rights carrier questioning PPA's authority to regulate them in general and specifically to impound their vehicles.

In the Preamble to this proposed rulemaking, it is noted that in 2012, Commonwealth Court found that PPA does not have the authority to impound a vehicle acting as a taxicab in Philadelphia without rights to do so, provided that the vehicle was authorized to be a taxicab elsewhere in the Commonwealth. *Sawink, Inc. et al., v. Philadelphia Parking Authority*, 34 A.3d 926 (Pa. Cmwlth. 2012), *affirmed*, 57 A.3d 644 (Pa. 2012). According to the PPA, Act 119 of 2012 (Act 119) was enacted to amend the provisions of the Parking Authorities Act (Act) (53 Pa.C.S.A §§ 5701, et seq.) to address, among other things, issues raised by the Commonwealth Court in *Sawink*.

Based on the explanations provided in the RAF and the Preamble, we are unable to determine if PPA has the statutory authority to promulgate this rulemaking and whether it is consistent with the intent of the General Assembly and their enactment of Act 119 and the Court's ruling in the *Sawink* case. We ask PPA to identify the specific sections of the revised Act and the specific statutory language in Act 119 that provides the PPA the authority to impound vehicles of partial-rights carriers.

2. Determining whether the regulation is in the public interest.

Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b) directs this Commission to determine whether a regulation is in the public interest. When making this determination, the Commission considers criteria such as economic or fiscal impact and reasonableness. To make that determination, the Commission must analyze the text of the proposed rulemaking and the reasons for the new or amended language. The Commission also considers the information a promulgating agency is required to provide under § 745.5(a) in the RAF.

PPA's responses to sections 12, 13 and 18 through 23 of the RAF are not sufficient to allow this Commission to determine if the regulation is in the public interest. Without this information, we cannot determine if this proposed regulation is in the public interest. In the RAF submitted with the final-form rulemaking, the Board should provide more detailed information required under § 745.5(a) of the RRA. Specifically, we seek answers to the following questions:

- How does this regulation compare with those of other states?
- How will this affect Pennsylvania's ability to compete with other states?
- Will the regulation affect any other regulations of the promulgating agency or other state agencies? Of particular concern to this Commission is how this rulemaking will work in conjunction with the regulations of the Pennsylvania Public Utility Commission and their jurisdiction over partial-rights carriers.
- For the regulated community, what costs are associated with the impoundment of a vehicle?

3. Section 1017.52. Impoundment of vehicles and equipment.—Protection of the public health, safety and welfare; Implementation procedures; Fiscal impact; Clarity.

Subsection (b) Notice of impoundment

Paragraph (4) of this subsection states that the notice of impoundment will include "Other information required under section 5714(g)(2)(ii) of the act." Since the cited section of the Act does not require any other information besides the information listed in Paragraphs 1, 2 and 3 of this subsection, we recommend that Paragraph 4 be deleted. We have a similar concern with § 1055.32(b)(4), pertaining to notice of impoundment for limousines.

Subsection (c) Impoundment hearing

We have three concerns with this subsection. First, under Paragraph (1), the registered owner of an impounded vehicle may file a hearing request with the Clerk "at any time after impoundment." Paragraph (2) provides that Clerk will immediately schedule a hearing to be conducted within two days. Section 1001.8 of PPA's regulations establishes the hours of operation for the PPA. Those hours are 8:30 a.m. until 4:30 p.m. on business days except Saturdays, Sundays and legal holidays. In addition, the PPA may be open on Saturdays by appointment. We are concerned that the impoundment of a vehicle on a Friday or Saturday may impose a significant cost to the regulated community because they would not be able to file a request for a hearing for two, or possibly three days. Having a vehicle out of service for that long, before a hearing can even be scheduled could financially harm a registered owner. We ask PPA to explain how this provision will be implemented and suggest that language be added to the final-form rulemaking that would minimize the potential fiscal impact this provision could have on the regulated community. We have a similar concern with § 1055.32(c)(2), pertaining to impoundment hearings for limousines.

Second, Paragraph (3) states that if a presiding officer determines that an impoundment was not proper, the impounded property may be immediately reclaimed by the registered owner without a need to pay a penalty or cost associated with the impoundment. We note that § 1017.52 (f) of PPA's existing regulations is being deleted in its entirety. This subsection currently requires PPA to refund the costs of towing and impoundment when it is determined that the grounds for impoundment are unsubstantiated. Why is this provision being deleted from PPA's regulations? In order to ease the potential fiscal impact this rulemaking could have on the regulated community, we ask PAA to consider adding a similar provision to the proposed rulemaking. We have a similar concern with § 1055.32(c)(3).

Third, presiding officers of impoundment hearings have the authority, under Paragraph (4), to "establish terms for

the release of the impounded property including the posting of collateral and inspections by the Enforcement Department.” Are the terms to be established based on any other regulatory provisions or statutory provisions of the Act? If so, we recommend that the final-form regulation include a reference to the appropriate regulatory or statutory provision. If not, we recommend that the final-form regulation provide direction on how presiding officers are to establish the terms. We have a similar concern with § 1055.32(c)(4).

Subsection (g) Final disposition of impounded property

We have two concerns with this subsection. First, if a respondent is found liable for the violation averred by the Enforcement Division and disagrees with that determination, does the respondent have a right to appeal that determination? If so, we recommend that the final-form regulation specify how and where an appeal can be filed. Additionally, the appeal procedures should be specific to all parties affected by the rulemaking, including partial-rights carriers. We have a similar concern with § 1055.32(g), pertaining to final disposition of impounded property for limousines.

Second, under Paragraph (2), respondents found not liable for a violation may reclaim their property without payment of a penalty, fee or cost. Similar to our concern above on § 1017.52(c)(4), why has PPA excluded the refund provision that can be found in existing regulations? We have a similar concern with § 1055.32(g).

Subsection (h) Immediate repossession.

This subsection allows a registered owner to reclaim impounded property at anytime by paying the associated penalties, fees and costs. If the property in question was impounded for safety concerns, would those concerns have to be addressed and the property inspected before the property is returned to the registered owner? Failure to correct the underlying safety concern that lead to the impoundment could be a potential threat to the public health, safety and welfare of the citizens of the Commonwealth. We ask PPA to address this concern when the final-form regulation is submitted for final review. We have a similar concern with § 1055.32(h), pertaining to immediate repossession of limousines.

4. Miscellaneous clarity.

The definitions of “impoundable offense” found in §§ 1017.51 and 1055.31 both begin with the phrase “The Authority may immediately confiscate and impound a vehicle. . . .” This phrase is substantive and should not be included in either definition. If the phrase is needed, it should be moved to the appropriate sections in the body of the regulation.

**Philadelphia Parking Authority
Regulation #126-4 (IRRC #2993)
Taxicab and Limousine Amendments
May 29, 2013**

We submit for your consideration the following comments on the proposed rulemaking published in the March 30, 2013 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (RRA) (71 P. S. § 745.5b). Section 5.1(a) of the RRA (71 P. S. § 745.5a(a)) directs the Philadelphia Parking Authority (PPA or Authority) to respond to all comments received from us or any other source.

1. Section 1015.2. Certificate required.—Statutory authority; Clarity.

PPA proposes to add Subsections (c) and (d) “to clarify the rights and limitations of partial-rights taxicabs.” PPA

also states that these provisions “are consistent with the long established limitations of partial-rights taxicabs in Philadelphia.” PPA does not provide its statutory authority for clarifying these limitations.

Further, Subsections (c) and (d) restrict the service of partial-rights taxicabs based on the geographical boundaries identified in the partial-rights taxicab certificate holder’s PPA-approved tariff. A partial-rights taxicab company, Germantown Cab Company (Germantown), comments that it does not have a PPA-approved tariff, and that the only tariff Germantown has is on file with the Public Utility Commission (PUC).

While we recognize that the PPA has authority to regulate partial-rights taxicabs in the City of Philadelphia, PPA should specify the statutory authority for these newly proposed subsections in the Regulatory Analysis Form (RAF) and the preamble accompanying the final-form regulation.

2. Section 1027.5. Agreement of sale.—Need; Reasonableness of requirements.

Subsection (b) currently requires that an agreement of sale for transferrable rights be executed by all parties in the presence of the Director or a designee. The process to apply for the sale of transferable rights is then outlined in Sections 1027.6 through 1027.12. PPA proposes to amend this subsection to require that the agreement of sale be executed at the same time that the sale is initiated as provided in Section 1027.6(a)(1) (relating to application documents).

PPA states in its preamble,

There are currently many agreements of sale filed with the Authority without a corresponding transfer of rights application. We have found that confusion as to who actually owns the transferable rights, and false claims related to who may use those rights germinate in these scenarios. We believe it to be in the best interests of the parties to the agreement of sale and the public concerned about who is actually using the rights at issue, to impose this modest scheduling requirement.

However, a commentator states that the proposed amendment would impose an undue burden on the way business is regularly conducted within the industry. The commentator states that in the normal course of business, the agreement of sale and transfer of rights are multi-step processes which would be difficult to complete in one sitting. Another commentator states that having an agreement of sale in place is essential before a broker can move forward in any sale transaction, including submitting a transfer application to PPA.

Based on commentator concerns and our review of the process to apply for the sale of transferable rights as outlined in Sections 1027.6 through 1027.12, we question the need for and reasonableness of requiring the agreement of sale to be executed at the same time the sale is initiated. For example, we question the reasonableness of requiring the acquisition of third-party documents such as a certificate of good standing from the Corporation Bureau (Section 1027.7(b)(4) and (5)), evidence of the removal of liens (Section 1027.8(c)) or loan documents (Section 1027.8(f)) in advance of the signing of an agreement of sale.

Also, we note that Section 1027.8(d) (relating to continuing service) states clearly that “[t]he owner of the rights subject to sale shall confirm that the rights will remain in active service pending review of the applica-

tion.” Further, Section 1027.12 (relating to approval process and closing on sale) makes it clear that ownership of the transferable rights remain with the seller until the closing of the transaction. For these reasons, we question the need to amend this subsection based on PPA’s intent to alleviate confusion.

However, we recognize that having many agreements of sale filed with PPA without a corresponding transfer of rights application could be problematic. Commentators suggest that PPA create a reasonable, mandatory timeframe within which the transfer of rights applications must be submitted after the signing of the agreement of sale. We agree that it would be in the best interests of PPA, the parties to the agreement of sale and the public to impose a reasonable, mandatory scheduling requirement and recommend that PPA include such a requirement in the final-form regulation. If amended in final-form, PPA also should clearly state the consequences of non-compliance.

If PPA chooses to keep this subsection as proposed, in its final-form RAF and preamble, PPA should provide concrete examples that demonstrate the need for this change, explain how the contemporaneous filing requirement is reasonable in light of the numerous documents which must be submitted under Sections 1027.6 through 1027.12, and address how the benefits outweigh the costs and adverse effects.

Additionally, if PPA maintains the language as proposed, PPA should thoroughly review its regulations for consistency. For example Section 1027.8(b) states that the “proposed agreement of sale must be signed . . . on or before the date the SA-1 is filed.” (Emphasis added.)

These concerns and comments relate similarly to Section 1059.4 (relating to agreement of sale of limousine rights) and we ask PPA to consider similar amendments to Section 1059.4 in the final-form regulation, or to provide additional, appropriate support in the final RAF for PPA’s decision not to amend Section 1059.4.

3. Section 1059.4. Agreement of sale.—Clarity.

In the preamble, PPA states that this section is amended to “*mirror* the substantially similar section related to the sale of taxicab transferable rights at § 1027.5.” (Emphasis added.) The proposed language states:

... at the time the sale is initiated as provided in § 1059.5 (relating to application for sale of transferable rights).

PPA’s proposed language in Section 1027.5, which Section 1059.4 is to mirror, states:

... at the time the sale is initiated as provided in § 1027.6(a)(1) (relating to application for sale of transferable rights). (Emphasis added.)

Recognizing that PPA may amend these sections related to the prior comment, we ask PPA to amend this reference as appropriate, mirroring Section 1027.5 for consistency.

SILVAN B. LUTKEWITTE, III,
Chairperson

[Pa.B. Doc. No. 13-1059. Filed for public inspection June 7, 2013, 9:00 a.m.]

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission’s public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or a copy can be obtained from www.irrc.state.pa.us.

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Resubmitted</i>	<i>Public Meeting</i>
16A-4320	State Board of Chiropractic Licensure by Reciprocity	5/28/13	6/20/13

SILVAN B. LUTKEWITTE, III,
Chairperson

[Pa.B. Doc. No. 13-1060. Filed for public inspection June 7, 2013, 9:00 a.m.]

INSURANCE DEPARTMENT

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) (Act 68) in connection with the termination of the insureds’ automobile insurance policies. The hearings will be held in accordance with the requirements of Act 68; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held in the Insurance Department’s regional office in Harrisburg, PA. Failure by an appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Stacey and Kenneth Marlow; file no. 13-114-138283; Erie Insurance Exchange; Doc. No. P13-05-013; June 26, 2013, 9:30 a.m.

Appeal of Michael and Alison Fleck; file no. 13-114-140837; Geico Indemnity Company; Doc. No. P13-05-026; July 18, 2013, 10 a.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party’s case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 13-1061. Filed for public inspection June 7, 2013, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insurer 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 an 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 State Farm Fire and Casualty Insurance Company; file no. 13-114-138981; Brian D. Kugler; Doc. No. P13-05-014; June 27, 2013, 1 p.m.

Parties may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

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.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 13-1062. Filed for public inspection June 7, 2013, 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 an 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 Wayman B. Williams; file no. 13-188-140780; West American Insurance Company; Doc. No. P13-05-025; July 16, 2013, 10 a.m.

Parties may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

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.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 13-1063. Filed for public inspection June 7, 2013, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Asset Purchase Agreement and Transfer of Customers

A-2013-2364422 and A-2013-2364512. Digizip.com, Inc. and Wholesale Carrier Services, Inc. Joint application of Digizip.com, Inc. and Wholesale Carrier Services, Inc. for approval of an asset purchase agreement and transfer of customers.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before June 24, 2013. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.state.pa.us, and at the applicant's business address.

Applicants: Digizip.com, Inc. and Wholesale Carrier Services, Inc.

Through and By Counsel: Leon Nowalsky, Esquire, Nowalsky, Bronston and Gothard, APLLC, 1420 Veterans Boulevard, Metairie, LA 70005

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 13-1064. Filed for public inspection June 7, 2013, 9:00 a.m.]

Implementation of Act 129 of 2008; Phase 2—Registry of Conservation Service Providers

Public Meeting held
May 23, 2013

Commissioners Present: Robert F. Powelson, Chairperson; John F. Coleman, Vice Chairperson; James H. Cawley; Wayne E. Gardner; Pamela A. Witmer

Implementation of Act 129 of 2008; Phase 2—Registry of Conservation Service Providers; Doc. No. M-2008-2074154

Order

By the Commission:

By Tentative Order entered January 10, 2013, the Pennsylvania Public Utility Commission (Commission) solicited comments on proposed revisions to the conservation service provider (CSP) registration process and application. In addition, the Commission proposed requiring CSP registration for entities that enter into contractual arrangements with CSPs that are under contract with an electric distribution company (EDC) for the purpose of implementing one or more programs relating to an EDC's Energy Efficiency and Conservation Plan. With this Order, the Commission adopts the use of the CSP registry change and renewal forms (see Annex) and seeks additional comments on its proposal to require registration of all CSP subcontractors.

Background

On February 5, 2009, the Commission adopted a Final Order that established the CSP registry and the minimum experience and qualification requirements for registered CSPs in accordance with Act 129 of 2008, 66 Pa.C.S. § 2806.2 [the Act or Act 129].¹ This 2009 CSP Registry Order also established the application for registration and the registration fee. The Commission wishes to make certain modifications to address recent internal organizational changes and to improve the CSP registration process. With a Tentative Order entered January 10, 2013, the Commission proposed changes to the CSP application process and package and sought comments and reply comments on these proposed changes. The proposed modifications do not alter the minimum requirements for CSP registration established by the 2009 CSP Registry Order. The Energy Association of Pennsylvania (EAP) filed comments on behalf of its EDC members subject to the provisions of Act 129.² No reply comments were filed.

Discussion

A. Registration Process

As proposed in the Tentative Order, the application review process set forth in the 2009 CSP Registry Order remains unchanged except for the responsible Commission bureau, the CSP application and the addition of forms for updating CSP information and renewing registration. The proposed modifications to the registration process relate to the use of a revised application package and the CSP registry change and renewal applications. The proposed new forms are meant to expedite the process and reduce the administrative burdens for updating CSP registration information and renewing CSP registration. We also proposed to remove the requirement for a new application for CSPs seeking to renew their registration when there have been no changes to the previously submitted CSP application. The three applications for renewal or update in the Annex to this Order are titled as follows:

- “Application for Renewal of CSP Registration—No Changes Incurred to Application of Record”
- “Application for Renewal of CSP Registration—Changes Incurred to Application of Record”
- “Application to Update CSP Registration”

As established in the 2009 CSP Registry Order, The Commission will continue to require that an initial application for entry into the Commission's CSP registry be made on a form adopted by the Commission. A copy of the application may be obtained from the Commission's Secretary and will be made available on the Commission's website. An application for entry into the CSP registry shall be verified by an oath or affirmation as required in 52 Pa. Code § 1.36 (relating to verification). The completed application and supporting attachments shall be filed with the Secretary's Bureau. The non-refundable new application fee shall be maintained at \$125 and be submitted in a form as prescribed in 52 Pa. Code § 1.42.

As established in the 2009 CSP Registry Order, the Commission will continue to require all registered CSPs to re-qualify every two years in order to maintain a

¹ See Implementation of Act 129 of 2008 Phase 2—Registry of Conservation Service Providers, Final Order (2009 CSP Registry Order) at Docket No. M-2008-2074154, entered on February 5, 2009.

² EAP members subject to Act 129 include Duquesne Light Company, Metropolitan Edison Company, PECO Energy Company, Pennsylvania Electric Company, Pennsylvania Power Company, PPL Electric Utilities Corporation and West Penn Power Company. EAP Comments at 2.

current registry. The non-refundable application renewal fee shall be maintained at \$25 and be submitted in a form as prescribed in 52 Pa. Code § 1.42. The Commission also expects registered CSPs to notify the Commission, in writing, of any changes to the information provided in its initial or renewal applications. To expedite the process for the filing of updated information and renewal applications, we adopt, with this Order, the three Applications for Renewal or Update of Conservation Service Provider Registration attached to this Order in the Annex.

When there are no changes to the initial application, the Applicant may use the Application for Renewal of CSP Registration—No Changes Incurred to Application of Record for renewal of CSP registration by checking off and completing the first option and enclosing an Affidavit and proof of current liability insurance coverage. In summary, if filing a two-year renewal and there are no changes to the application, the CSP would file a completed Application for Renewal of CSP Registration—No Changes Incurred to Application of Record and an Affidavit from the Annex along with proof of current liability insurance coverage.

If an applicant is filing a two-year renewal and there are changes to the initial application and no previous applications for renewal nor updates have been filed, the CSP would file a completed Application for Renewal of CSP Registration—Changes Incurred to Application of Record and identify the items, parts and subparts of its initial application that have changed. As with the first option, an Affidavit and proof of current liability insurance coverage will also be required. In summary, if filing a two-year renewal and there are changes to the application, the CSP would file a completed Application for Renewal of CSP Registration—Changes Incurred to Application of Record and an Affidavit (see Annex) along with a new application and proof of current liability insurance coverage.

In the event that a registered CSP is updating information that appears on its application of record, the Commission will require the CSP to complete and file an Application to Update CSP Registration and an Affidavit (see Annex) along with a newly completed application. There would be no filing fee for the updating of a currently approved CSP Application.

As specified in the 2009 CSP Registry Order, the application, with supporting documentation, must be completed in its entirety. Incomplete applications and those without supporting documentation, when needed, will be rejected without prejudice. Commission staff will review all applications for completeness within 20 days of their filing. Commission staff will act on a completed application within 30 days of receipt.

Due to the reorganization of the Commission, all CSP registry applications will be reviewed by TUS to determine if the applicant is financially responsible and has the minimum technical experience and qualifications. If the application is approved, the Applicant will be notified via Secretarial Letter and placed on the registry. If TUS determines that an application should be denied, a Secretarial Letter will be issued to notify the applicant and provide a brief explanation for the denial. As established in the 2009 CSP Registry Order, denials may be appealed to the Commission consistent with the provisions found in

52 Pa. Code § 5.44 (relating to petitions for appeal from actions of staff).

Comments and Resolution

The comments of EAP were silent on the Commission's proposed modifications to the CSP registration process and the use of the proposed CSP applications for renewals and updates found in the Annex. We note that while the Tentative Order discussed the need for an applicant to provide proof of current liability insurance when filing an application for renewal of CSP registration wherein changes have been incurred to the application of record, this requirement was inadvertently omitted from the Application for Renewal of CSP Registration—Changes Incurred to Application of Record that was issued with our Tentative Order. Therefore, the Application for Renewal of CSP Registration—Changes Incurred to Application of Record in this Final Order has been modified to include this requirement (see Item "d" in the Application for Renewal of CSP Registration—Changes Incurred to Application of Record in the Annex).

Having received no objection to the proposed changes relating to the CSP registration process as discussed in the Tentative Order, the Commission adopts all such changes and modifications and adopts the use of the Application for Renewal of CSP Registration—No Changes Incurred to Application of Record, the Application for Renewal of CSP Registration—Changes Incurred to Application of Record (as modified herein) and the Application to Update CSP Registration, which are attached to this Order as an Annex.

The Commission stresses that all registered CSPs must notify the Commission when there are changes to the information provided in their applications when they occur, not just at the time of renewal. By adopting the Application to Update CSP Registration the Commission is facilitating this requirement in a manner that reduces the administrative burdens on registered CSPs.

B. Application Package

As stated above, in the Tentative Order we proposed the use of the modified application form contained in Annex A of that order. This revised CSP application was shortened from 11 pages to 7 pages. All of the items appearing on the original application also appear on the revised application, with the exception of those changes detailed and discussed in sections C and D of the Tentative Order. In addition, the items in the original application were reorganized to group similar requirements into four primary sections: 1—Identity of Applicant; 2—Registered Agent; 3—Applicant's Operations; and 4—Compliance.

To clarify and emphasize the importance of an applicant's identity and business associations relative to the CSP registration process, Section 1 in the revised application—Identity of Applicant, combines information formerly addressed in the original application, sections 1—Identity of the Applicant; 2—Contact Person; 4—Fictitious Name; and 6—Affiliates and Predecessors within Pennsylvania. The identification of contract and business partnerships were newly proposed items contained in the revised application that are specifically addressed in section C below.

To facilitate the application process, Section 2 of the revised application—Registered Agent, is a combination of all information relating to the applicant's required filing with the Pennsylvania Department of State (Department)

and use of a registered agent, if applicable, that were addressed previously in Section 3 (relating to registered agent) and Section 5 (relating to business entity and Department filings) in the original application. Occasionally, applicants would file for CSP registration without having appropriately registered with the Department, causing confusion and unnecessary delays in processing the application.

Section 3 of the revised application—Applicant’s Operations, is a combination of sections 7, 8, 14 and 15 in the original application, relating to applicant’s present and proposed operations, as well as the applicant’s technical fitness and financial responsibility. These items were consolidated to avoid duplication of information. The proposed change should simplify the application review process by providing categories for applicants to identify themselves, their proposed services and the EDC business partners of interest.

The Commission also proposed to eliminate use of the Tax Certification Statement, referenced in Section 9 of the original application, and add a requirement for proof of current liability insurance coverage. These modifications are addressed in more detail in section D of this order.

Section 4 of the revised application—Compliance, consolidates all items contained in sections 10, 11, 12 and 13 of the original application. This consolidation helps applicants understand important compliance issues for CSP registration, such as: criminal convictions, tax delinquency, bankruptcy or liquidation proceedings, and customer complaints. The remaining Sections 5 through 8 that appear on the revised application are consolidated from various sections on the original application.

Comments and Resolution

The comments of EAP were silent on the Commission’s proposed modifications to the CSP application package and the use of the modified application form contained in Annex A of the Tentative Order. While there were no comments relating to the modified CSP application form, the Commission, for the reasons explained below, is seeking additional comments before adopting the application form.

C. Conservation Service Provider Identity Information

The Act defines a CSP as “an entity that provides information and technical assistance on measures to enable a person to increase energy efficiency or reduce energy consumption and that has no direct or indirect ownership, partnership or other affiliated interest with an electric distribution company.” 66 Pa.C.S. § 2806.1(m). As the Commission and EDCs must be able to identify the type of entity a CSP is and confirm that it is not owned, partnered or affiliated with an EDC, the Commission proposed in the Tentative Order to require all CSP registry applicants to provide the following information relating to their identity.³

1. Legal name of the Applicant and proof of compliance with appropriate Department filing requirements.⁴

³ These items were presented differently in the proposed application to provide clarity. In addition, items 5, 8 and 9 were new requests also being proposed to provide clarity.

⁴ A copy of any document from the Department of State documenting the Applicant’s Department of State entity number is adequate. Certified copies of Pennsylvania Department of State documents are not required as the applicant will be verifying all information provided pursuant to 52 Pa. Code § 1.36.

2. Trade or Commercial or Fictitious names used by Applicant.

3. Contact information for principal place of business and for Applicant, if different from its principal place of business.

4. Names and contact information for any predecessor, parent and subsidiary companies and affiliates and disclosure if any are currently doing business in Pennsylvania as a CSP or EDC.

5. Disclosure of any contracts or business partnerships that the Applicant has with a CSP or EDC.

6. Names of principal officers, an organizational chart, and contact information for each office.

7. Brief biographies or resumes for all principal officers and management directly responsible for Applicant’s operations.

8. Department registered agent contact information, if applicable.

9. Signature of principal official filing application on behalf of Applicant and printed name and title of that official.

10. Affidavit of principal official attesting to the accuracy of information provided.

11. Registration fee in a form prescribed in 52 Pa. Code § 1.42.

In the Tentative Order we proposed adding a requirement for the disclosure of any business partnership or contract that the Applicant has with a CSP or an EDC in order to ascertain whether sub-contractor arrangements were entered into by CSPs that are owned by, partners of, or affiliates of an EDC. As stated in the 2009 CSP Registry Order, the Commission believes that the Act is clear and free from all ambiguity with respect to the requirement that a CSP can have no direct or indirect ownership, partnership or other affiliated interest with an electric distribution company.⁵ To ensure that this provision of the Act is complied with, we proposed requiring disclosure of contracts, subcontracts and partnerships that the CSP applicant currently has with any EDC or registered CSP. We further proposed that registered CSPs update this information on a continuing basis. Additionally, we also proposed requiring that any CSP sub-contractor that is directly performing services under the contractual obligations of an EDC contracted CSP to also be registered as a CSP.

With regard to the proposed requirement for Department registered agent information, the Commission emphasized that there exists varied statutory obligations for entities conducting business in the Commonwealth. We noted that to facilitate timely review of CSP applications, it is imperative that an applicant that does not maintain a principal office in the Commonwealth to have appropriately registered with the Department. Failure to do so significantly delays the CSP application process. Therefore, the Commission proposed in the Tentative Order to include a notice in the application for applicants with no principal office in the Commonwealth to register with

⁵ See 2009 CSP Registry Order at 8.

the Department and to provide contact information for a Department-approved registered agent when filing their CSP application.

Finally, we proposed to require a signature of a principal official. This was proposed to ensure that the Commission has contact information for a principal officer of all registered CSPs. We believe that provision for the identity and signature of the Applicant's principal officer will reduce the time and resources allocated to the CSP renewal application process.

Comments and Resolution

The EAP commented that the additional requirement relating to registration of a CSP subcontractor is unnecessary and asserted that by requiring the CSP to provide information on the subcontractor's affiliation with an EDC would be adequate. EAP recommended that the requirement be revised to read as follows:

Any CSP sub-contractor with an annual contract cost of \$300,000 or greater that is directly performing services pursuant to a contract with a CSP which has contracted with an EDC after Commission approval should also register as a CSP. This does not include third party contractors which participate in or support an EEC program but are not directly contracted with a CSP which has a direct contractual relationship with the EDC subject to Act 129.⁶

Beyond this specific requirement, EAP did not object to the format or content of the modified application package as presented in Annex A of the Tentative Order or any of the other proposed requirements in this regard.

With this Order, we adopt all proposed requirements relating to the application package with one exception. In considering EAP's comments relating to the need to require CSP subcontractors to register with the Commission, we agree with EAP, in part, that additional clarifying language in the modified application package is needed to address our concerns. We, however, have reviewed EAP's proposed language regarding the registration of subcontractors as a CSP and are unable to determine, based on the Comments provided, whether the \$300,000 annual contract amount suggested by EAP is appropriate and reasonable. While EAP asserts that this amount will mitigate any administrative burden and avoid the unnecessary registration of subcontractors that do not meet the definition of CSP, EAP failed to provide adequate justification for the \$300,000 annual contract cost threshold. Specifically, EAP has failed to demonstrate how this threshold amount will alleviate the Commission's concern that major portions of an EDC's EE&C plan is not being designed, administered, managed or implemented by an unregistered CSP. Based on the record provided by the EAP, we do not know whether the suggested threshold amounts to 10% or 90% of a total CSP contract. Thus, we cannot determine whether this threshold amount will allow an unregistered CSP to implement a significant portion of an EDC's EE&C plan element. For these reasons, the Commission will seek additional comments on the language provided by EAP and, in particular, justification for any particular subcontractor annual contract cost threshold, or other minimum

indicator for requiring subcontractors to register as a CSP. As such, we direct interested parties to file comments within 15 days of the publication of this Order in the *Pennsylvania Bulletin* regarding these subcontractor CSP registration requirements.

D. Evidence of Financial Responsibility

As stated in the Tentative Order, the Commission expects each EDC to establish financial fitness and insurance or bonding standards commensurate with the type and scope of work to be performed by a CSP. The Commission has not required the submission of financial statements and tax returns, but had established the criteria for disclosure and assessment of an applicant's financial standing.⁷ In the Tentative Order, however, we proposed to eliminate the filing of the Tax Certification Statement with the original application, due to the potential conflicts associated with privacy and right-to-know laws. Instead, we proposed to require documented evidence of current liability insurance coverage, which we believed was pertinent and essential. We noted that the ability to acquire adequate liability insurance coverage provides a more reliable indicator of financial responsibility than the tax certification statement.

The revised application form proposed in the Tentative Order consolidated the minimum technical and financial information to be filed by a CSP applicant. The proposed application also consolidated and segregated financial compliance issues to highlight the financial standing of CSP applicants and to assure full disclosure.

Comments and Resolution

The comments of EAP were silent on the Commission's proposed requirement and modifications to the CSP application in regards to the provision of evidence of applicant financial responsibility. Therefore, the Commission adopts the requirements and modifications regarding evidence of financial responsibility in the CSP application as proposed in the Tentative Order. *Therefore,*

It Is Ordered That:

1. The Commission hereby directs interested parties to file comments regarding the language provided by the Energy Association of Pennsylvania and, in particular, justification for any particular subcontractor annual contract cost threshold, or other minimum indicator for requiring subcontractors to register as a CSP. Comments are to be filed within 15 days of the publication of this Order in the *Pennsylvania Bulletin*.

2. The Commission hereby adopts the application, renewal and information update processes as modified by this Order.

3. The Commission hereby adopts the Application for Renewal of CSP Registration (No Changes), the Application for Renewal of CSP Registration (Changes) and the Application to Update CSP Registration, as modified by this Order as found in the Annex to this Order.

4. This Order and Annex be published in the *Pennsylvania Bulletin* and served on the Office of Consumer Advocate, the Office of Small Business Advocate, the Commission's Bureau of Investigation and Enforcement, the Energy Association of Pennsylvania and all jurisdictional electric distribution companies.

⁶ EAP Comments at 2.

⁷ See 2009 CSP Registry Order at 13.

5. The Commission's Bureau of Technical Utility Services shall maintain and administer the CSP registry, as outlined in this Order.

ROSEMARY CHIAVETTA,
Secretary

Annex

Applications for Renewal or Update of Conservation Service Provider (CSP) Registration

Instructions: One of the following applications may be used by a registered Conservation Service Provider (CSP) to renew or update CSP Registration as follows:

I am renewing my CSP Registration according to the normal two year renewal cycle and have no changes to my prior application—Use the Application for Renewal of CSP Registration—No Changes Incurred to Application of Record. This application should be used when there are NO CHANGES to the CSP Application of record. The filing fee for renewal is \$25.

I am renewing my CSP Registration according to the normal two year renewal cycle and have changes to my prior application—Use the Application for Renewal of CSP Registration—Changes Incurred to Application of Record. This application should be used when there are one or more CHANGES to the CSP Application of record. The Applicant is also required to submit a newly completed CSP Application. The filing fee for renewal is \$25.

I am updating my CSP Registration information prior to my next required renewal—Use the Application to Update CSP Registration. This application should be used by a currently approved, registered CSP in order to update one or more items of the CSP Application of record. The Applicant is also required to submit a newly completed CSP Application. There is no filing fee to update CSP Registration information of record.

In all three cases listed above, the registered CSP is required to conduct a thorough review of the individual items, parts and subparts of the Applicant's CSP Application of record, which may be obtained by searching the Pennsylvania Public Utility Commission (PUC) website at <http://www.puc.state.pa.us>.

- Double click "Search Documents" located on the upper right-hand corner of the PUC website.
- Type the last seven (7) digits of your PUC Docket No. for "Docket No."
- Click button labeled "Search."

An entity that uses one of the three applications to renew CSP Registration or to update CSP Registration information, shall be held accountable for identifying each and every item that has changed or contains information that has changed relating to the Commission-approved Application currently on file at the Commission.

Application for Renewal of CSP Registration No Changes Incurred to Application of Record

The Applicant is filing with the Commission this Application for Renewal of CSP Registration. There are NO CHANGES to the Applicant's CSP Application of record on file at the Commission at the Docket Number appearing at the bottom of this Petition.

I have reviewed the Applicant's CSP Application of record and no information contained therein has changed or requires updating. Furthermore, no compliance issues have occurred relating to the Applicant's CSP Application regarding responses to Questions 4.1—4.4. Enclosed are the following items:

- a. Cover sheet providing all information relating to "Identity of the Applicant," pursuant to Question Nos. 1(a)—1(j) of the CSP Application;
- b. Renewal application fee of \$25;
- c. Affidavit, attesting to the truth and knowledge of these facts; and
- d. Proof of current liability insurance coverage.

(Typed name and title of authority on behalf of Applicant identified on the attached cover sheet)

(Date and Signature of named authority)

The Applicant understands that the making of false statement(s) herein may be grounds for denying the Application for Renewal of Conservation Service Provider Registration, or if later discovered, for revoking any authority granted pursuant to the Application. This Application is subject to 18 Pa.C.S. §§ 4903 and 4904, relating to perjury and falsification in official matters.

Application for Renewal of CSP Registration Changes Incurred to Application of Record

The Applicant is filing with the Commission this Application for Renewal of CSP Registration. There are one or more CHANGES to Applicant's CSP Application of record on file at the Commission at the Docket Number appearing at the bottom of this Petition.

I have reviewed the Applicant's CSP Application of record and the information contained therein has changed. In addition no changes have occurred for those individual items, parts and subparts of the Application, which have not been identified on this Application for Renewal of CSP Registration. Below are listed the items, parts and subparts by title, relating to the numbered questions on the CSP Application that have changed. Enclosed are the following items:

- a. Completed CSP Application;
- b. Renewal application fee of \$25;
- c. Affidavit, attesting to the truth and knowledge of these facts; and
- d. Proof of current liability insurance coverage.
- e. List of CSP Application items, parts and subparts by title, which have changed, provided as follows. (If more space is needed, please append additional pages to this Petition)

1. Identity of the Applicant
2. Registered Agent
3. Applicant's Operations
4. Compliance

(Typed name and title of authority on behalf of Applicant identified in the attached CSP Application)

(Date and Signature of named authority)

The Applicant understands that the making of false statement(s) herein may be grounds for denying the Application for Renewal of Conservation Service Provider Registration, or if later discovered, for revoking any authority granted pursuant to the Application. This Application is subject to 18 Pa.C.S. §§ 4903 and 4904, relating to perjury and falsification in official matters.

Application to Update CSP Registration

The Applicant is filing with the Commission this Application to Update CSP Registration information. The Applicant acknowledges that there is no fee associated

with the update of CSP registration information contained in its Application on file at the Docket Number appearing at the bottom of this application.

I have reviewed the Applicant's CSP Application of record and the information contained therein has changed. In addition no changes have occurred for those individual items, parts and subparts of the Application, which have not been identified on this Application to Update CSP Registration information. Below are listed the items, parts and subparts by title, relating to the numbered questions on the CSP Application that have changed. Enclosed are the following items:

- a. Completed CSP Application;
- b. Affidavit, attesting to the truth and knowledge of these facts; and
- c. List of CSP Application items, parts and subparts by title, which have changed, provided as follows. (If more space is needed, please append additional pages to this Petition)

1. Identity of the Applicant:
2. Registered Agent:
3. Applicant's Operations:
4. Compliance:

(Typed name and title of authority on behalf of Applicant identified in the attached CSP Application)

(Date and Signature of named authority)

The Applicant understands that the making of false statement(s) herein may be grounds for denying the Application to Update Conservation Service Provider Registration, or if later discovered, for revoking any authority granted pursuant to the Application. This Application is subject to 18 Pa.C.S. §§ 4903 and 4904, relating to perjury and falsification in official matters.

Affidavit

[Commonwealth/State] of _____ :

_____ : ss.

County of _____ :

_____, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

[He/she is the _____ (Office of Affiant) of _____ (Name of Applicant);]

[That he/she is authorized to and does make this affidavit for said Applicant;]

That the Applicant herein _____ has the burden of producing information and supporting documentation demonstrating its technical and financial fitness to be registered as a conservation service provider pursuant to Act 129 of 2008.

That the Applicant herein _____ acknowledges that it has answered the questions on the application correctly, truthfully and completely and has provided supporting documentation as required.

That the Applicant herein _____ acknowledges that it is under a duty to update information provided in answer to questions on this application and contained in supporting documents.

That the Applicant herein _____ acknowledges that it is under a duty to supplement information provided in answer to questions on this application and contained in supporting documents as requested by the Commission.

That the facts above set forth are true and correct to the best of his/her knowledge, information, and belief, and that he/she expects said Applicant to be able to prove the same at hearing.

Signature of Affiant

Sworn and subscribed before me this _____ day of _____, 20 ____.

Signature of official administering oath

My commission expires: _____

[Pa.B. Doc. No. 13-1065. Filed for public inspection June 7, 2013, 9:00 a.m.]

Recalculation of the Pennsylvania Telecommunications Relay Service Surcharge

Public Meeting held
May 23, 2013

Commissioners Present: Robert F. Powelson, Chairperson; John F. Coleman, Jr., Vice Chairperson; Wayne E. Gardner; James H. Cawley; Pamela A. Witmer

Recalculation of the Pennsylvania Telecommunications Relay Service Surcharge; M-2013-2341301; M-00900239

Order

By the Commission:

Pursuant to our May 29, 1990 Order, at Docket No. M-00900239 establishing the Pennsylvania Telephone Relay Service (Relay)¹ and surcharge funding mechanism (TRS surcharge) and subsequent Commission orders and legislation,² we have completed the annual recalculation of the TRS surcharge as it will apply to residence and business wireline access lines for July 1, 2013, through June 30, 2014. The monthly residential and business monthly access line surcharge will remain set at \$0.08.

Background

The annual TRS recalculation is dependent on data from several sources. Local Exchange Carriers (LECs)³ submit annual wireline access line counts pursuant to 52 Pa. Code § 63.37. The traditional relay provider, AT&T Corp., submitted the estimated minutes of use and charges for July 1, 2013, through June 30, 2014. Hamilton Telecommunications submitted the estimated minutes of use report for the captioned telephone relay service (CTRS). The Deputy Executive Director of the Office of Vocational Rehabilitation (OVR) in the Department of Labor and Industry submitted the 2013-2014 TDDP budget and the 2013-2014 PMASP budget. The surcharge also funds the TRS Advisory Board activities and Fund

¹ Additional information on TRS may be found at http://www.puc.state.pa.us/utility_industry/telecommunications/telecommunications_relay_service.aspx

² See Act 34 of 1995, 35 P.S. §§ 6701.1—6701.4 (the statutory provisions were amended by Act 181 of 2002 to be more inclusive of persons with disabilities), establishing the Telephone Device Distribution Program (TDDP) to be funded by the TRS surcharge and which codified Relay and use of the TRS surcharge funding mechanism; and Act 174 of 2004, 35 P.S. § 6701.3a, which established the Print Media Access System Program (PMASP) to be funded in part by the TRS surcharge. PMASP is a reading service for persons with certain vision and physical disabilities. The law is now called the "Universal Telecommunications and Print Media Access Act."

³ LEC includes both incumbent and competitive local exchange carriers. 189 LECs submitted access line count data as required. Some LECs had not submitted access line counts as of the date of preparation of this order; therefore, access line counts are estimated for surcharge calculation purposes. Noncompliant LECs are referred to the Commission's Bureau of Investigation & Enforcement (BIE).

administration costs. U.S. Bank,⁴ the Fund Administrator, provided a statement of the financial status of the Fund.⁵

Calculation for 2013—2014

Wireline access lines reported by LECs for 2012 and adjusted for Centrex lines are 4,596,642 (2,878,281 Residence and 1,718,361 Business). Based upon the number of access lines, projected program costs (Relay, CTRS, TDDP, and PMASP), anticipated Relay Advisory Board expenses, TRS Fund administration costs, and the financial status of the TRS Fund, the 2013-2014 monthly TRS surcharge rate for both residence and business access lines will continue to be set at \$0.08 per month. All LECs shall continue to remit TRS surcharge revenues to the Fund Administrator.⁶ Since the 2013-2014 surcharge remains the same as the 2012-2013 rate of \$0.08, tariff supplements are not required.

Effective July 1, 2013, the monthly surcharge allocation for each fund account is as follows:⁷

	2012-2013 Monthly Surcharge Percentage	
	Residence %	Business %
Relay	91.0	91.0
TDDP	5.0	5.0
PMASP	4.0	4.0
Total Percentage	100.0	100.0

Operations for 2013—2014

We shall continue our active oversight of the operations of the Pennsylvania Relay, (traditional, speech-to-speech, and captioned telephone). Further, in accordance with 35 P.S. §§ 6701.3a & 4, we shall continue to collaborate with OVR and its TDDP administrator⁸ to ensure adequate funding for distribution of TDDP equipment to low-income persons. Further, we shall continue to assist OVR in its mission to ensure adequate funding for PMASP.

Audits

The Commission's Bureau of Audits (Audits) has issued a TRS related audit report, Docket No. D-2011-2266114, on the Telecommunications Device Distribution Program and Print Media Access Program for the twelve-month periods ended June 30, 2011, and June 30, 2010.

The audit of the TRS Program (collection and disbursement of the TRS funds), at Docket No. D-2009-2112031, for the ten-months ended February 28, 2009 and the twelve-month periods ended April 30, 2008, and April 30, 2007, was released in June 2012. The audit of the TRS Program for the twelve-month periods ended February 29, 2012, February 28, 2011, and February 28, 2010, is currently in progress.

Service of Paper Copies

In the past, and continuing this year, our practice has been to serve the annual TRS surcharge recalculation

order on every LEC in the Commonwealth, in addition to the service providers, Office of Vocational Rehabilitation, Office of Consumer Advocate, Office of Small Business Advocate, Pennsylvania Telephone Association, and the Fund Administrator. We propose for the next year and thereafter, to only serve paper copies of the recalculation orders on the LECs when there is a change in the TRS surcharge or other provision in the order requiring that the LECs file a tariff change or take other action. Service on the other parties would continue. Additionally, we would continue to publish the recalculation orders in the *Pennsylvania Bulletin* and on the Commission's website.

Interested persons may file comments or a petition for reconsideration⁹ within 30 days of entry of this order if there are concerns with eliminating service of paper copies of annual TRS recalculation order on LECs when the orders call for no change in the TRS surcharge and call for no action from the LECs.

Conclusion

The Commission has completed the annual recalculation of the TRS Surcharge. The surcharge to be applied beginning July 1, 2013 through June 30, 2014 will remain at \$0.08 for residential and business access lines. We also propose to eliminate service of paper copies of annual TRS recalculation orders on local exchange carriers (LECs) when the orders call for no change in the TRS surcharge and impose no new requirements on the LECs in response to the orders; *Therefore,*

It Is Ordered That:

1. For the period of July 1, 2013, through June 30, 2014, the monthly TRS surcharge rate shall be \$0.08 for residence and business, unless we take further action to revise the TRS surcharge prior to June 30, 2014.

2. All local exchange carriers are directed to use the attached form to remit the monthly TRS surcharge collections to U.S. Bank, Institutional Trust & Custody. The remittance sheet shall be posted to the PUC web site <http://www.puc.pa.gov>. All local exchange carriers are required to collect and remit the TRS surcharge revenue monthly by the 20th of each month.

3. A copy of this Order be served upon all local exchange carriers, AT&T Corp., Hamilton Telecommunications, U.S. Bank Institutional Trust & Custody, the Office of Vocational Rehabilitation in the Department of Labor and Industry, the Office of Consumer Advocate, the Office of Small Business Advocate, and the Pennsylvania Telephone Association.

4. Comments or a petition for reconsideration addressing elimination of the service of paper copies of annual TRS recalculation orders when there is no change may be filed within 30 days of entry of this order.

5. A copy of this Order be published in the *Pennsylvania Bulletin*.

6. A copy of this Order be posted to the Commission's website.

ROSEMARY CHIAVETTA,
Secretary

⁴ As a result of mergers, acquisitions, and name changes, Fund administration has been handled by Hamilton Bank (1990), CoreStates Bank N.A. (1995), First Union National Bank (1999), Wachovia Bank, N.A. (2002), and U.S. Bank Institutional Trust & Custody (2006).

⁵ Separate accounts are maintained for the portions of the surcharge allocated to Relay, TDDP, and PMASP. Relay Advisory Board, CTRS, and outreach activities are funded from the Relay account; Fund administration draws from each respective account.

⁶ U.S. Bank Institutional Trust & Custody, Attn: Sue Massey, EX-PA-WBSP, 50 South 16th Street, 20th Floor, Philadelphia, PA 19102, payable to the "PA Relay Service Fund" and designated for Relay. Wire instructions can be found on the remittance form.

⁷ The TRS surcharge appears as a single line item on customers' bills but actually has three components (Relay TDDP and PMASP).

⁸ As of January 1, 2007, the TDD program is administered by Pennsylvania's Initiative on Assistive Technology (PIAT), Institute on Disabilities, Temple University (IDT).

⁹ The 30 day time frame for filing a petition for reconsideration is an enlargement of the time provided in our regulations. See 52 Pa. Code § 5.572(c).

**Remittance Form for Monthly TRS
Surcharge Collections**

Effective July 1, 2013 through June 30, 2014
M-2013-2341301

All local exchange carriers are required to collect and remit the TRS surcharge revenue monthly, by the 20th of each month using the following format for the monthly remittance:

Pennsylvania TRS Surcharge
For the Month Ending _____
Number of Residential access lines _____
X \$0.08 per line _____

Allocated:
TRS Relay 91.0 percent _____
TDDP 5.0 percent _____
PMASP 4.0 percent _____
Number of Business access lines _____
X \$0.08 per line _____
Allocated:
TRS Relay 91.0 percent _____
TDDP 5.0 percent _____
PMASP 4.0 percent _____
Total Remittance _____

Make check payable to: Pennsylvania TRS Fund

<i>Mail Report and payment to:</i>	<i>Wire Instructions:</i>
U.S. Bank Institutional Trust & Custody Sue Massey EX-PA-WBSP 50 South 16th Street, 20th Floor Philadelphia, PA 19102	BANK U.S. Bank N.A ADDRESS 60 Livingston Avenue, St Paul MN 55107-2292 ABA 091 000 022 BNF ITC Depository South & East ACCOUNT 173 103 781 832 OBI PA Relay ATTN: Sue Massey

Remittance for:

Company Name: _____
Utility Code: _____
Contact Person: _____
Voice Phone Number: (____) _____ FAX: (____) _____
E-mail address _____

Authorized Signature: _____ Date: _____

Please direct any questions regarding the TRS Surcharge remittance to Mr. Eric Jeschke at (717) 783-3850 or ejeschke@pa.gov.

[Pa.B. Doc. No. 13-1066. Filed for public inspection June 7, 2013, 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 June 24, 2013. 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.

Application of the following for approval to begin operating as common carriers for transportation of persons as described under the application.

A-2013-2348810. Armani's Limousine Service, LLC (185 Unionville Road, Jim Thorpe, PA 18229) for the right to begin to transport, as a common carrier by motor vehicle, persons in limousine service, from points in the

Counties of Berks, Carbon, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Monroe, Northampton, Philadelphia and Schuylkill.

Applications of the following for approval of the additional right and privilege of operating motor vehicles as common carriers for transportation of persons as described under each application.

A-2013-2351341. Paoli Airport Limousine Service, Inc. (126 Pennsylvania Avenue, Malvern, PA 19355) for the additional right to begin to transport, as a common carrier, by motor vehicle, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in Chester, Bucks, Delaware and Montgomery Counties, to points in Pennsylvania, and return.

A-2013-2356612. Michael Mizur, t/a Limo 1 (3015 North Front Street, Whitehall, PA 18052) for the additional right to begin to transport, as a common carrier, by motor vehicle, persons in airport transfer service from points in Lehigh County to Lehigh Valley International Airport.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 13-1067. Filed for public inspection June 7, 2013, 9:00 a.m.]

Service of Notice of Motor Carrier Formal Complaints

Formal complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due June 24, 2013, and must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

*Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. James T Leonard Jr t/a J & J Trucking & Excavating;
Doc. No. C-2013-2356153*

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to James T Leonard Jr, t/a J & J Trucking & Excavating, (respondent) is under suspension effective March 13, 2013 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at PO Box 445, Madison, PA 15663.
3. That respondent was issued a Certificate of Public Convenience by this Commission on January 05, 2011, at A-2010-2207881.
4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 and causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-2010-2207881 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 4/10/2013

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original shall be mailed to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, Pennsylvania 17105-3265

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor
Harrisburg, Pennsylvania 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, Pennsylvania 17105-3265

B. If you fail to answer this Complaint within twenty (20) days of the date of service, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing the penalty proposed in this Complaint. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord Certificates of Insurance and faxed Form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility
Services
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing the proposed penalty in this Complaint, which may include the cancellation of your Certificate of Public Convenience. Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth in this Complaint.

F. If you have questions regarding this Complaint or if you would like an alternative format of this Complaint (for persons with disabilities), please contact the Compliance Office at (717) 787-1227.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 13-1068. Filed for public inspection June 7, 2013, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Proposals

The Philadelphia Regional Port Authority will accept sealed Request for Proposals for Project No. 13-052.P, Design/Build of the Environmental Mitigation for Southport, until 2 p.m. Wednesday, July 3, 2013. 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. 13-1069. Filed for public inspection June 7, 2013, 9:00 a.m.]
