

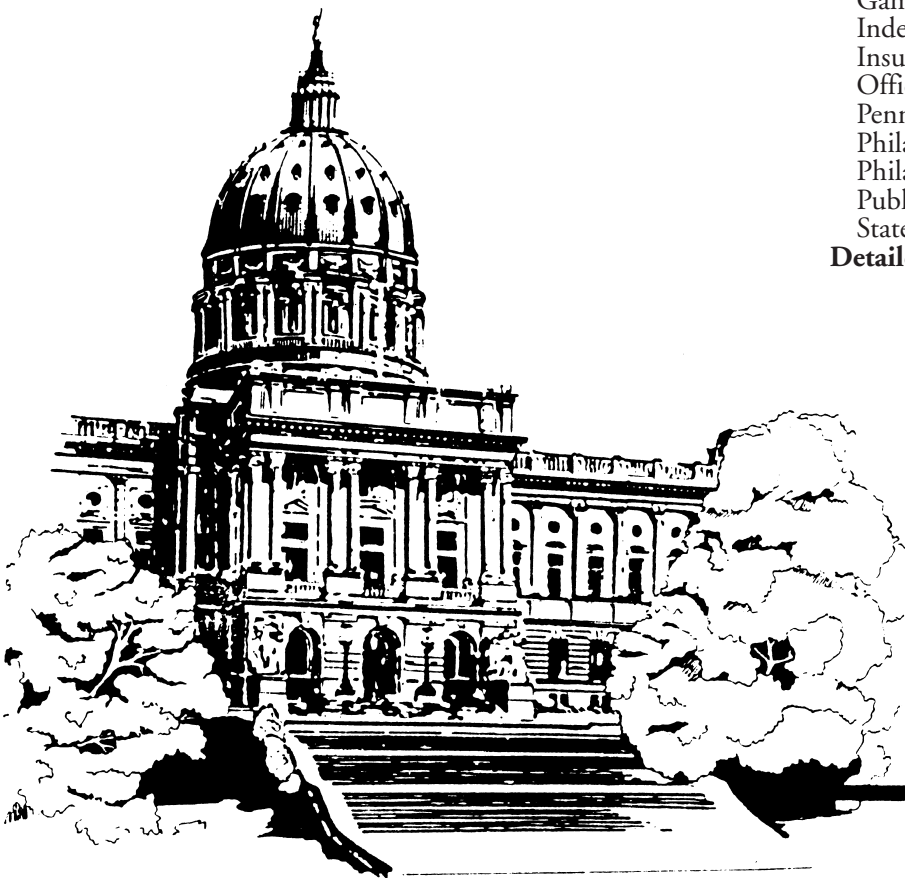
# PENNSYLVANIA BULLETIN

Volume 44  
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**No. 472, March 2014**

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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](http://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](http://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](http://www.pabulletin.com).

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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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# THE COURTS

## Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

### PART V. PROFESSIONAL ETHICS AND CONDUCT [ 204 PA. CODE CH. 83 ]

#### Proposed Amendments to Pennsylvania Rules of Disciplinary Enforcement 102, 218 and 219 to Adopt New Terminology to Differentiate Between the Annual Attorney Registration Fees Paid by Active and Inactive Attorneys; and to Provide for the Assessment of a Paper Processing Fee When an Attorney Elects Not to File the Annual Fee Form Electronically, Beginning With the 2015-2016 Assessment Year

##### Notice of Proposed Rulemaking

Notice is hereby given that The Disciplinary Board of the Supreme Court of Pennsylvania is considering recommending to the Pennsylvania Supreme Court that the Court amend Pennsylvania Rules of Disciplinary Enforcement 102, 218 and 219 as set forth in Annex A.

Charging attorneys an annual fee to assume or remain on inactive status went into effect beginning with the 2009-2010 assessment year. The annual fee for inactive status is less than the base annual fee assessed against active attorneys, and inactive attorneys are exempt from paying the additional annual fees imposed upon active attorneys by PA RPC 1.15(u), which assessment is for use by the IOLTA Board, and by Enforcement Rule 502(b), which assessment is for use by the Pennsylvania Lawyers Fund for Client Security. The Board believes that clarity would be added to the Enforcement Rules by adopting new terminology to describe and differentiate between the active fees and the inactive fee. To this end, the proposed amendments introduce the terms "active annual fee" and "inactive annual fee." Throughout the proposed Rules, annual "fee" is in the plural when necessary to reflect the combination of fees paid by active attorneys. A new Note after subdivision (a) of Rule 219 serves to explain the source of the fees assessed against active attorneys.

Through amendments to subdivisions (a) and (j)(1) of Rule 219, the Board is also proposing that a paper processing fee of \$25.00 be assessed against attorneys who elect not to file the annual fee form electronically; this assessment would begin with the 2015-2016 assessment year. The Attorney Registration Office (ARO) incurs significant costs both prior to and after the receipt, by mail or delivery in person to the ARO, of a completed annual fee form and the check or money order in payment of the annual fee. These costs, which include materials, labor and handling, are associated with the printing of the annual fee forms and of various documents that are instructional or informational in nature; purchasing envelopes, return envelopes, and postage; placing the annual fee forms and the various inserts into envelopes; maintaining a lockbox; scanning filed forms; negotiating the checks and money orders; and reviewing and rejecting forms that are incomplete or ineligible for processing. The ARO was responsible for the processing of 73,878 registrations during the 2011-2012 assessment year, 74,623 registrations during the 2012-2013 assess-

ment year, and 75,618 registrations for the 2013-2014 registration year as of January 28, 2014. A proposed amendment to Rule 219(a) reflects that the additional \$25.00 paper processing fee as well as the base annual fee paid by both active and inactive attorneys, will be used to defray the costs of registration of attorneys.

Electronic filing reduces the costs associated with attorney registration. The number of electronic filers, however, has not reached a point where the costs associated with the current volume of paper filings have been significantly reduced. When electronic filing first became available, which was during the 2011-2012 assessment year, only slightly more than 20% of registrants filed electronically. During the two subsequent registration periods, that number increased to roughly 28% and 31%, respectively.

A few states have instituted mandatory electronic filing, although a hardship exemption may be granted upon application. While the Board is of the view that mandatory electronic filing in Pennsylvania is on the horizon, the Board decided that it would be appropriate to preserve the *status quo* provided that the increased costs associated with maintaining the current paper system of registration are borne by those attorneys who register in paper form. Attorneys who wish to avoid the paper processing fee have the option of filing the annual fee form electronically and paying a nominal fee, which is currently \$2.75, to cover the cost of processing the electronic payment.

Attorneys who wish to take advantage of the convenience and benefits of electronic filing should do so timely, as electronic filing is no longer available after the Supreme Court enters an order administratively suspending the attorney pursuant to subdivision (f) of Rule 219. Under subdivisions (h) and (k) of Rule 219, administratively suspended attorneys who subsequently register as active or inactive must do so in paper form, thereby requiring the payment of the \$25.00 paper processing fee in addition to the applicable annual fee or fees and other assessments.

Interested persons are invited to submit written comments by mail, email, or facsimile regarding the proposed amendments to the Office of the Secretary, The Disciplinary Board of the Supreme Court of Pennsylvania, 601 Commonwealth Avenue, Suite 5600, PO Box 62625, Harrisburg, PA 17106-2625, Email address Dboard.comments@pacourts, Facsimile number (717-231-3382), on or before May 12, 2014.

*By The Disciplinary Board of the  
Supreme Court of Pennsylvania*

ELAINE M. BIXLER,  
*Secretary*

##### Annex A

#### TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

#### PART V. PROFESSIONAL ETHICS AND CONDUCT

#### Subpart B. DISCIPLINARY ENFORCEMENT

#### CHAPTER 83. PENNSYLVANIA RULES OF DISCIPLINARY ENFORCEMENT

#### Subchapter A. PRELIMINARY PROVISIONS

#### Rule 102. Definitions.

(a) *General rule.* Subject to additional definitions contained in subsequent provisions of these rules which are

applicable to specific provisions of these rules, the following words and phrases when used in these rules shall have, unless the context clearly indicates otherwise, the meanings given to them in this rule:

\* \* \* \* \*

*Administrative suspension*—Status of an attorney, after Court order, who: failed to pay the annual [ fee ] fees and/or file the form required by subdivisions (a) and (d) of Enforcement Rule 219; failed to pay the inactive annual fee required by subdivision (j)(1) of Enforcement Rule 219 and/or file the form required by subdivisions (c) and (d) of Enforcement Rule 219; was reported to the Court by the Pennsylvania Continuing Legal Education Board under Rule 111(b), Pa.R.C.L.E., for having failed to satisfy the requirements of the Pennsylvania Rules for Continuing Legal Education; failed to pay any expenses taxed pursuant to Enforcement Rule 208(g); or failed to meet the requirements for maintaining a limited law license as a Limited In-House Corporate Counsel, a foreign legal consultant, an attorney participant in defender and legal services programs pursuant to Pa.B.A.R. 311, or a military attorney.

\* \* \* \* \*

**Subchapter B. MISCONDUCT**

**Rule 218. Reinstatement.**

\* \* \* \* \*

(f) The Supreme Court in its discretion may direct that the necessary expenses incurred in the investigation and processing of the petition for reinstatement be paid by the petitioner-attorney. A reinstatement fee of \$300 shall be assessed against a petitioner-attorney who was administratively suspended at the time of the filing of the petition. The annual [ fee ] fees required by Rule 219(a) and the reinstatement fee, if applicable, shall be paid to the Attorney Registration Office after the Supreme Court order is entered.

\* \* \* \* \*

**Rule 219. Annual registration of attorneys.**

(a) Every attorney admitted to practice law in this Commonwealth shall pay an **active** annual fee of \$130.00 and file the annual fee form provided for in this rule. **If an attorney elects not to file the form electronically, an additional \$25.00 paper processing fee shall be paid.** The **active annual fee and paper processing** fee shall be collected under the supervision of the Attorney Registration Office, which shall send or cause to be sent to every attorney, except an attorney who has elected to file the form electronically, the annual fee form. The Attorney Registration Office shall transmit to those attorneys who have elected to file the form electronically a notice by e-mail to register by July 1. Failure to receive the annual fee form by mail or electronically shall not excuse payment of the [ fee ] fees. The said [ fee ] fees shall be used to defray the costs of **registration of attorneys, and** disciplinary administration and enforcement under these rules, and for such other purposes as the Board shall, with the approval of the Supreme Court, from time to time determine.

**Official Note: PA RPC 1.15(u) imposes an additional annual fee for use by the IOLTA Board, and Pa.R.D.E. 502(b) imposes an additional annual fee for use by the Pennsylvania Lawyers Fund for Client Security.**

(b) The following shall be exempt from paying the **active** annual fee required by subdivision (a):

\* \* \* \* \*

(d) On or before July 1 of each year all attorneys required by this rule to pay an annual fee shall file with the Attorney Registration Office a signed or electronically endorsed form prescribed by the Attorney Registration Office in accordance with the following procedures:

\* \* \* \* \*

(2) Payment of the annual fee and **paper processing fee** shall accompany the form. IOLTA, trust, escrow and other fiduciary account checks tendered in payment of the [ **annual fee** ] **said fees** will not be accepted. If the form and payment are incomplete or if a check in payment of the [ **annual fee** ] **fees** has been returned to the Board unpaid, the annual fee and **paper processing fee** shall not be deemed to have been paid until a collection fee, and one or both of the late payment penalties prescribed in subdivision (f) of this rule if assessed, shall also have been paid. The amount of the collection [ , ] fee shall be established by the Board annually after giving due regard to the direct and indirect costs incurred by the Board during the preceding year for checks returned to the Board unpaid.

\* \* \* \* \*

(e) Upon receipt of a form, or notice of change of information contained therein, filed by an attorney in accordance with the provisions of subdivision (d) of this rule, and of payment of the required [ **annual fee** ] **fees** to practice law in this Commonwealth, receipt thereof shall be acknowledged on a certificate or license.

(f) Any attorney who fails to complete registration by July 31 shall be automatically assessed a non-waivable late payment penalty established by the Board. A second, non-waivable late payment penalty established by the Board shall be automatically added to the delinquent account of any attorney who has failed to complete registration by August 31, at which time the continued failure to comply with this rule shall be deemed a request to be administratively suspended. Thereafter, the Attorney Registration Office shall certify to the Supreme Court the name of every attorney who has failed to comply with the registration and payment requirements of this rule, and the Supreme Court shall enter an order administratively suspending the attorney. The Chief Justice may delegate the processing and entry of orders under this subdivision to the Prothonotary. Upon entry of an order of administrative suspension, the Attorney Registration Office shall transmit by certified mail, addressed to the last known mailing address of the attorney, or by electronic means, the order of administrative suspension and a notice that the attorney shall comply with Enforcement Rule 217 (relating to formerly admitted attorneys), a copy of which shall be included with the notice.

For purposes of assessing the late payment penalties prescribed by this subdivision (f), registration shall not be deemed to be complete until the Attorney Registration Office receives a completed annual fee form and satisfactory payment of the annual fee and **paper processing fee**, and of all outstanding collection fees and late payment penalties. If a check in payment of the delinquency has been returned to the Board unpaid, a collection fee, as established by the Board under subdivision (d)(2) of this rule, shall be added to the attorney's delinquent account and registration shall not be deemed to be complete until the delinquent account has been paid in full.

The amount of the late payment penalties shall be established by the Board annually pursuant to the provisions of subdivision (h)(3) of this rule.

(g) The Attorney Registration Office shall provide to the Board [ **secretary** ] **Secretary** a copy of any certification filed by the Attorney Registration Office with the Supreme Court pursuant to the provisions of this rule.

(h) The procedure for reinstatement of an attorney who has been administratively suspended pursuant to subdivision (f) for three years or less is as follows:

(1) The formerly admitted attorney shall submit **by mail or delivery in person** to the Attorney Registration Office the form required by subdivision (d)(1) along with payment of:

(i) the current **active** annual fee **and the paper processing fee required by subdivision (a) of this rule**;

(ii) the **active** annual fee that was due in the year in which the attorney was administratively suspended;

(iii) the late payment penalties required by paragraph (3);

(iv) any unpaid collection fee; **and**

(v) a reinstatement fee of \$300.00.

\* \* \* \* \*

(i) *Retired Status*: An attorney who has retired shall file with the Attorney Registration Office an application for retirement **or annual fee form, along with payment of any late payment penalties incurred**. Upon the transmission of such application from the Attorney Registration Office to the Supreme Court, the Court shall enter an order transferring the attorney to retired status, and the attorney shall no longer be eligible to practice law. The retired attorney will be relieved from the payment of the [ **fee** ] **fees** imposed by this rule upon active practitioners and Enforcement Rule 217 (relating to formerly admitted attorneys) shall not be applicable to the formerly admitted attorney unless ordered by the Court in connection with the entry of an order of suspension or disbarment under another provision of these rules. An attorney on retired status for three years or less may be reinstated in the same manner as an inactive attorney, except that the retired attorney shall pay the [ **annual** ] active **annual** fee for the three most recent years or such shorter period in which the attorney was on retired status instead of the amounts required to be paid by an inactive attorney seeking reinstatement. The Chief Justice may delegate the processing and entry of orders under this subdivision to the Prothonotary.

(j) *Inactive Status*: An attorney who is not engaged in practice in Pennsylvania, has sold his or her practice pursuant to Rule 1.17 of the Pennsylvania Rules of Professional Conduct, or is not required by virtue of his or her practice elsewhere to maintain active licensure in the Commonwealth may request inactive status or continue that status once assumed. The attorney shall be removed from the roll of those classified as active until and unless such inactive attorney makes a request under paragraph (2) of this subdivision (j) for an administrative return to active status and satisfies all conditions precedent to the grant of such request; or files a petition for reinstatement under subdivision (d) of Enforcement Rule 218 (relating to procedure for reinstatement of an attorney who has been on inactive status for more than three years, or who is on inactive status and had not been on active status at

any time within the prior three years) and is granted reinstatement pursuant to the provisions of that Enforcement Rule.

(1) An inactive attorney under this subdivision (j) shall continue to file the annual form required by subdivision (d) and shall pay an **inactive** annual fee of \$70.00. **If an attorney elects not to file the form electronically, an additional \$25.00 paper processing fee shall be paid.** Noncompliance with this provision will result in the inactive attorney incurring late payment penalties, incurring a collection fee for any check in payment that has been returned to the Board unpaid, and being placed on administrative suspension pursuant to and in accordance with the provisions of subdivision (f) of this rule.

(2) *Administrative Change in Status from Inactive Status to Active Status*: An attorney [ **on inactive status may** ] **who has registered as inactive under subsection (1) of this subdivision (j) may thereafter** request resumption of active status **before the end of the current assessment year** on a form provided by the Attorney Registration Office **for that particular purpose**. Resumption of active status shall be granted unless the inactive attorney is subject to an outstanding order of suspension or disbarment, unless the inactive attorney has sold his or her practice pursuant to Rule 1.17 of the Pennsylvania Rules of Professional Conduct (see Enforcement Rule 218(h)), unless the inactive status has been in effect for more than three years, or unless the inactive attorney had not been on active status at any time within the preceding three years (see Enforcement Rule 218(h)), upon the payment of:

(i) the active **annual** fee for the assessment year in which the application for resumption of active status is made or the difference between the active **annual** fee and the inactive **annual** fee that has been paid for that year; and

(ii) any collection fee or late payment penalty that may have been assessed pursuant to subdivision (f), prior to the inactive attorney's request for resumption of active status.

Where a check in payment of fees and penalties has been returned to the Board unpaid, the Attorney Registration Office shall immediately return the attorney to inactive status, and the arrears shall not be deemed to have been paid until a collection fee, as established by the Board under subdivision (d)(2), shall also have been paid.

**Official Note:** Subdivisions (h), (i) and (j) of this rule do not apply if, on the date of the filing of the request for reinstatement, the formerly admitted attorney has not been on active status at any time within the preceding three years. See Enforcement Rule 218(h)(1).

(k) *Administrative Change in Status From Administrative Suspension to Inactive Status*: An inactive attorney who has been administratively suspended for failure to file the annual form and pay the [ **annual fee** ] **fees** required by subdivision (j)(1) of this rule, may request an administrative change in status to inactive status. The Attorney Registration Office shall change the status of an attorney eligible for inactive status under this subdivision upon receipt of:

(1) the annual form required by subdivision (d);

(2) payment of the **inactive** annual fee **and the \$25.00 paper processing fee** required by subdivision (j)(1);

(3) payment of all collection fees and late payment penalties assessed under subdivisions (d)(2) and (f); and

(4) payment of an administrative processing fee of \$100.00.

Where a check in payment of the fees and penalties has been returned to the Board unpaid, the Attorney Registration Office shall immediately return the attorney to administrative suspension, and the arrears shall not be deemed to have been paid until a collection fee, as established by the Board under subdivision (d)(2), shall also have been paid.

An active attorney who has been administratively suspended for failure to file the annual form and pay the active annual fee required by this rule must comply with subdivision (h) before becoming eligible to register as inactive or retired.

\* \* \* \* \*

(n) A former or retired justice or judge who is not the subject of an outstanding order of discipline affecting his or her right to practice law and who wishes to resume the practice of law shall file with the Attorney Registration Office a notice in writing to that effect. The notice shall:

\* \* \* \* \*

(iii) be accompanied by payment of the [ full ] active annual fee for the assessment year in which the notice is filed.

[Pa.B. Doc. No. 14-629. Filed for public inspection March 28, 2014, 9:00 a.m.]

# Title 237—JUVENILE RULES

## PART I. RULES

[ 237 PA. CODE CH. 1 ]

### Order Amending Comment to Rule 120 of the Rules of Juvenile Court Procedure; No. 632 Supreme Court Rules Doc.

#### Order

*Per Curiam*

And Now, this 10th day of March, 2014, upon the recommendation of the Juvenile Court Procedural Rules Committee, the proposal having been submitted without publication pursuant to Pa.R.J.A. No. 103(a)(3); and an Explanatory Report to be published with this *Order*:

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that the modifications to the comment to Rule 120 of the Rules of Juvenile Court Procedure are approved in the following form.

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

#### Annex A

### TITLE 237. JUVENILE RULES

#### PART I. RULES

##### Subpart A. DELINQUENCY MATTERS

##### CHAPTER 1. GENERAL PROVISIONS

##### PART A. BUSINESS OF COURTS

#### Rule 120. Definitions.

\* \* \* \* \*

#### Comment

\* \* \* \* \*

“Placement facility” is not to include any county jail, state prison, penal institution, or other facility used primarily for the execution of sentences of adults convicted of a crime. See 42 Pa.C.S. § 6352(b) for disposition of a delinquent juvenile. [ **However, nothing in this rule precludes an adult from being sentenced to a county jail in a contempt proceeding. For example, if a juvenile failed to appear for a juvenile court hearing when summoned and is now eighteen years of age or older, the court may proceed with a contempt hearing and order detention in a county jail.** ]

\* \* \* \* \*

#### EXPLANATORY REPORT

March 2014

The Supreme Court of Pennsylvania has adopted the proposed changes to Rule 120. The changes are effective immediately.

This rule change was prompted by concerns brought to the Committee’s attention by the Juvenile Court Judges’ Commission (JCJC) regarding the implications of the recent modifications to Pa.R.J.C.P. 120 Comment and its possible unintended results.

The portion of the Comment, which is causing concern is under the term “placement facility,” and provides, “However, nothing in this rule precludes an adult from being sentenced to a county jail in a contempt proceeding. For example, if a juvenile failed to appear for a juvenile court hearing when summoned and is now eighteen years of age or older, the court may proceed with a contempt hearing and order detention in a county jail.”

The intent of the Rule is for juveniles, who are under the juvenile court jurisdiction vested through the Juvenile Act, 42 Pa.C.S. § 6301 *et seq.*, to be placed in detention or placement facilities with juveniles and not to be detained in jails or holding cells with adults. This includes juveniles over the age of eighteen who are still under juvenile court jurisdiction.

Some judicial districts are reclassifying probation violation or bench warrant hearings as contempt of court hearings to justify detention in a county jail. This clearly was not the intent of the Rule modification.

Because the Comment is causing confusion in many judicial districts, the Comment is being deleted.

[Pa.B. Doc. No. 14-630. Filed for public inspection March 28, 2014, 9:00 a.m.]

# Title 255—LOCAL COURT RULES

## DELAWARE COUNTY

### Local Criminal Rules; Accelerated Rehabilitative Disposition—Conditions of the Program; CP-23-MD 525-14

And Now, this 4th day of March, 2014, it is hereby *Ordered* and *Decreed* that the existing Delaware County Local Criminal Rule 175(a) is rescinded and shall be

renumbered as Delaware County Local Criminal Rule 316(c) Accelerated Rehabilitative Disposition—Conditions of the Program in accordance with the language set forth as follows. Said Rule shall go into effect thirty (30) days after Publication in the *Pennsylvania Law Bulletin*.

**Delaware County Local Rule 316(c). Accelerated Rehabilitative Disposition—Conditions of the Program.**

(c) All candidates must complete the fingerprinting process within thirty (30) days after his/her case is held for the Court of Common Pleas. Failure to complete the fingerprinting process within this time period will render the applicant ineligible for participation in the program. At the arraignment of a case for which an application for the Accelerated Rehabilitative Disposition (ARD) program has been filed, the case shall be assigned to a judge and scheduled for a 180-day pre-trial conference date, provided that, (1) defendant has been represented by counsel and (2) defendant, through counsel, has executed a waiver of Rule 600, the Speedy Trial Rule, for said 180-day period. Where defendant has not been represented by counsel at arraignment, a “return with counsel” date shall be set for defendant.

*Comment:* See Accelerated Rehabilitative Disposition Administrative Guidelines and Program requirements published from time to time as needed by the District Attorney’s Office

*By the Court*

CHAD F. KENNEY,  
*President Judge*

**ACCELERATED REHABILITATIVE DISPOSITION PROGRAM ADMINISTRATIVE GUIDELINES**

**Explanation of the Program:**

The primary purpose of the Accelerated Rehabilitative Disposition (ARD) Program is to promptly dispose of charges and to eliminate the need for costly and time-consuming trials and other court proceedings. This program is available to certain carefully screened defendants. It is designed primarily for first-time offenders who lend themselves to treatment and rehabilitation and who are unlikely to commit another crime. The District Attorney’s Office of Delaware County, upon application of a defendant, may request the Court of Common Pleas of Delaware County to accept a case for placement in the Program.

A defendant may be considered for participation in the ARD Program if the defendant has no history of prior delinquency or criminal activity or has led a law-abiding life for a substantial period of time before the commission of the present crime. Prior to the District Attorney’s request for admission into the program, the police officer involved with the case will have an opportunity to offer comments on whether the defendant should be considered for the program. The victim of the crime will also have the opportunity to offer comments to the District Attorney. This opportunity will include the submission of a written victim impact statement detailing the physical, psychological and economic effects of the crime on the victim and the victim’s family. The District Attorney’s Office may also determine that there are other circumstances concerning the case or the defendant which disqualify the defendant from participation in the ARD Program. There is no right to participate in the ARD Program. Eligibility is determined on a case-by-case basis and is solely within the discretion of the District Attorney.

Acceptance into and satisfactory completion of the ARD Program offers the defendant an opportunity to earn a

dismissal and potentially a purging of the offense from his/her criminal history. This procedure must be initiated by the defendant after the defendant’s successful completion of the ARD Program and does not automatically occur merely upon a defendant’s placement into, and successful completion of, the Program. Failure to satisfactorily complete the Program will result in removal from the Program and prosecution of the pending charges.

**REQUIREMENTS FOR ALL ARD CANDIDATES**

**THE APPLICANT MUST HAVE AN ATTORNEY**

No application for admission to the ARD Program will be considered unless the defendant is represented by an attorney. This is required in order to assure that the applicant’s rights are protected. If the applicant is without adequate financial resources to retain an attorney, the applicant should immediately contact the Office of the Public Defender of Delaware County at (610) 891-4100.

**THE APPLICANT MUST WAIVE ARRAIGNMENT**

In order to be considered for admission into the ARD Program, the applicant and the attorney must complete the Entry of Appearance and Waiver of Arraignment Form, except for the Common Pleas Transcript Number. The Magisterial District Judge docket number and Common Pleas arraignment date are stated on the Subpoena for Arraignment form which is received from the District Court. THE ENTRY OF APPEARANCE AND WAIVER OF ARRAIGNMENT FORM, ARD RULE 600 WAIVER FORM AND THE ARD APPLICATION FORM MAY BE COMPLETED AND DOWNLOADED FROM THE DELAWARE COUNTY COURT OF COMMON PLEAS WEB SITE OR PROVIDED TO YOU BY THE MAGISTERIAL DISTRICT JUDGE.

**THE APPLICANT MUST BE FINGERPRINTED**

The name of the fingerprinting agency and the date the applicant was fingerprinted must be stated on the Entry of Appearance and Waiver of Arraignment Form. If the applicant has not been fingerprinted, s/he must be fingerprinted by the arresting agency. The applicant must take a copy of the Criminal Complaint in order to be fingerprinted.

**CONDITIONS OF THE PROGRAM**

The length of participation in the Program may not exceed two years. Failure to comply with any requirement imposed shall result in immediate removal from the Program and the case shall proceed to trial. An important part of the ARD Program is the requirement that a defendant perform community service. The number of hours of community service will be determined by the District Attorney’s Office. Additional conditions may be imposed before acceptance into the Program, including but not limited to, restitution. You must pay all restitution deemed appropriate to your case by the District Attorney’s Office or you will be removed from the Program.

**COSTS FOR ALL ARD CANDIDATES**

The defendant must be prepared to pay the costs of the Program on the day of the ARD hearing unless there has been an agreement to the contrary with the District Attorney’s Office prior to the hearing date.

The costs of the program alone are APPROXIMATELY \$1200.00 for Non-DUI cases and APPROXIMATELY \$1400.00 for DUI cases. In addition, state law mandates payment of a monthly probation supervisory fee. This charge must be paid over the period of supervision, however, it may be paid in full on the day of the ARD

hearing. By Order of Court, payment must be by cash, money order, Mastercard, Visa or MAC.

**REQUIREMENTS FOR ALL ARD APPLICANTS:**

—WAIVE FORMAL ARRAIGNMENT

14 DAYS BEFORE THE SCHEDULED ARRAIGNMENT THE APPLICANT MUST SUBMIT:

(1) Attorney's Entry of Appearance and Waiver of Arraignment Form

(2) ARD Rule 600 Waiver Form

(3) ARD Application

TO: DELAWARE COUNTY COURT ADMINISTRATOR  
COURT HOUSE, MEDIA, PA 19063  
(610) 891-4550

—ACCEPT A DELAYED PRE-TRIAL CONFERENCE DATE THAT WILL BE APPROXIMATELY SIX (6) MONTHS AFTER THE FORMAL ARRAIGNMENT DATE

—WAIVE RULE 600 AND SPEEDY TRIAL RIGHTS FROM THE DATE OF FORMAL ARRAIGNMENT THROUGH THE PRE-TRIAL CONFERENCE DATE

MINIMUM DISPOSITIONS FOR DUI APPLICANTS INCLUDE BUT ARE NOT LIMITED TO:

TIER I: BAC 0.08%—0.99%: 12 months probation, 16 hours Community Service work, no license suspension

TIER II: BAC 0.10%—0.159%: 12 months probation, 32 hours Community Service work, 30-day license suspension

TIER III: BAC OVER 0.16%: drugs, accident with bodily injury or refusal: 12 months probation, 64 hours Community Service work, 60-day license suspension

MINOR (UNDER 21 YEARS OF AGE AT THE TIME OF THE OFFENSE): 12 months probation, Tier-appropriate community service hours, 90 days license suspension

THE FOLLOWING REDUCTION IN COMMUNITY SERVICE HOURS MAY BE AVAILABLE ONLY FOR DUI CASES COMMITTED ON OR AFTER FEBRUARY 1, 2004 IF ALL ADDITIONAL REQUIREMENTS ARE COMPLETED WITHIN SIXTY (60) DAYS AFTER THE WAIVER OF THE PRELIMINARY HEARING:

TIER I: Possible reduction from sixteen (16) hours to eight (8) hours

TIER II or Minor: Possible reduction from thirty-two (32) hours to sixteen (16) hours

TIER III: Possible reduction from sixty-four (64) hours to thirty-two (32) hours

**ADDITIONAL REQUIREMENTS FOR REDUCTION IN COMMUNITY SERVICE:**

A. Waive Preliminary Hearing; AND

B. Undergo CRN Evaluation [schedule by calling (610) 891-4571]; AND

C. Complete the required community service hours [schedule by calling (610) 891-5317]; AND

D. Complete Alcohol Safe Driving Classes [schedule by calling (610) 237-8630]; AND

E. Schedule a Drug and Alcohol Evaluation, if required [schedule by calling (610) 891-4571].

John J. Whelan  
District Attorney  
Delaware County

[Pa.B. Doc. No. 14-631. Filed for public inspection March 28, 2014, 9:00 a.m.]

**DELAWARE COUNTY**

**Local Criminal Rules; Accelerated Rehabilitative Disposition—Procedure Upon Refusal to Accept the Conditions; CP-23-MD 525-14**

*And Now*, this 4th day of March, 2014, it is hereby *Ordered and Decreed* that the existing Delaware County Local Criminal Rule 175(c) is rescinded and shall be renumbered as Delaware County Local Criminal Rule 317(1) Accelerated Rehabilitative Disposition—Procedure Upon Refusal to Accept the Conditions in accordance with the language set forth as follows. Said Rule shall go into effect thirty (30) days after Publication in the *Pennsylvania Law Bulletin*.

**Delaware County Local Rule 317(1). Accelerated Rehabilitative Disposition—Procedure Upon Refusal to Accept the Conditions.**

(1) *Notice*: If the District Attorney does not recommend a defendant for Accelerated Rehabilitative Disposition, the District Attorney shall notify defendant and his/her attorney, in writing, of that decision. Written notice of the decision shall also be sent to the trial judge. Upon the judge's receipt of such notice, the judge shall schedule a pre-trial conference to be held approximately 30 days from the date of the notice. Notice of the pre-trial conference date shall be sent by regular mail from the court to the defendant, defendant's counsel, the District Attorney and the Court Administrator. The defendant and his/her attorney must appear at said pre-trial conference.

In the event the defendant fails to appear at the pre-trial conference, a bench warrant will be issued and bail will be revoked.

Any prior order or rule issued by this court inconsistent with the rule herein adopted and the same is hereby repealed.

*By the Court*

CHAD F. KENNEY,  
*President Judge*

[Pa.B. Doc. No. 14-632. Filed for public inspection March 28, 2014, 9:00 a.m.]

**DELAWARE COUNTY**

**Local Criminal Rules; Accelerated Rehabilitative Disposition—Procedures; CP-23-MD 525-14**

*And Now*, this 4th day of March, 2014, it is hereby *Ordered and Decreed* that the existing Delaware County Local Criminal Rule 175(b) is rescinded.

*By the Court*

CHAD F. KENNEY,  
*President Judge*

[Pa.B. Doc. No. 14-633. Filed for public inspection March 28, 2014, 9:00 a.m.]

**DELAWARE COUNTY****Local Criminal Rules; Arraignment—Every Defendant Arraigned; CP-23-MD 525-14**

*And Now*, this 4th day of March 2014, it is hereby *Ordered and Decreed* that the existing Delaware County Local Criminal Rule 303(c) is rescinded and shall be entirely replaced and renamed by Delaware County Local Criminal Rule 571(E) Arraignment—Every Defendant Arraigned in accordance with the language set forth as follows. Said Rule shall go into effect thirty (30) days after Publication in the *Pennsylvania Law Bulletin*.

**Delaware County Local Criminal Rule 571(E). Arraignment—Every Defendant Arraigned.**

Every Defendant against whom an indictment or information has been filed shall be arraigned before the court or its appointed designee.

*By the Court*

CHAD F. KENNEY,  
*President Judge*

[Pa.B. Doc. No. 14-634. Filed for public inspection March 28, 2014, 9:00 a.m.]

**DELAWARE COUNTY****Local Criminal Rules; Arraignment—Notice; CP-23-MD 525-14**

*And Now*, this 4th day of March 2014, it is hereby *Ordered and Decreed* that the existing Delaware County Local Criminal Rule 303(d) is rescinded and shall be entirely replaced and renamed by Delaware County Local Criminal Rule 571(F) Arraignment—Notice in accordance with the language set forth as follows. Said Rule shall go into effect thirty (30) days after Publication in the *Pennsylvania Law Bulletin*.

**Delaware County Local Criminal Rule 571(F). Arraignment—Notice.**

If held for court, the defendant will receive notice of the date set for arraignment at the conclusion of the preliminary hearing.

*By the Court*

CHAD F. KENNEY,  
*President Judge*

[Pa.B. Doc. No. 14-635. Filed for public inspection March 28, 2014, 9:00 a.m.]

**DELAWARE COUNTY****Local Criminal Rules; Arraignment—Presence of Defendant; CP-23-MD 525-14**

*And Now*, this 4th day of March 2014, it is hereby *Ordered and Decreed* that the existing Delaware County Local Criminal Rule 303(f) is rescinded and shall be entirely replaced and renamed by Delaware County Local Criminal Rule 571(H) Arraignment—Presence of Defendant in accordance with the language set forth as follows. Said Rule shall go into effect thirty (30) days after Publication in the *Pennsylvania Law Bulletin*.

**Delaware County Local Criminal Rule 571(H). Arraignment—Presence of Defendant.**

Except as provided in Local Rule 571(D)(3), the defendant shall appear at arraignment. In the event the

defendant fails to appear, the defendant may be arraigned as a fugitive at the time originally set for arraignment.

*By the Court*

CHAD F. KENNEY,  
*President Judge*

[Pa.B. Doc. No. 14-636. Filed for public inspection March 28, 2014, 9:00 a.m.]

**DELAWARE COUNTY****Local Criminal Rules; Arraignment—Time; CP-23-MD 525-14**

*And Now*, this 4th day of March 2014, it is hereby *Ordered and Decreed* that the existing Delaware County Local Criminal Rule 303(e) is rescinded and shall be entirely replaced and renamed by Delaware County Local Criminal Rule 571(G) Arraignment—Time in accordance with the language set forth as follows. Said Rule shall go into effect thirty (30) days after Publication in the *Pennsylvania Law Bulletin*.

**Delaware County Local Criminal Rule 571(G). Arraignment—Time.**

The defendant may be arraigned at any time up to and including immediately before the trial of the case, provided the defendant is given adequate notice of the charge.

*By the Court*

CHAD F. KENNEY,  
*President Judge*

[Pa.B. Doc. No. 14-637. Filed for public inspection March 28, 2014, 9:00 a.m.]

**DELAWARE COUNTY****Local Criminal Rules; Arraignment—Waiver; CP-23-MD 525-14**

*And Now*, this 4th day of March 2014, it is hereby *Ordered and Decreed* that the existing Delaware County Local Criminal Rule 303(f)(2) is rescinded and shall be entirely replaced and renamed by Delaware County Local Criminal Rule 571(D)(3) Arraignment—Waiver in accordance with the language set forth as follows. Said Rule shall go into effect thirty (30) days after Publication in the *Pennsylvania Law Bulletin*.

**Delaware County Local Criminal Rule 571(D)(3). Arraignment—Waiver.**

Except where the defendant is charged with the crime of murder, if counsel enters an appearance for the defendant, and counsel and the defendant execute the Entry of Appearance and Waiver of Arraignment form approved by the court, and the same is received by the Court Administrator's Office at least fourteen (14) days before the scheduled arraignment date, neither the defendant nor counsel need appear at arraignment.

*By the Court*

CHAD F. KENNEY,  
*President Judge*

[Pa.B. Doc. No. 14-638. Filed for public inspection March 28, 2014, 9:00 a.m.]

## DELAWARE COUNTY

**Local Criminal Rules; Attorneys—Appearance at or Before Arraignment Court; CP-23-MD 525-14**

*And Now*, this 4th day of March 2014, it is hereby *Ordered* and *Decreed* that the existing Delaware County Local Criminal Rule 302(c) is rescinded and shall be entirely replaced and renamed by Delaware County Local Criminal Rule 120(A)(5) Attorneys—Appearance at or before Arraignment Court in accordance with the language set forth as follows. Said Rule shall go into effect thirty (30) days after Publication in the *Pennsylvania Law Bulletin*.

**Delaware County Local Criminal Rule 120(A)(5). Appearance at or before Arraignment Court.**

An appearance slip shall be furnished by the Court, which shall be in triplicate and in the form as shall be provided from time to time.

It shall be the responsibility of defense attorney to enter an appearance at or before Arraignment Court.

*By the Court*

CHAD F. KENNEY,  
*President Judge*

[Pa.B. Doc. No. 14-639. Filed for public inspection March 28, 2014, 9:00 a.m.]

## DELAWARE COUNTY

**Local Criminal Rules; Continuances—Motions; CP-23-MD 525-14**

*And Now*, this 4th day of March 2014, it is hereby *Ordered* and *Decreed* that the existing Delaware County Local Criminal Rule 301(d) is rescinded and shall be entirely replaced and renamed by Delaware County Local Criminal Rule 106(D)(1) Continuances—Motions in accordance with the language set forth as follows. Said Rule shall go into effect thirty (30) days after Publication in the *Pennsylvania Law Bulletin*.

**Delaware County Local Criminal Rule 106(D)(1). Continuances—Motions.**

All motions for continuance must be presented personally to the assigned trial judge prior to trial, or at the time of trial to the assigned trial judge, by the moving party on a form (provided by the court) which is used for the purpose of a continuance. Opposing counsel shall be notified prior to the filing of any motion for continuance.

The Office of Judicial Support will ensure that the information on the continuance form is immediately and accurately recorded on the Clerk's Certificate and that the court's copy of the application is filed permanently with the record papers.

The required forms are available from the Office of Judicial Support and shall be in the form as approved from time to time by the court.

*By the Court*

CHAD F. KENNEY,  
*President Judge*

[Pa.B. Doc. No. 14-640. Filed for public inspection March 28, 2014, 9:00 a.m.]

## DELAWARE COUNTY

**Local Criminal Rules; Copy of Notice of Appeal—Summary Cases; CP-23-MD 525-14**

*And Now*, this 4th day of March 2014, it is hereby *Ordered* and *Decreed* that the existing Delaware County Local Criminal Rule 86(h) is rescinded and shall be entirely replaced and renamed by Delaware County Local Criminal Rule 460(C)(1) Copy of Notice of Appeal—Summary Cases in accordance with the language set forth as follows. Said Rule shall go into effect thirty (30) days after Publication in the *Pennsylvania Law Bulletin*.

**Delaware County Local Criminal Rule 460(C)(1). Copy of Notice of Appeal—Municipal Ordinance.**

In summary cases involving violation of municipal ordinances, a copy of the notice of appeal shall also be served within five (5) days after filing by the designated court officer upon the Solicitor of the municipality involved.

*By the Court*

CHAD F. KENNEY,  
*President Judge*

[Pa.B. Doc. No. 14-641. Filed for public inspection March 28, 2014, 9:00 a.m.]

## DELAWARE COUNTY

**Local Criminal Rules; Definitions; CP-23-MD 525-14**

*And Now*, this 4th day of March 2014, it is hereby *Ordered* and *Decreed* that the existing Delaware County Local Criminal Rule 3 is rescinded and shall be entirely replaced by Delaware County Local Criminal Rule 103 in accordance with the language set forth as follows. Said Rule shall go into effect thirty (30) days after Publication in the *Pennsylvania Law Bulletin*.

**Delaware County Local Criminal Rule 103. Definitions.**

**CLERK OF COURTS**—As applied to the Court of Common Pleas, the personnel of the Office of Judicial Support who are responsible for the receipt of documents transmitted to the Court by litigants and transmission of notice of orders entered by and process issued under the authority of the Court and who maintain the official criminal case file and list of docket entries and to perform such other duties as required by rule or law.

**OFFICE OF JUDICIAL SUPPORT**—That office formerly designated and exercising the powers and performing the duties of the Office of Clerk of Courts of Delaware County.

**DIRECTOR OF THE OFFICE OF JUDICIAL SUPPORT**—The officer exercising the powers and performing the duties previously performed by the Clerk of Courts as specified in Subchapter (c) of Chapter 27 of the Judicial Code, at 1976, July 9, P. L. 586, No. 142, § 2, eff. June 27, 1978, as cited in 42 Pa.C.S. § 2701, et seq.

*By the Court*

CHAD F. KENNEY,  
*President Judge*

[Pa.B. Doc. No. 14-642. Filed for public inspection March 28, 2014, 9:00 a.m.]



## DELAWARE COUNTY

**Local Criminal Rules; Examination and Challenge of Trial Jurors—Procedure for Voir Dire Examination; CP-23-MD 525-14**

*And Now*, this 4th day of March, 2014, it is hereby *Ordered and Decreed* that the existing Delaware County Local Criminal Rule 1106(f) is rescinded and shall be entirely replaced and renamed by Delaware County Local Criminal Rule 631(F) Examination and Challenge of Trial Jurors—Voir Dire Examination in accordance with the language set forth as follows. Said Rule shall go into effect thirty (30) days after Publication in the *Pennsylvania Law Bulletin*.

**Delaware County Rule 631(F). Examination and Challenge of Trial Jurors—Voir Dire Examination.**

The trial judge shall conduct the voir dire examination in each case. Counsel may present special questions to the trial judge before examination for voir dire: a trial judge will rule on special questions, on the record, and out of the hearing of the jury, and will allow those questions found appropriate to be propounded to the jury by the trial judge.

*By the Court*

CHAD F. KENNEY,  
*President Judge*

[Pa.B. Doc. No. 14-643. Filed for public inspection March 28, 2014, 9:00 a.m.]

## DELAWARE COUNTY

**Local Criminal Rules; Examination and Challenges of Trial Jurors—Contact with Jurors; CP-23-MD 525-14**

*And Now*, this 4th day of March, 2014, it is hereby *Ordered and Decreed* that the existing Delaware County Local Criminal Rule 1127(a)—(c) is rescinded and shall be entirely replaced and renamed Delaware County Local Criminal Rule 631(F)(a)—(c) Examination and Challenges of Trial Jurors—Contact with Jurors in accordance with the language set forth as follows. Said Rule shall go into effect thirty (30) days after Publication in the *Pennsylvania Law Bulletin*.

**Delaware County Local Rule 631(F)(a)—(c). Examination of and Challenges of Trial Jurors—Contact with Jurors.**

(a) Before the trial of a case, no attorney, party or witness shall communicate or cause another to communicate with anyone he or she knows to be a member of the venire from which the jury will be selected for the trial of the case.

(b) During the trial of a case, no attorney, party or witness shall communicate with or cause another to communicate with any member of the jury.

(c) After the conclusion of the trial, no attorney, party or witness shall initiate communications with or cause another to initiate communications with any member of the jury without first receiving permission of the court.

*By the Court*

CHAD F. KENNEY,  
*President Judge*

[Pa.B. Doc. No. 14-644. Filed for public inspection March 28, 2014, 9:00 a.m.]

## DELAWARE COUNTY

**Local Criminal Rules; Failure to Appear; CP-23-MD 525-14**

*And Now*, this 4th day of March 2014, it is hereby *Ordered and Decreed* that the existing Delaware County Local Criminal Rule 303(i) is rescinded effective thirty (30) days after Publication in the *Pennsylvania Law Bulletin*.

*By the Court*

CHAD F. KENNEY,  
*President Judge*

[Pa.B. Doc. No. 14-645. Filed for public inspection March 28, 2014, 9:00 a.m.]

## DELAWARE COUNTY

**Local Criminal Rules; Filing and Service by Parties—Omnibus Pretrial Motions; CP-23-MD 525-14**

*And Now*, this 4th day of March 2014, it is hereby *Ordered and Decreed* that the existing Delaware County Local Criminal Rule 306(b) is rescinded and shall be entirely replaced and renamed by Delaware County Local Criminal Rule 576(B)(5) Filing and Service by Parties—Omnibus Pretrial Motions accordance with the language set forth as follows. Said Rule shall go into effect thirty (30) days after Publication in the *Pennsylvania Law Bulletin*.

**Delaware County Local Criminal Rule 576(B)(5). Filing and Service by Parties—Omnibus Pretrial Motions.**

An original and five (5) copies of such pre-trial motions shall be filed with the Office of Judicial Support. The Office of Judicial Support upon time stamping and docking said original motion shall timely forward the original and four (4) copies to the Court Administrator, who shall keep a copy pursuant to Pa.R.C.P 576 and forward the original and three (3) copies to the trial judge for service upon the filing party or attorney if represented, and District Attorney.

*By the Court*

CHAD F. KENNEY,  
*President Judge*

[Pa.B. Doc. No. 14-646. Filed for public inspection March 28, 2014, 9:00 a.m.]

## DELAWARE COUNTY

**Local Criminal Rules; Filing—Summary Cases; CP-23-MD 525-14**

*And Now*, this 4th day of March 2014, it is hereby *Ordered and Decreed* that the existing Delaware County Local Criminal Rule 86(j) is rescinded and shall be entirely replaced and renamed by Delaware County Local Criminal Rule 460(A)(1) Filing—Summary Cases in accordance with language set forth as follows. Said Rule shall go into effect thirty (30) days after Publication in the *Pennsylvania Law Bulletin*.

**Delaware County Local Criminal Rule 460(A)(1).  
Filing—Summary Cases.**

Notice of appeal shall be filed with the Office of Judicial Support.

*By the Court*

CHAD F. KENNEY,  
*President Judge*

[Pa.B. Doc. No. 14-647. Filed for public inspection March 28, 2014, 9:00 a.m.]

**DELAWARE COUNTY**

**Local Criminal Rules; Fines or Costs—Consolidation; CP-23-MD 525-14**

*And Now*, this 4th day of March 2014, it is hereby *Ordered and Decreed* that the existing Delaware County Local Criminal Rule 219 is rescinded and shall be entirely replaced and renamed by Delaware County Local Criminal Rule 706(e) Fines or Costs—Consolidation in accordance with the language set forth as follows. Said Rule shall go into effect thirty (30) days after Publication in the *Pennsylvania Law Bulletin*.

**Delaware County Local Criminal Rule 706(e). Fines or Costs—Consolidation.**

Where separate indictments or informations have been found charging criminal offenses at the same time or growing out of the same transaction, costs will be taxed on only one indictment.

*By the Court*

CHAD F. KENNEY,  
*President Judge*

[Pa.B. Doc. No. 14-648. Filed for public inspection March 28, 2014, 9:00 a.m.]

**DELAWARE COUNTY**

**Local Criminal Rules; Listing Appeal for Hearing—Municipal Ordinance; CP-23-MD 525-14**

*And Now*, this 4th day of March 2014, it is hereby *Ordered and Decreed* that the existing Delaware County Local Criminal Rule 86(i) is rescinded and shall be entirely replaced and renamed by Delaware County Local Criminal Rule 460(G) Listing Appeal for Hearing—Municipal Ordinance in accordance with the language set forth as follows. Said Rule shall go into effect thirty (30) days after Publication in the *Pennsylvania Law Bulletin*.

**Delaware County Local Criminal Rule 460(G). Listing Appeal for Hearing—Municipal Ordinance.**

Upon the perfecting of defendant's appeal by filing a notice of appeal within thirty (30) days of the conviction, the Court Administrator will list the case for a hearing at the next appropriate date designated after the Magisterial District Judge files a transcript in the Office of Judicial Support. A hearing on appeals from summary judgment shall be held not less than ten (10) days after the transcript of the Magisterial District Judge is filed in

the Office of Judicial Support. Notice of hearing on appeal from summary judgment shall be given to all parties by the Office of Judicial Support.

*By the Court*

CHAD F. KENNEY,  
*President Judge*

[Pa.B. Doc. No. 14-649. Filed for public inspection March 28, 2014, 9:00 a.m.]

**DELAWARE COUNTY**

**Local Criminal Rules; Orders and Court Notices—Service; CP-23-MD 525-14**

*And Now*, this 4th day of March 2014, it is hereby *Ordered and Decreed* that the existing Delaware County Local Criminal Rule 114 is rescinded and shall be entirely replaced and renamed by Delaware County Local Criminal Rule 114(B)(4) Orders and Court Notices—Service in accordance with the language set forth as follows. Said Rule shall go into effect thirty (30) days after Publication in the *Pennsylvania Law Bulletin*.

**Delaware County Local Criminal Rule 114(B)(4). Orders and Court Orders—Service.**

Orders and court notices may be served by the Office of Judicial Support, the Court Administrator's Office, or the Court.

*By the Court*

CHAD F. KENNEY,  
*President Judge*

[Pa.B. Doc. No. 14-650. Filed for public inspection March 28, 2014, 9:00 a.m.]

**DELAWARE COUNTY**

**Local Criminal Rules; Orders and Court Notices—Service; CP-23-MD 525-14**

*And Now*, this 4th day of March 2014, it is hereby *Ordered and Decreed* that the existing Delaware County Local Criminal Rule 114(B) is rescinded effective thirty (30) days after Publication in the *Pennsylvania Law Bulletin*.

*By the Court*

CHAD F. KENNEY,  
*President Judge*

[Pa.B. Doc. No. 14-651. Filed for public inspection March 28, 2014, 9:00 a.m.]

**DELAWARE COUNTY**

**Local Criminal Rules; Pleas and Plea Agreements; CP-23-MD 525-14**

*And Now*, this 4th day of March, 2014, it is hereby *Ordered and Decreed* that the existing Delaware County Local Criminal Rule 319(d) is rescinded and shall be renumbered as Delaware County Local Criminal Rule 590(D) Pleas and Plea Agreements in accordance with the

language set forth as follows. Said Rule shall go into effect thirty (30) days after Publication in the *Pennsylvania Law Bulletin*.

**Delaware County Local Rule 590(D). Pleas and Plea Agreements.**

The approved plea of guilty form (attached hereto) is to be completed by the defense attorney and defendant prior to the entry of the plea of guilty. The defendant is to read or have his attorney read to him each paragraph contained in the guilty plea statement and the defendant is to initial each paragraph after he has fully discussed with his attorney the rights he is waiving in each individual paragraph. The defendant is to sign the guilty plea form in the presence of his attorney after he fully understands and agrees to the terms of the plea.

The defense attorney shall sign the guilty plea agreement certifying to the court that he has fully explained to the defendant the terms of the plea agreement and that the defendant understands what he is doing. The defense attorney shall be prepared to question the defendant during the guilty plea colloquy as to the defendant's understanding of the plea agreement and the rights being waived therein. The defense attorney may read and question from the guilty plea statement if the court so requests. The defendant and his attorney must be prepared to fully state their understanding of any plea agreement at the time the plea is entered.

The guilty plea statement shall be submitted to the court at the time of the plea and shall be made part of the record. The guilty plea statement shall be furnished by the Court as provided from time to time.

*By the Court*

CHAD F. KENNEY,  
*President Judge*

[Pa.B. Doc. No. 14-652. Filed for public inspection March 28, 2014, 9:00 a.m.]

**DELAWARE COUNTY**

**Local Criminal Rules; Post Sentence Procedures—  
Filing of Post-Sentence Motions; CP-23-MD  
525-14**

*And Now*, this 4th day of March, 2014, it is hereby *Ordered and Decreed* that the existing Delaware County Local Criminal Rule 1123(g) is rescinded and shall be entirely replaced and renamed by Delaware County Local Criminal Rule 720(E) Post Sentence Procedures—Filing of Post-Sentence Motions in accordance with the language set forth as follows. Said Rule shall go into effect thirty (30) days after Publication in the *Pennsylvania Bulletin*.

**Delaware County Local Rule 720(E). Post Sentence Procedures—Filing of Post-Sentence Motions.**

Post Sentence motions shall be filed in accordance with Pa.R.Crim.P. 720. Such motions shall be timely filed with the Office of Judicial Support, and copies thereof shall be promptly served upon the trial judge, the attorney for the Commonwealth, and any other counsel of record or upon pro se parties.

*By the Court*

CHAD F. KENNEY,  
*President Judge*

[Pa.B. Doc. No. 14-653. Filed for public inspection March 28, 2014, 9:00 a.m.]

**DELAWARE COUNTY**

**Local Criminal Rules; Post Sentence Procedures—  
Generally; CP-23-MD 525-14**

*And Now*, this 4th day of March, 2014, it is hereby *Ordered and Decreed* that the existing Delaware County Local Criminal Rule 1410 is rescinded and shall be entirely replaced and renamed by Delaware County Local Criminal Rule 720(B)(1)(d) Post Sentence Procedures—Generally in accordance with the language set forth as follows. Said Rule shall go into effect thirty (30) days after Publication in the *Pennsylvania Law Bulletin*.

**Delaware County Local Rule 720(B)(1)(d). Post Sentence Procedures—Generally.**

All petitions for parole or modification of sentence shall set forth the history of the case, the name of the sentencing Judge, the date of the sentence and the terms, the date of commitment and the reasons for the application. A notice shall accompany the petition which may be signed by the trial judge who will determine if a hearing is necessary. Said petitions shall be filed with the Office of Judicial Support and copies thereof shall be served promptly upon the District Attorney and other counsel of record, if any. If the defendant is incarcerated, it shall be incumbent upon the District Attorney to make arrangements for the defendant's appearance at the hearing.

*By the Court*

CHAD F. KENNEY,  
*President Judge*

[Pa.B. Doc. No. 14-654. Filed for public inspection March 28, 2014, 9:00 a.m.]

**DELAWARE COUNTY**

**Local Criminal Rules; Post Sentence Procedures—  
Service of Briefs; CP-23-MD 525-14**

*And Now*, this 4th day of March, 2014, it is hereby *Ordered and Decreed* that the existing Delaware County Local Criminal Rule 1123(i) is rescinded and shall be entirely replaced and renamed Delaware County Local Criminal Rule 720(B)(2)(b) Post Sentence Procedures—Service of Briefs in accordance with the language set forth as follows. Said Rule shall go into effect thirty (30) days after Publication in the *Pennsylvania Law Bulletin*.

**Delaware County Local Rule 720(B)(2)(b). Post Sentence Procedures—Service of Briefs.**

(b) The moving party shall serve a brief upon the opposing party and trial judge thirty (30) days prior to the date listed for argument; the reply brief shall be served upon opposing party and two copies upon the trial judge ten (10) days before the date listed for argument. Failure to comply may result in dismissal of the motion or other appropriate sanctions.

*By the Court*

CHAD F. KENNEY,  
*President Judge*

[Pa.B. Doc. No. 14-655. Filed for public inspection March 28, 2014, 9:00 a.m.]

## DELAWARE COUNTY

**Local Criminal Rules; Post Sentence Procedures—  
Transcript; CP-23-MD 525-14**

*And Now*, this 4th day of March, 2014, it is hereby *Ordered and Decreed* that the existing Delaware County Local Criminal Rule 1123(h) is rescinded and shall be entirely replaced and renamed by Delaware County Local Criminal Rule 720(B)(2)(c)(1) Post Sentence Procedures—Transcript in accordance with the language set forth as follows. Said Rule shall go into effect thirty (30) days after Publication in the *Pennsylvania Law Bulletin*.

**Delaware County Local Rule 720(B)(2)(c)(1). Post  
Sentence Procedures—Transcript.**

Post-verdict motions, shall be served on the trial judge with a proposed order for the transcription of those portions of the notes of testimony, charge of the court, argument and any other portions of the trial, when needed, and reasons therefor in preparing its brief in support of post-verdict or post sentence motions. The moving party shall serve upon the official court reporter and the District Attorney a conformed copy of the trial judge's order for transcription.

*By the Court*

CHAD F. KENNEY,  
*President Judge*

[Pa.B. Doc. No. 14-656. Filed for public inspection March 28, 2014, 9:00 a.m.]

## DELAWARE COUNTY

**Local Criminal Rules; Preservation of Testimony  
After Institution of Criminal Proceedings—Place  
of Deposition; CP-23-MD 525-14**

*And Now*, this 4th day of March, 2014, it is hereby *Ordered and Decreed* that the existing Delaware County Local Criminal Rule 9015(j) is rescinded and shall be entirely replaced and renamed Delaware County Local Criminal Rule 500(3) Preservation of Testimony after Institution of Criminal Proceedings—Place of Deposition in accordance with the language set forth as follows. Said Rule shall go into effect thirty (30) days after Publication in the *Pennsylvania Law Bulletin*.

**Delaware County Local Rule 500(3). Preservation of  
Testimony after Institution of Criminal Proceed-  
ings—Place of Deposition.**

A deposition pursuant to this rule may be taken at any place agreed to by the parties unless the court for cause shown otherwise orders. In the absence of any agreement, it shall take place at the Delaware County Courthouse.

*By the Court*

CHAD F. KENNEY,  
*President Judge*

[Pa.B. Doc. No. 14-657. Filed for public inspection March 28, 2014, 9:00 a.m.]

## DELAWARE COUNTY

**Local Criminal Rules; Preservation of Testimony  
by Videotape Recording—Directions Not to An-  
swer; CP-23-MD 525-14**

*And Now*, this 4th day of March, 2014, it is hereby *Ordered and Decreed* that the existing Delaware County Local Criminal Rule 9015(i) is rescinded and shall be entirely replaced and renamed Delaware County Local Criminal Rule 501(B)(8)(c) Preservation of Testimony by Videotape Recording—Directions Not to Answer in accordance with the language set forth as follows. Said Rule shall go into effect thirty (30) days after Publication in the *Pennsylvania Law Bulletin*.

**Delaware County Local Rule 501(B)(8)(c). Preserva-  
tion of Testimony by Videotape Recording—  
Directions Not to Answer.**

Under circumstances where the witness is directed by an attorney not to answer a question or line of questions, the attorney asking the questions may, at his or her option, request, where practical, an immediate ruling by a judge or where the obtaining of such a ruling is not practical, may defer that part of the videotape deposition until said ruling may be had. For this purpose, the assigned trial judge may be reached by telephone for ruling. The aforesaid ruling should be immediately reduced to writing or placed on the videotape at the option of the attorneys by a stipulation which sets forth the question, the ruling and the name of a judge and the stipulation should be forthwith filed of record.

*By the Court*

CHAD F. KENNEY,  
*President Judge*

[Pa.B. Doc. No. 14-658. Filed for public inspection March 28, 2014, 9:00 a.m.]

## DELAWARE COUNTY

**Local Criminal Rules; Preservation of Testimony  
by Videotape Recording—Oath; CP-23-MD  
525-14**

*And Now*, this 4th day of March, 2014, it is hereby *Ordered and Decreed* that the existing Delaware County Local Criminal Rule 9015(f) is rescinded and shall be entirely replaced and renamed Delaware County Local Criminal Rule 501(A)(1) Preservation of Testimony by Videotape Recording—Oath in accordance with the language set forth as follows. Said Rule shall go into effect thirty (30) days after Publication in the *Pennsylvania Law Bulletin*.

**Delaware County Local Rule 501(A)(1). Preserva-  
tion of Testimony by Videotape Recording—Oath.**

The Oath shall be administered by a court reporter if present. Otherwise, any attorney present at the deposition, or an officer of the court, is authorized to administer the oath to a witness.

*By the Court*

CHAD F. KENNEY,  
*President Judge*

[Pa.B. Doc. No. 14-659. Filed for public inspection March 28, 2014, 9:00 a.m.]

## DELAWARE COUNTY

**Local Criminal Rules; Preservation of Testimony by Videotape Recording—Objections; CP-23-MD 525-14**

*And Now*, this 4th day of March, 2014, it is hereby *Ordered and Decreed* that the existing Delaware County Local Criminal Rule 9015(g) is rescinded and shall be entirely replaced and renamed Delaware County Local Criminal Rule 501(B)(8)(a) Preservation of Testimony by Videotape Recording—Objections in accordance with the language set forth as follows. Said Rule shall go into effect thirty (30) days after Publication in the *Pennsylvania Law Bulletin*.

**Delaware County Local Rule 501(B)(8)(a). Preservation of Testimony by Videotape Recording—Objections.**

If objections have been made by any of the parties during the course of depositions, the operator shall note said objection and the objecting parties shall have the appropriate portion of said deposition transcribed within ten (10) days after its recording or within such other period of time as the parties may stipulate and shall submit same to the assigned trial judge for the purpose of obtaining rulings on said objections. For that purpose, the assigned trial judge may view the entire videotape recording, any portion thereof, or listen to an audiotape recording thereof or read the transcript if it is deemed necessary.

In the event that the presence of a judge has been waived by the stipulation of the parties, the judge shall rule on the objections prior to the date set for trial of the action and shall give notice to the parties of his or her rulings and his or her instructions for editing. The editing shall reflect the rulings of the judge and shall remove all reference to the objections. The judge may also permit further depositions of said witnesses. The party taking the depositions shall cause the videotape to be edited in accordance with the instructions of the judge.

*By the Court*

CHAD F. KENNEY,  
*President Judge*

[Pa.B. Doc. No. 14-660. Filed for public inspection March 28, 2014, 9:00 a.m.]

## DELAWARE COUNTY

**Local Criminal Rules; Preservation of Testimony by Videotape Recording—Objections at Trial; CP-23-MD 525-14**

*And Now*, this 4th day of March, 2014, it is hereby *Ordered and Decreed* that the existing Delaware County Local Criminal Rule 9015(h) is rescinded and shall be entirely replaced and renamed Delaware County Local Criminal Rule 501(B)(8)(b) Preservation of Testimony by Videotape Recording—Objections at Trial in accordance with the language set forth as follows. Said Rule shall go into effect thirty (30) days after Publication in the *Pennsylvania Law Bulletin*.

**Delaware County Local Rule 501(B)(8)(b). Preservation of Testimony by Videotape Recording—Objections at Trial.**

There shall be no objection at trial unless specifically allowed by the court and the edited videotape may be offered at the trial by either party.

*By the Court*

CHAD F. KENNEY,  
*President Judge*

[Pa.B. Doc. No. 14-661. Filed for public inspection March 28, 2014, 9:00 a.m.]

## DELAWARE COUNTY

**Local Criminal Rules; Pretrial Conference; CP-23-MD 525-14**

*And Now*, this 4th day of March 2014, it is hereby *Ordered and Decreed* that the existing Delaware County Local Criminal Rule 303(h) is rescinded effective thirty (30) days after Publication in the *Pennsylvania Law Bulletin*.

*By the Court*

CHAD F. KENNEY,  
*President Judge*

[Pa.B. Doc. No. 14-662. Filed for public inspection March 28, 2014, 9:00 a.m.]

## DELAWARE COUNTY

**Local Criminal Rules; Prosecution—Municipal Ordinances; CP-23-MD 525-14**

*And Now*, this 4th day of March 2014, it is hereby *Ordered and Decreed* that the existing Delaware County Local Criminal Rule 86(k) is rescinded and shall be entirely replaced and renamed by Delaware County Local Criminal Rule 460(H) Prosecution—Municipal Ordinances in accordance with the language set forth as follows. Said Rule shall go into effect thirty (30) days after Publication in the *Pennsylvania Law Bulletin*.

**Delaware County Local Criminal Rule 460(H). Prosecution—Municipal Ordinances.**

In cases involving municipal ordinances, the Solicitor of the municipality involved shall subpoena all witnesses for the prosecution and conduct the hearing on behalf of the prosecution.

*By the Court*

CHAD F. KENNEY,  
*President Judge*

[Pa.B. Doc. No. 14-663. Filed for public inspection March 28, 2014, 9:00 a.m.]

## DELAWARE COUNTY

**Local Criminal Rules; Witnesses—Subpoena; CP-23-MD 525-14**

*And Now*, this 4th day of March 2014, it is hereby *Ordered and Decreed* that the existing Delaware County

Local Criminal Rule 144 is rescinded and shall be entirely replaced and renamed by Delaware County Local Criminal Rule 545(c) Witnesses—Subpoena in accordance with the language set forth as follows. Said Rule shall go into effect thirty (30) days after Publication in the *Pennsylvania Law Bulletin*.

**Delaware County Local Criminal Rule 545(c). Witnesses—Subpoena.**

The issuance of a subpoena from the Court of Common Pleas through the Office of Judicial Support shall be sufficient for the summoning of witnesses for the Commonwealth or the Defendant in any criminal proceeding before a Magisterial District Judge. Service of the subpoena shall be the responsibility of the party requesting the subpoena and the appearance of the witness.

*By the Court*

CHAD F. KENNEY,  
*President Judge*

[Pa.B. Doc. No. 14-664. Filed for public inspection March 28, 2014, 9:00 a.m.]

**DELAWARE COUNTY**

**Local Rule of Criminal Procedure 507A; CP-23-MD 525-14**

**Order**

*And Now*, this 4th day of March, 2014, it is hereby *Ordered and Decreed* that the following Local Rule is hereby adopted. Said Rule shall go into effect thirty (30) days after Publication in the *Pennsylvania Law Bulletin*.

*By the Court*

CHAD F. KENNEY,  
*President Judge*

**Proposed Local Rule 507A**

**Rule 507A. Approval of Police Complaints and Arrest Warrant Affidavits By Attorney For the Commonwealth.**

(A) The District Attorney of Delaware County, having filed a certificate pursuant to Pennsylvania Rule of Criminal Procedure 507, Criminal Complaints and Arrest Warrant Affidavits by police officers, as defined in the Rules of Criminal Procedure charging the following criminal offenses:

Criminal Homicide in violation of 18 Pa.C.S.A. Section 2501;

Murder in any degree in violation of 18 Pa.C.S.A. Section 2502;

Voluntary Manslaughter in violation of 18 Pa.C.S.A. Section 2503;

Involuntary Manslaughter in violation of 18 Pa.C.S.A. Section 2504;

Causing or aiding suicide in violation of 18 Pa.C.S.A. Section 2505;

Drug delivery resulting in death in violation of 18 Pa.C.S.A. Section 2506;

Criminal Homicide of unborn child in violation of 18 Pa.C.S.A. Section 2603;

Murder in any degree of unborn child in violation of 18 Pa.C.S.A. Section 2604;

Voluntary Manslaughter of unborn child in violation of 18 Pa.C.S.A. Section 2605;

Aggravated Assault of unborn child in violation of 18 Pa.C.S.A. Section 2606;

Homicide by Vehicle in violation of 75 Pa.C.S.A. Section 3732; and

Homicide by Vehicle While Driving Under the Influence in violation of 75 Pa.C.S.A. Section 3735

Aggravated Assault by vehicle While Driving Under the Influence in violation of 75 Pa.C.S.A. Section 3735.1;

Aggravated Assault by Vehicle in violation of 75 Pa.C.S.A. Section 3732.1;

Rape in violation of 18 Pa.C.S.A. Section 3121;

Statutory Sexual Assault in violation of 18 Pa.C.S.A. Section 3122.1;

Involuntary Deviate Sexual Intercourse in violation of 18 Pa.C.S.A. Section 3123;

Sexual Assault in violation of 18 Pa.C.S.A. Section 3124.1;

Institutional Sexual Assault in violation of 18 Pa.C.S.A. Section 3142.2; and

Aggravated Indecent Assault in violation of 18 Pa.C.S.A. Section 3125;

shall not hereafter be accepted by any judicial officer unless the Complaint and Affidavit have the approval of a Deputy District Attorney of the Delaware County District Attorney's Office prior to filing.

(B) Upon disapproval of a police complaint, arrest warrant affidavit, or both by an attorney for the Commonwealth, the attorney for the Commonwealth shall furnish to the police officer who prepared the complaint, affidavit, or both a written notice of the disapproval, in substantially the following form, and the attorney for the Commonwealth shall maintain a record of the written notice.

NOTICE AND RECORD OF DISAPPROVAL  
COMMONWEALTH OF PENNSYLVANIA

VS.

\_\_\_\_\_  
\_\_\_\_\_

Occurrence Date: \_\_\_\_\_

District Attorney of  
Delaware County  
File Number: \_\_\_\_\_

Complaint/Affidavit/  
Application of: \_\_\_\_\_  
Charge: \_\_\_\_\_  
Police Number: \_\_\_\_\_  
Police Department: \_\_\_\_\_  
Time: \_\_\_\_\_  
Location: \_\_\_\_\_

SUMMARY OF FACTS AND PROBABLE CAUSE:

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PCIC/NCIC check reveals no outstanding warrants:

Date \_\_\_\_\_ Source of Information \_\_\_\_\_

REASON(S) FOR DISAPPROVAL (Please check appropriate reason)

<input type="checkbox"/> IC=Insufficient Corroboration	<input type="checkbox"/> UV=Unavailable or Uncooperative Victim
<input type="checkbox"/> IE=Insufficient Evidence	<input type="checkbox"/> WC=Witness Credibility Contradicted
<input type="checkbox"/> II=Identification Inconclusive	<input type="checkbox"/> ID=Inadequate Description of Persons, Premises Or Property
<input type="checkbox"/> IJ=Interest of Justice	<input type="checkbox"/> NS=Insufficient Cause for Nighttime Search
<input type="checkbox"/> IS=Inadmissible Evidence	
<input type="checkbox"/> IP=Insufficient Probable Cause	
<input type="checkbox"/> LJ=Lacks Jurisdiction	
<input type="checkbox"/> LP=Lacks Prosecutorial Merit	
<input type="checkbox"/> UW=Unavailable or Uncooperative Witness	

Other: \_\_\_\_\_

DISAPPROVED BY: \_\_\_\_\_

Attorney for the Commonwealth

DATE: \_\_\_\_\_

(C) No defendant shall have the right to any relief of any kind based solely on a violation of this Rule.

(D) This Local Rule shall become effective: \_\_\_\_\_.

[Pa.B. Doc. No. 14-665. Filed for public inspection March 28, 2014, 9:00 a.m.]

**JEFFERSON COUNTY**

**Administrative Order Increasing Family Law Master Deposit in Divorce Cases; No. 7-2014 AD**

**Order Amending Local Rule 1920.51**

*And Now*, this 14th day of March 2014, *It Is Ordered That* Jeff. Co. R.C.P. 1920.51 is hereby amended to increase the deposit the party requesting the Family Law Master shall make from \$300.00 to \$500.00 and to give the Family Law Master the authority to recommend that the non-moving party pay half of that amount, or \$250.00. In all other respects, the Rule, as previously amended, shall remain in full force and effect.

This Order shall become effective thirty (30) days after the date of publication in the *Pennsylvania Bulletin*.

*By the Court*

HONORABLE JOHN HENRY FORADORA,  
*President Judge*

[Pa.B. Doc. No. 14-666. Filed for public inspection March 28, 2014, 9:00 a.m.]

The Court Administrator is directed to:

- 1) File seven (7) certified copies of the Administrative Order with the Administrative Office of the Pennsylvania Courts; and
- 2) Submit the following items to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*:
  - a) two (2) certified copies of the Administrative Order;
  - b) a copy of the Administrative Order on a computer diskette.
- 3) Send one (1) certified copy to the Civil Procedural Rules Committee of the Supreme Court of Pennsylvania.
- 4) Forward one (1) copy to the *Schuylkill Legal Record* for Publication.
- 5) Keep continuously available for public inspection and copying in the Office of the Prothonotary.

*By the Court*

WILLIAM E. BALDWIN,  
*President Judge*

**Order of Court**

*And Now*, this 5th day of March, 2014 at 10:00, a.m., the Schuylkill County Court of Common Pleas hereby revises the established Residential Mortgage Foreclosure Diversion Program as follows:

I. All complaints for mortgage foreclosure of residential owner-occupied properties shall be accompanied by a Certification Cover Sheet certifying the real estate location, the occupancy status, and the contact information for plaintiff's representative and/or counsel for plaintiff. The Certification Cover Sheet shall be filed with the complaint and the complaint shall not be accepted by the Prothonotary's Office without the Certification Cover Sheet. (Attachment A—Certification Cover Sheet).

**SCHUYLKILL COUNTY**

**Administrative Order 2014.1; Revised Residential Mortgage Foreclosure Diversion Program; No. AD-20-2014**

**Administrative Order**

*And Now*, this 5th day of March, 2014, at 10:00 a.m., *It Is Hereby Ordered*, that the Schuylkill County Residential Mortgage Foreclosure Diversion Program, Section V, is revised and shall be effective 30 days after publication in the *Pennsylvania Bulletin*.

II. Upon the filing of a complaint in a residential mortgage foreclosure action, the Prothonotary shall provide a copy of the Mortgage Foreclosure Diversion Program "Urgent Notice" to the plaintiff or counsel for plaintiff. (Attachment B—"Urgent Notice"). The plaintiff shall serve a copy of the "Urgent Notice" along with the complaint on the defendant[s] in accordance with the Pennsylvania Rules of Civil Procedure.

III. Plaintiff shall file a Certificate of Service stating that the complaint, Certification Cover Sheet and "Urgent Notice" were served upon the defendant[s].

IV. Service of the complaint, Certification Cover Sheet, and "Urgent Notice" upon the defendant[s] shall result in an automatic stay of any further proceedings, such as the filing of an answer or the filing for a default judgment, for ninety (90) days from the date of service.

V. Within seven (7) days following service of the complaint and "Urgent Notice," the defendant[s] shall contact Schuylkill Community Action to schedule an appointment for an intake meeting with the Housing Counselor. The intake meeting shall occur within fourteen (14) days of the initial contact. The defendant[s] shall bring to the meeting and provide to the Housing Counselor all requested financial and employment information to enable the Housing Counselor to draft a written Mortgage Modification Plan.

At the completion of the intake meeting, the Housing Counselor shall provide the defendant[s] a Certification of Participation and assist the defendant[s] in serving the Certification on the plaintiff. If the plaintiff does not receive a Certification of Participation within thirty (30) days following service of the complaint and "Urgent Notice," the plaintiff may petition the Court, after notice to the defendant[s], to lift the stay.

Within forty-five (45) days of the intake meeting, the Housing Counselor shall submit to the plaintiff or the plaintiff's representative a Mortgage Modification Plan or a statement that the Housing Counselor was unable to develop a plan. If no plan is submitted, the plaintiff may immediately petition the Court, after notice to the defendant[s], to lift the stay. If a plan is submitted, the Housing Counselor shall attempt to negotiate a resolution of the default with the plaintiff's representative. If the plaintiff's representative fails to participate in negotiations with the Housing Counselor, the Housing Counselor may assist the defendant[s] in petitioning the Court, after notice to the plaintiff, to extend the stay until negotiations occur. Attachment D, the Request for Extension of Stay Form, should be completed and filed in the Prothonotary's Office.

If an agreement is reached through negotiations, the plaintiff's representative shall prepare any documents necessary to implement the agreement and withdraw the complaint. If no agreement is reached through negotiations, the Housing Counselor shall complete the Request for a Court Supervised Conciliation Conference (Attachment E) and forward it to the Court Administrator. The defendant[s] shall indicate on the Request if the assistance of a Schuylkill County pro bono Attorney to serve as a neutral facilitator at the Conciliation Conference is being requested.

The primary role of the pro bono Attorney will be to facilitate the negotiations at the Conciliation Conference between the Housing Counselor, the defendant[s], and plaintiff's representative. The pro bono Attorney shall not be required to file an entry of appearance and the Conciliation Conference is the only proceeding that he/she

is required to attend. Once a pro bono Attorney has agreed to participate and assist the defendant[s] at the Conciliation Conference, the Mortgage Modification Plan will be immediately provided to that Attorney.

VI. At the conclusion of the Conciliation Conference, the Court may order that the stay be lifted, that the stay be continued for a reasonable time to allow for further voluntary negotiations and/or the preparation and execution of documents to implement any agreement or any other action the Court deems appropriate.

WILLIAM E. BALDWIN  
*President Judge*

Attachment A

IN THE COURT OF COMMON PLEAS OF  
SCHUYLKILL COUNTY, PENNSYLVANIA  
CIVIL DIVISION

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Plaintiff	)	
	)	No.
v.	)	
	)	
Defendant	)	
	)	

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**MORTGAGE FORECLOSURE DIVERSION  
PROGRAM  
CERTIFICATION  
COVER SHEET**  
STATUS OF FORECLOSED PREMISES AS  
RESIDENTIAL AND OWNER OCCUPIED

Pursuant to the Administrative Order dated \_\_\_\_\_, 2011, issued by the Honorable William E. Baldwin, P.J., I hereby certify that the premises at issue in this action is:

Premises Address: \_\_\_\_\_, PA \_\_\_\_\_

OCCUPANCY STATUS:

- is an owner occupied residential premises exposed to judicial sale to enforce a residential mortgage;
- is not a residential premises within the meaning of the aforementioned order;
- is not owner occupied as of this date;
- is not exposed to judicial sale to enforce a residential mortgage;
- vacant.

The undersigned verifies that the statements made herein are true and correct. I understand that false statements are made subject to the penalties of 18 Pa.C.S. § 4904. relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Plaintiff or  
Counsel for Plaintiff

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Address of Counsel or Plaintiff)

\_\_\_\_\_  
(Phone Number)



Attachment B
"URGENT NOTICE"

SCHUYLKILL COUNTY COURT OF COMMON PEAS
RESIDENTIAL MORTGAGE FORECLOSURE
DIVERSION PROGRAM

You have been served with a foreclosure complaint that could cause you to lose your home.

If you own and live in the residential property which is the subject of this foreclosure action, you may be able to participate in court-supervised conciliation conference in an effort to resolve this matter with your lender.

If you do not have an attorney, you must take the following steps to be eligible for a conciliation conference. First, within seven (20) days of your receipt of this Notice, you must contact a housing counselor to schedule an appointment at:

SCHUYLKILL COMMUNITY ACTION
225 NORTH CENTRE STREET
POTTSVILLE, PA 17901.
570-622-1995

Second, once you have contacted the housing counselor, you must be promptly meet with that housing counselor within fourteen (20) days of your telephone contact. During that meeting, you must provide the housing counselor with all the requested financial information so that a loan resolution proposal can be prepared on your behalf. If necessary, the housing counselor will help you prepare and file a Request for Conciliation Conference with the Court. If you do so and a conciliation conference is scheduled, you will have an opportunity to meet with a representative of your lender in an attempt to work out reasonable arrangements with your lender before the mortgage foreclosure suit proceeds forward.

IF YOU WISH TO SAVE YOUR HOME, YOU MUST ACT QUICKLY AND TAKE THE APPROPRIATE STEPS REQUIRED BY THIS NOTICE. THIS PROGRAM IS COST-FREE.

Attachment C

IN THE COURT OF COMMON PLEAS OF
SCHUYLKILL COUNTY, PENNSYLVANIA
CIVIL DIVISION

Plaintiff ) No.
v. )
Defendant )

MORTGAGE FORECLOSURE DIVERSION
CERTIFICATION OF PARTICIPATION

(Defendant must file in the Prothonotary's Office and copy must be sent to Plaintiff's Attorney)

I represent that I am the owner of the property listed below, which is my primary residence, and certify that as required by the Schuylkill County Residential Mortgage Foreclosure Diversion Program, I have met with the housing counselor identified below and provided all financial and employment information. It is my understanding that within thirty (30) days after the Intake Meeting, the Housing Counselor will forward the Mortgage Modification Plan to the mortgagee.

Premises Address: \_\_\_\_\_, PA \_\_\_\_\_

(Name of Housing Counselor—Agency)

Date of Intake: \_\_\_\_\_

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

Date: \_\_\_\_\_ Signature of Defendant

Attachment D

IN THE COURT OF COMMON PLEAS OF
SCHUYLKILL COUNTY, PENNSYLVANIA
CIVIL DIVISION

Plaintiff ) No.
v. )
Defendant )

MORTGAGE FORECLOSURE DIVERSION
PROGRAM
REQUEST FOR EXTENSION OF STAY

This Request for Extension of Stay must be filed in the Prothonotary's Office and a copy must be sent to Plaintiff.

I, \_\_\_\_\_, represent that I am the owner of the property listed below, my primary residence, and which is the subject of a mortgage foreclosure action. As the defendant in this matter, I am requesting an extension of the ninety (90) days stay from the date of service of the complaint which was \_\_\_\_\_ be granted until the negotiations required by Paragraph V of the Schuylkill County Mortgage Foreclosure Diversion Program have been held.

The reason(s) for the extension are:
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_

Premises Address: \_\_\_\_\_, PA \_\_\_\_\_

Housing Counselor's Name: \_\_\_\_\_

Date of Intake Meeting: \_\_\_\_\_

Defendant's Signature \_\_\_\_\_ Date \_\_\_\_\_

Attachment E

IN THE COURT OF COMMON PLEAS OF
SCHUYLKILL COUNTY, PENNSYLVANIA
CIVIL DIVISION

Plaintiff ) No.
v. )
Defendant )

**REQUEST FOR COURT SUPERVISED  
CONCILIATION CONFERENCE**

As the Defendant in this matter, I am requesting that a Court Supervised Conciliation Conference be scheduled.

I am OR am not requesting the assistance of a pro bono Attorney to serve as a neutral facilitator at the Conciliation Conference.

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Defendant's Signature

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Housing Counselor's Signature

Lois A. Wallauer  
Court Administrator  
Schuylkill County Court of Common Pleas  
401 N. Second Street  
Pottsville, PA 17901

[Pa.B. Doc. No. 14-667. Filed for public inspection March 28, 2014, 9:00 a.m.]

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# RULES AND REGULATIONS

## Title 58—RECREATION

### GAME COMMISSION

#### [ 58 PA. CODE CH. 135 ]

#### Corrective Amendment to 58 Pa. Code § 135.41

The Game Commission has discovered a discrepancy between the agency text of 58 Pa. Code § 135.41 (relating to State game lands) as deposited with the Legislative Reference Bureau and the official text as published at 44 Pa.B. 1429 (March 15, 2014). The amendment to 58 Pa. Code § 135.41 was adopted as proposed. In the proposed rulemaking published at 43 Pa.B. 7443 (December 21, 2013), ellipses were not shown following 58 Pa. Code § 135.41(a)(2).

Therefore, under 45 Pa.C.S. § 901: The Game Commission has deposited with the Legislative Reference Bureau a corrective amendment to 58 Pa. Code § 135.41. The corrective amendment to 58 Pa. Code § 135.41 is effective as of March 15, 2014, the effective date of adoption of the final-form rulemaking amending this section.

The correct version of 58 Pa. Code § 135.41 appears in Annex A.

#### Annex A

#### TITLE 58. RECREATION

#### PART III. GAME COMMISSION

#### CHAPTER 135. LANDS AND BUILDINGS

#### Subchapter C. STATE GAME LANDS

#### § 135.41. State game lands.

(a) *Restrictions limited.* The following exceptions to § 135.2 (relating to unlawful actions) pertain to lands and waters designated as State game lands:

(1) Mushrooms and fruits of berry-producing plants may be picked.

(2) Small open fires for cooking or warming purposes may be kindled, used and maintained by persons exercising the privileges of a valid hunting, furtaking or fishing license and through hikers within the corridor of the Appalachian Trail as is defined in § 135.42 (relating to Appalachian Trail). This exception to the prohibition on fires in § 135.2(8) is applicable only when the small fires are located at places where adequate precautions are taken to prevent the spread of fire and the small fires are attended at all times and completely extinguished before leaving the sites of the fires. This exception does not apply when the fire index rating used by the Department of Conservation and Natural Resources is high, very high or extreme for that area. A person causing a wildfire, in addition to possible criminal penalty, is liable for all damages, cost of extinguishing and fines.

(3) Snowmobiles, as defined in 75 Pa.C.S. § 7702 (relating to definitions) may be driven beginning on the third Sunday in January through April 1 on designated areas, roads and trails marked with appropriate signs, so long as snowmobiles are registered and display valid registration decal as required under 75 Pa.C.S. §§ 7711.1 and 7711.2 (relating to registration of snowmobile or ATV; and limited registration of snowmobile or ATV).

(b) *Closure of game lands.*

(1) When the threat of forest fires exists, the Director has emergency authority to restrict the use of smoking materials on State game lands or to close State game lands to hunting, trapping, fishing, recreational use and other activity which may be or become detrimental to those lands or the flora or fauna thereon until the Director removes the restrictions. Emergency restrictions or closures will be announced to the news media.

(2) The Director has the authority to close State game lands or portions thereof, to recreational or other uses, when the specified uses may be or have become detrimental to those lands or the flora or fauna thereon, or where the uses conflict with legal hunting, furtaking or fishing activities or the Commission's management or administration of State game lands. The closure may be seasonal or year-round and shall remain in effect until the Director removes the restrictions.

(3) It is unlawful to violate restrictions or closure placed on these lands by the Director.

(c) *Additional prohibitions.* In addition to the prohibitions contained in the act pertaining to State game lands and § 135.2, except with the written permission of the Director, it is unlawful to:

(1) Contaminate, pollute or degrade groundwaters or surface waters or any waterways.

(2) Graze or permit the grazing of livestock, place or maintain beehives or beekeeping apparatus.

(3) Solicit, or place advertisements, signs or posters.

(4) Ride a nonmotorized vehicle, conveyance or animal, except on roads normally open to public travel, or designated routes as posted, or while lawfully engaged in hunting, trapping or fishing.

(5) Ride a nonmotorized vehicle, conveyance or animal from the last Saturday in September until the third Saturday in January, and before 1 p.m. from the second Saturday in April through the last Saturday in May inclusive, except on Sundays or while lawfully engaged in hunting, trapping or fishing.

(6) Ride a nonmotorized vehicle, conveyance or animal on roads open to foot travel only.

(7) Drive motor vehicles with or without attachments having a registered gross vehicle weight in excess of 12,000 pounds.

(8) Use boats propelled by a motor. Battery powered electric motors may be used on waterways unless posted otherwise.

(9) Consume, possess or transport any alcohol, liquor, beer, malt or brewed alcoholic beverage.

(10) Use or possess any controlled substance or drug paraphernalia as defined or classified under The Controlled Substance, Drug, Device and Cosmetic Act (35 P. S. §§ 780-101—780-143).

(11) Construct, place, maintain, occupy, use, leave or abandon any structures or other tangible property, except that portable hunting blinds or stands may be used subject to the following restrictions:

(i) Use may not cause damage to trees.

(ii) Except as provided in subparagraph (iii), overnight placement of portable hunting blinds or stands may not

occur sooner than 2 weeks prior to the opening of the first deer season nor later than 2 weeks after the close of the last deer season within each wildlife management unit.

(iii) Overnight placement of portable hunting blinds is additionally permitted during the spring turkey season within each wildlife management unit.

(12) Feed wildlife or lay or place any food, fruit, hay, grain, chemical, salt or other minerals.

(13) Release domestic animals, captive bred or captive raised game or wildlife.

(14) Operate a motor vehicle in willful and wanton disregard for the safety of persons or property or in excess of posted speed limits, or where no speed limit is posted, in excess of 25 miles per hour.

(15) Target shoot with firearms, bows and arrows or devices capable of launching projectiles, unless the person is in possession of a valid hunting or furtaker license signed by its holder. Exercise of privileges shall be done in a manner as to not cause injury to persons or property, or on areas not otherwise posted closed to those activities.

(16) Except as provided in Subchapter J (relating to shooting ranges), discharge any firearm, bow and arrow, or device capable of launching projectiles that is not a lawful device to hunt game or wildlife.

(17) Engage in an activity or event involving more than ten persons, which may conflict with the intended purposes or uses as defined in section 722 of the act (relating to use of property), or poses a potential environmental or safety problem.

(18) Sell, distribute, deliver, service, guide or rent any equipment, material or commodity or otherwise transact or engage in any commercial activity. Commercial activity is any activity in which a person directly or indirectly accepts consideration of value as compensation for the provision of goods or services, including transportation.

(19) Use State game lands for any personal, organizational or commercial purpose other than the intended use as defined in section 722 of the act.

(20) Operate under authority of a contract, lease, agreement or permit and fail to abide by the terms and conditions contained in the contract, lease, agreement or permit.

(21) Except on Sundays, be present on State game lands from November 15 through December 15 inclusive when not engaged in lawful hunting or trapping and fail to wear a minimum of 250 square inches of daylight fluorescent orange-colored material on the head, chest and back combined or, in lieu thereof, a hat of the same colored material. The material shall be worn so it is visible in a 360° arc. Persons using shooting ranges are exempted from this requirement.

(22) Shoot clay birds anywhere except areas designated by the Director by signs stating that clay bird shooting is permitted.

[Pa.B. Doc. No. 14-668. Filed for public inspection March 28, 2014, 9:00 a.m.]

# NOTICES

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of 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 March 18, 2014.

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

#### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
2-28-2014	Republic First Bank Philadelphia Philadelphia County	399 Route 70 East Cherry Hill Camden County, NJ	Opened
3-13-2014	Hamlin Bank and Trust Company Smethport McKean County	2102 West State Street Olean Cattaraugus County, NY	Approved

##### Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
3-17-2014	Lafayette Ambassador Bank Bethlehem Northampton County	<i>To:</i> 4025 Jandy Boulevard Nazareth Northampton County  <i>From:</i> 131 South Main Street Nazareth Northampton County	Filed

### SAVINGS INSTITUTIONS

No activity.

### CREDIT UNIONS

No activity.

The Department's web site at [www.dobs.state.pa.us](http://www.dobs.state.pa.us) includes public notices for more recently filed applications.

GLENN E. MOYER,  
*Secretary*

[Pa.B. Doc. No. 14-669. Filed for public inspection March 28, 2014, 9:00 a.m.]

# DEPARTMENT OF ENVIRONMENTAL PROTECTION

## Applications, Actions and Special Notices

### APPLICATIONS

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

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

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

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

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

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

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

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

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

#### I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0063843 (IW)	Milford Borough WTP 151 Old Owega Turnpike Milford, PA 18337	Pike County Milford Township	Vantine Brook (1-D)	Y
PAS602205 (Storm Water)	Shafer's Auto Graveyard 233 Kromer Road Wind Gap, PA 18091	Northampton County Bushkill Township	Unnamed Tributary of Bushkill Creek (1-F)	Y

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0063827 (Sewage)	West Penn Pines MHP 14 All Kings Drive New Ringgold, PA 17960	Schuylkill County West Penn Township	Unnamed Tributary to Lizard Creek (2-B)	Y
PAS802219 (Storm Water)	USPS Lehigh Valley Vehicle Maintenance Facility 17 South Commerce Way Lehigh Valley, PA 18002-9371	Northampton County Bethlehem Township	Unnamed Tributary to Monocacy Creek (2-C)	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0083623—IW	TB Woods, Inc. 440 N. Fifth Avenue Chambersburg, PA 17201-1178	Franklin County / Chambersburg Borough	Falling Spring Branch / 13-C	Y
PA0086541—IW	Denver Cold Storage 555A Sandy Hill Road Denver, PA 17517	Lancaster County / East Cocalico Township	UNT Indian Run / 7-J	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0114367 (Sewage)	Danny Deivert Single Residence SFTF 55 Conley Road Mifflinburg, PA 17844	Union County Buffalo Township	Unnamed Tributary to Rapid Run (10-C)	Y
PA0060232 (Sewage)	US ACOE Lawrence Recreation Area Bliss Road Lawrenceville, PA 16946-9733	Tioga County Lawrence Township	Cowanesque River (4-A)	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0024490 (Sewage)	Rockwood Borough STP Sr 2016 Rockwood, PA 15557	Somerset County Rockwood Borough	Casselman River (19-F)	Y

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

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

**PA0063053**, Industrial Waste, SIC Code 4941, **Tamaqua Area Water Authority**, 320 East Broad Street, Tamaqua, PA 18252. Facility Name: Still Creek WTP. This existing facility is located in Rush Township, **Schuylkill County**.

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

The receiving stream, the Little Schuylkill River, is located in State Water Plan watershed 03A and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.19 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	1.0	1.6
Total Suspended Solids	XXX	XXX	XXX	30	60	XXX
Total Aluminum	6.34	XXX	XXX	4.0	8.0	XXX
Total Iron	3.17	XXX	XXX	2.0	4.0	XXX
Total Manganese	1.58	XXX	XXX	1.0	2.0	XXX

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Total Copper	XXX	XXX	XXX	Report	Report	XXX
Total Mercury	XXX	XXX	XXX	Report	Report	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-826-5472.

The EPA Waiver is not in effect.

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

**PA0272744**, Industrial Waste, SIC Code 4941, **Guys Mills Mutual Water Association**, PO Box 112, Guys Mills, PA 16327. Facility Name: Guys Mills Water Association WTP. This proposed facility is located in Randolph Township, **Crawford County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of industrial wastewater associated with the production of drinking water.

The receiving stream, the Lake Creek, is located in State Water Plan watershed 16-D and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.00144 MGD.

Parameters	Mass (lbs/day)			Concentration (mg/l)		
	Average Monthly	Annual Average	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30	60	75
Total Dissolved Solids	Report	5,000	XXX	Report	Report	XXX
Nitrate as N	XXX	XXX	XXX	Report	Report	XXX
Total Aluminum	XXX	XXX	XXX	4.0	8.0	10
Total Iron	XXX	XXX	XXX	2.0	4.0	5.0
Total Manganese	XXX	XXX	XXX	1.0	2.0	2.5

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

- Requirement to Use eDMR System
- Chapter 95 Treatment Requirements
- Chemical Additives

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

The EPA Waiver is in effect.

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

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

**WQM Permit No. WQG02461404**, Sewage, **Yvette L. Smith**, 1895 Skippack Pike, Blue Bell, PA 19422.

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

Description of Action/Activity: Construction and operation of a sewer extension for a single residence sewage treatment plant.

**WQM Permit No. WQG02151405**, Sewage, **Phoenix Village PA, LP**, 100 Front Street, Suite 945, West Conshohocken, PA 19428.

This proposed facility is located in Phoenixville Borough, **Chester County**.

Description of Action/Activity: Construction and operation of a sewer extension.

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

**WQM Permit No. 1314402**, Sewage, **The Woods Campground, Inc.**, 845 Vaughn Lane, Lehighton, PA 18235.

This proposed facility is located in Towamensing Township, **Carbon County**.

Description of Proposed Action/Activity: The project consists of the construction of a private sewage collection system, a pump station and an on-lot sewage disposal system having a design capacity of 8,250 gpd. The proposed facilities will serve a 74 campsite expansion (with water and sewer hookups) of the existing campground known as The Woods Campground.

**WQM Permit No. 5214401**, Sewage, **PA American Water Co.**, 800 West Hershey Park Drive, Hershey, PA 17033.

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



Description of Proposed Action/Activity: Construction of a 2-meter belt filter press and associated equipment in a new building at the wastewater treatment plant.

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

**WQM Permit No. 2514401**, Sewage, **Washington Township Erie County**, 11800 Edinboro Road, Edinboro, PA 16412.

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

Description of Proposed Action/Activity: Extension of public sewer line along State Route 99.

**WQM Permit No. WQG01251404**, Sewage, **Ronald Brochey**, 9530 Old Waterford Road, Erie, PA 16509.

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

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

#### **IV. NPDES Applications for Stormwater Discharges from MS4**

*Northeast Regional Office: Regional Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone: 570.826.2511.*

**PAI132232**, MS4, **Dallas Township Luzerne County**, 601 Tunkhannock Highway, PO Box 120, Dallas, PA 18612. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Dallas Township, **Luzerne County**. The receiving streams, Leonard Creek, Sutton Creek, Trout Brook, Abrahams Creek, Huntsville Creek and Toby Creek, are located in State Water Plan watershed 4-G and 5-B and are classified for High Quality Waters—Cold Water Fishes (Leonard Creek), Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-826-5472.

The EPA waiver is not in effect.

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

**PAI133509**, MS4, **Bechtelsville Borough Berks County**, PO Box 295, Bechtelsville, PA 19505-0295. The application is for a renewal of an individual NPDES permit for the discharge of storm water from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Bechtelsville Borough, **Berks County**. The receiving stream(s), Swamp Creek, is located in State Water Plan watershed 3-E and is classified for High Quality Waters—Cold Water Fishes, Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. 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.

#### **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*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 1514005	The Hankin Group 707 Eagleview Boulevard P. O. Box 562 Exton, PA 19341	Chester	Upper Uwchlan Township	Unnamed Tributary to Marsh Creek HQ—TSF—MF

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 4612003(1)	Pennsylvania Turnpike Commission P. O. Box 67676 700 S. Eisenhower Boulevard Middletown, PA 17057	Montgomery	Salford Township	Ridge Valley Creek HQ—TSF

*Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024014002	Presidential Land Company, Ltd. Mathew McGowan 435 W. Centre Street Mahanoy City, PA 17984	Luzerne	Fairview Township	Big Wapwallopen Creek (HQ-CWF, MF)

*Monroe County Conservation District, 8050 Running Valley Rd., Stroudsburg PA 18360-0917*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024503001R	JEB Development, L.P. P. O. Box 64 Waverly, PA 18471	Monroe	Hamilton and Stroud Townships	Pocono Creek (HQ-CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024814001	REDUS One, LLC c/o Wells Fargo Bank N.A. 301 S. College Street 4th Floor Charlotte, NC 28202-6000	Northampton	Forks Township	Bushkill Creek (HQ-CWF, MF)

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

<i>Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI033414001	Valley View Haven 4702 East Main St. Belleville, PA 17004	Mifflin	Union	Frog Hollow (HQ-CWF, MF) Kishacoquillas Creek (CW, MF)

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI045314002	Pennsylvania 3 Sector 2 Limited Partnership d/b/a Verizon Wireless 175 Calkins Rd Rochester NY 14623	Potter	Ulysses Township	S. Branch Pine Creek HQ-CWF

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

*Venango Conservation District, 1793 Cherrytree Road, Franklin PA 16301*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI061012001(1)	Oil City Region Alliance 217 Elm Street Oil City PA 16301	Venango	Sandycreek Township	Morrison Run CWF; EV

**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.

**PUBLIC WATER SUPPLY (PWS)  
PERMITS**

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

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

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

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

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

**SAFE DRINKING WATER**

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

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

**Permit No. WA-09-1007** Public Water Supply

Applicant	<b>Township of Falls Authority</b>
City	<b>Bucks</b>
Township	Falls
Responsible Official	David Busch 557 Lincoln Highway Fairless Hill, PA 19030
Type of Facility	PWS
Consulting Engineer	Remington, Vernick, & Beach Engineers 922 Fayette Street Conshohocken, PA 19428
Application Received Date	February 24, 2014
Description of Action	Subsidiary water allocation permit to supply water from Bucks County Water & Sewer Authority to the Township of Falls Authority.

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

**Permit No. 0414501**, Public Water Supply.

Applicant	<b>Creswell Heights Joint Authority</b> PO Box 301 3961 Jordan Street South Heights, PA 15081
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[Township or Borough] Hopewell Township  
 Responsible Official Daniel J. Losco, General  
 Manager  
 Creswell Heights Joint Authority  
 PO Box 301  
 3961 Jordan Street  
 South Heights, PA 15081

Type of Facility Water system

Consulting Engineer Rabosky & Associates, Inc.  
 104 Wynview Drive  
 Moon Township, PA 15108

Application Received Date March 18, 2014

Description of Action Installation of a mixing system  
 and repainting of the Airport  
 Road Hydropillar water storage  
 tank.

#### MINOR AMENDMENT

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

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

#### Application No. 5614501GWR, Minor Amendment.

Applicant Glades Pike Estates  
 4035 Glades Pike  
 Somerset, PA 15501

[Township or Borough] Somerset Township

Responsible Official Roger D. Hay  
 Glades Pike Estates  
 4035 Glades Pike  
 Somerset, PA 15501

Type of Facility Water system

Consulting Engineer Musser Engineering, Inc.  
 7785 Lincoln Highway  
 Central City, PA 15926

Application Received Date March 14, 2014

Description of Action Demonstration of 4-log  
 treatment for groundwater  
 sources

#### Application No. 0214521MA, Minor Amendment.

Applicant **Pittsburgh Water & Sewer  
 Authority**  
 Penn Liberty Plaza I  
 1200 Liberty Avenue  
 Pittsburgh, PA 15222

[Township or Borough] City of Pittsburgh

Responsible Official Robert Christian, Director of  
 Engineering  
 Pittsburgh Water & Sewer  
 Authority  
 Penn Liberty Plaza I  
 1200 Liberty Avenue  
 Pittsburgh, PA 15222

Type of Facility Water system

Consulting Engineer Cosmos Technologies, Inc.  
 700 River Avenue  
 Suite 412  
 Pittsburgh, PA 15212

Application Received Date March 13, 2014

Description of Action Installation of approximately  
 5,000 feet of 12-inch diameter  
 waterline for the Lower Hill  
 Redevelopment Project.

#### WATER ALLOCATIONS

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

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

**WA 45-89B, Water Allocations, Borough of East  
 Stroudsburg, P.O. Box 303, East Stroudsburg, PA  
 18301, Smithfield and Middle Smithfield Townships,  
 Monroe County.** Applicant request a renewal of the  
 Michael Creek Diversion of 200,000,000 GPY with no  
 taking between June 1st and Labor Day of each year.

#### LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

#### UNDER ACT 2, 1995 PREAMBLE 1

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

Sections 302—305 of the Land Recycling and Environ-  
 mental Remediation Standards Act (act) (35 P.S.  
 §§ 6026.302—6026.305) require the Department to pub-  
 lish 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 remedia-  
 tion measures for the site and a description of the  
 intended future use of the site. A person who demon-  
 strates 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 con-  
 tamination identified in reports submitted to and ap-  
 proved by the Department. Furthermore, the person shall  
 not be subject to citizen suits or other contribution  
 actions brought by responsible persons not participating  
 in the remediation.

Under sections 304(n)(1)(ii) and 305(c)(2) of the act,  
 there is a 30-day public and municipal comment period  
 for sites proposed for remediation using a site-specific  
 standard, in whole or in part, and for sites remediated as  
 a special industrial area. This period begins when a

summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the following site, proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified as follows. During this comment period, the municipality may request that the person identified as the remediator of the site develop and implement a public involvement plan. Requests to be involved and comments should be directed to the remediator of the site.

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

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

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

**PREIT / Logan Valley Mall**, Plank Road and Goods Lane, Altoona, PA 16602, Logan Township, **Blair County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of PREIT, 5580 Goods Lane, Suite 1, Altoona, PA 16602, submitted a Notice of Intent to Remediate site soils contaminated with BTEX, PAHs, and lead. The site will be remediated to the Residential Statewide Health standard and remain commercial. The Notice of Intent to Remediate was published in the *Altoona Mirror* on August 16, 2013.

**Charles Lafferty Residence**, 24 3rd Street, Douglassville, PA 19518, Amity Township, **Berks County**. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of Mr. and Mrs. Charles Lafferty, 24 3rd Street, Douglassville, PA 19581 and State Farm Insurance, PO Box 106110, Atlanta, GA 30348-6110 submitted a Notice of Intent to Remediate site soils contaminated with No. 2 fuel oil. The site will be remediated to the Residential Statewide Health standard and remain residential. The Notice of Intent to Remediate was published in the *Reading Eagle* on February 28, 2014.

**Kreiser Fuel Service / Anna Brown Residence**, 1042 Horseshoe Pike, South Annville Township, **Lebanon County**. Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382, on behalf of Kreiser Fuel Service, Inc., 122 Race Horse Drive, Jonestown, PA 17038 and Anna Brown, 1042 Horseshoe Pike, Lebanon, PA 17042, submitted a Notice of Intent to Remediate site groundwater contaminated with fuel oil. The site will be remediated to the Statewide Health standard and remain residential. The Notice of Intent to Remediate was published in the *Lebanon Daily News* on February 21, 2014.

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

**Larimer/East Liberty Phase I—Blocks E and F** (former Auburn Towers) intersection of Larimer Avenue and East Liberty Boulevard, City of Pittsburgh, **Allegheny County**. KU Resources, Inc., 22 South Linden street, Duquesne, PA 15110 on behalf of the Housing

Authority of the City of Pittsburgh, 200, Ross Street, Pittsburgh, PA 15219 has submitted a Notice of Intent to Remediate concerning site soils and groundwater contaminated with volatile and semi-volatile organic compounds (VOC's & semi-VOC's) and metals. The future use of the property is residential. The notice was published in the *Tribune-Review* on February 27, 2014.

**2001 Brownsville Road (Former Exxon Station)**, City of Pittsburgh, **Allegheny County**. ARCADIS-US, Inc, 111-D Sanders Drive, Bluefield, VA 24605 on behalf of City Wide Garage Company, 5262 Highgrove Road, Pittsburgh, PA 15253 has submitted a Notice of Intent to Remediate concerning site soils and groundwater contaminated with benzene, toluene, ethylbenzene, and xylenes (BTEX), methyl tertiary butyl ether (MTBE), naphthalene, cumene, lead, 1,2-DBE, 12-DCE. This notice was published in the *Tribune-Review* on April 18, April 25 May 2, May 9 of 2013. Notification of the NIR was received by the municipality on February 6, 2014 and was received by the the Department on March 14, 2014.

**Dorothy Julian Residence**, 1000 Quarry Street, Gallitzin Borough, **Cambria County**. Mountain Research, LLC., 825 25th Street, Altoona, PA 16001 on behalf of Dorothy Julian, 1000 Quarry Street, Gallitzin, PA 16641 has submitted a Notice of Intent to Remediate to meet the residential Statewide Health standards, concerning site soils contaminated with (1,2,4) & (1,3,5)—Trimethylbenzene and Naphthalene. This notice was published in the *Altoona Mirror* on February 14, 2014.

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

**2 West Market Street**, 2 West Market Street, West Chester Borough, **Chester County**. David B. Farrington, P.G., Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382 Christina Ruble, Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382 on behalf of Thomas Myles, Myles Land & Improvement Company LLC, 900 Airport Road, Suite 6, West Chester, PA 19380 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of heating oil. The future use of the site will remain the same. The Notice of Intent to Remediate was published in *The Daily Local News* on January 23, 2014. PF773689.

**2801 Grant Avenue**, 2801 Grant Avenue, City of Philadelphia, **Philadelphia County**. Stuart Wiswall, P.G. Keating Environmental Management, Inc., 835 Springdale Drive, Suite 200, Exton, PA 19341 on behalf of Lawren Yuen, Pennsylvania 2801 Grant LLC, 88 Pine Street, Suite 2010, New York, NY 10005 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of no. 2 fuel oil. The future use of the site will remain retail/commercial. The Notice of Intent to Remediate was published in *The Philadelphia Daily News* on February 17, 2014. PF773604.

**US Magnet Site**, 85 North Main Street, Yardley Borough, **Bucks County**. Richard S. Werner, P.G., Environmental Consulting, Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406, Alex Clinefelter, Environmental Consulting, Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406, Anthony Cino, Cold Springs Investment Group, L.P., 301 Oxford Valley Road, Suite 702, Yardley, PA 19067 on behalf of Robert White, Redevelopment Authority County of Bucks, One

North Wilson Avenue, Bristol, PA 19007 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of arsenic, cobalt, and pah's. The future intended use of the subject property is residential. The Notice of Intent to Remediate was published in *The Bucks County Courier Times* on February 18, 2014. PF633827.

**Murphy Residence**, 999 Monroe Court, Warrington Township, **Bucks County**. Richard Trimpi, P.G., Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Christine Dimming, State Farm Insurance, PA Fire Claims, P. O. Box 106110, Atlanta GA 30348-6110 on behalf of Kevin Murphy, 999 Monroe Court Warrington, PA 18976 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The present and intended future use of the property is residential. The Notice of Intent to Remediate was published in *The Bucks County Courier Times* on January 30, 2014. PF773617.

**Syrena Auto Body Shop**, 6201 Oxford Avenue, City of Philadelphia, **Philadelphia County**. Christina M. Helms, P.G. Penn Environmental & Remediation, Inc. 2755 Bergey Road, Hatfield, PA 19440 on behalf of Chester Chrzanowski, Syrena Auto Body Shop, Inc., 6201 Oxford Avenue, Philadelphia, PA 19111 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of chlorinated solvents. The intended future use of the site will be for non-residential purpose. The Notice of Intent to Remediate was published in *The Philadelphia Daily News* on February 24, 2014. PF76866.

**Gas Station**, 5300 Washington Avenue, Upper Darby Township, **Delaware County**. Josh Sarett, ALC Environmental, 121 West 27th Street, Suite 402, New York, NY 10001, Dennis Libenson, Synergy Environmental Inc., 1008 Astoria Boulevard, Suite A Cherry Hill, NJ 08003 on behalf of Valerie Chuse, Kravitz Properties, Inc., 25 Washington Lane, Suite 4A, Wyncote, PA 19095 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of leaded gasoline constituents. The Notice of Intent to Remediate was published in *The Delaware County Daily Times* on November 29, 2013. PF773528.

**8000 Pine Road Street**, 8000 Pine Street, City of Philadelphia, **Philadelphia County**. Craig Herr, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of Randy Payne, DB Real Estate Assets, II, 130 Royall Street, Canton, MA 02021 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of leaded gasoline. The Notice of Intent to Remediate was published in *The Spirit Newspaper* on October 23, 2013. PF618959.

#### 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 Number WMGR002D013. Copley Aggregates Inc.**, 5101 Beekmantown Road, Whitehall,

PA 18052. General Permit Number WMGR002D013 authorizes the beneficial use of wastewater treatment sludge generated by paper and pulp mills as a soil additive: to establish or reestablish agricultural activity on disturbed land; to establish herbaceous wildlife habitat; to facilitate revegetation on disturbed land at permitted and abandoned mine sites. The Department has deemed the application to be administratively complete on March 08, 2014.

Written comments concerning the renewal 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 WMGR002D013" in the subject line. Faxed comments will not be accepted. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

## 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.

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

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

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

**21-05053B: PPL Renewable Energy, LLC** (Two North Ninth Street, Allentown, PA 18101) for the construction of one landfill gas (LFG)-fired reciprocating internal combustion engine (RICE) at the Cumberland County Landfill in Hopewell Township, **Cumberland 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. 21-05053B authorizes the construction of the abovementioned source. The LFG-fired RICE will be subject to the requirements of 40 CFR Part 60, Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines and 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. 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: 66.7 tons CO; 21.5 tons NO<sub>x</sub>; 20.5 tons SO<sub>x</sub>; 11.6 tons VOC; 9.6 tons PM<sub>10</sub>; 9.6 tons PM<sub>2.5</sub>; 7.8 tons formaldehyde; 11.6 tons total HAPs; 15,220.8 tons CO<sub>2</sub>; 0.6 ton CH<sub>4</sub>; 0.1 ton N<sub>2</sub>O; and 15,267.3 tons CO<sub>2e</sub>.

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.

**07-03034E: Alpha Metals, Inc.** (4100 Sixth Avenue, Altoona, PA 16602) for the construction of a natural gas-fired hearth sweat furnace and afterburner at the existing non-ferrous metals processing facility in the City of Altoona, **Blair 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 07-03034E authorizes the construction of a second gas-fired hearth sweat furnace and afterburner at the existing facility. The proposed afterburner and an existing baghouse will control particulate matter (PM) emissions from the furnace. Potential PM emissions from the furnace's operation are estimated at around four tons per year. The furnace's actual production and emissions will be well below maximum estimated levels.

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.

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

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

**14-00002P: Graymont (PA) Inc.** (965 East College Avenue, Pleasant Gap, PA 16823-6823) has submitted an application to the Pennsylvania Department of Environ-

mental Protection for plan approval for the proposed modifications to the Kiln No. 8 Project. The Kiln No. 8 Project is located at the Pleasant Gap facility in Spring Township, **Centre County**. On November 19, 2012, Graymont was given authorization to construct the Kiln No. 8 Project through the issuance of Plan Approval 14-00002N. Subsequent to the issuance of 14-00002N, Graymont determined the need to modify portions of the proposed operations for the project. Most of the proposed modifications pertain to the material handling, processing and storage of limestone and lime. There was a change to the quantity of engine generators for the project. Moreover, the design of the proposed kiln's exhaust was altered to incorporate quench air for exhaust cooling purposes. The existing BACT, MACT and BAT requirements with respect to the proposed kiln and processed stone handling that were established in 14-00002N remain in effect and are unchanged as a result of the proposed modification. Additionally, Graymont maintains compliance with the Plantwide Applicability Limit (PAL) established in 14-00002N for sulfur dioxide emissions. No change to the PAL was required due to this application. The proposed modifications result in changes to the project emissions as follows.

For CO and NO<sub>x</sub> (and NO<sub>2</sub>), the emissions change compared to the project's previous potential emission levels decrease by 0.7 tpy. For GHG emissions, the emissions change compared to the project's previous potential emission levels decrease by 124 tpy as CO<sub>2</sub>e. For particulate matter, PM<sub>-10</sub>, and PM<sub>2.5</sub>, the emissions change compared to the project's previous potential emission levels increase by 0.2 tpy, 0.2 tpy, and 0.3 tpy, respectively. The Department has determined that the proposed increases satisfy the Department's BAT requirements. The proposed modifications are subject to the National Standards of Performance for Nonmetallic Mineral Processing Plants that is codified in 40 CFR Part 60 Subpart OOO as applicable to the new/modified limestone processing sources as well as the National Standards of Performance for Stationary Compression Ignition Internal Combustion Engines that is codified in 40 CFR Part 60 Subpart IIII and the National Emission Standards of Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines that is codified 40 CFR Part 63 Subpart ZZZZ as applicable to the proposed diesel-fired engine. The project previously was authorized to include 100 kW and 500 kW diesel-fired engine generators. The proposed modification replaces these generators with a diesel-fired engine generator rated for 65 kW. The Department has determined that the proposed modifications satisfy all applicable requirements from Article III of the Rules and Regulation of the Department of Environmental Protection.

The Department's review of the information submitted by Graymont indicates that the proposed sources (and associated control devices) for the proposed modification will meet all applicable air quality regulatory requirements pertaining to air contamination sources and the emission of air contaminants, including the Department's BAT requirements of 25 Pa. Code §§ 127.1 and 127.12. Based on these findings, the Department intends to approve the application and issue a plan approval for the proposed modification for the Kiln No. 8 Project. The facility is a major (Title V) facility. Additionally, the conditions established in the plan approval will be incorporated into Title V Operating Permit 14-00002 by means of an administrative amendment pursuant to 25 Pa. Code § 127.450, if the Department determines that the sources are operating in compliance with all plan approval condi-

tions. The following is a summary of the conditions that the Department proposes to place in the plan approval to be issued in order to ensure that the proposed modification will be in compliance with all applicable air quality regulatory requirements:

1. (a) This plan approval is granted for the use of ERCs according to 25 Pa. Code § 127.208(2).

(b) On June 6, 2013, the Department transferred NO<sub>x</sub> credits to Graymont (PA), Inc. in the amount of 213 tpy from the Department's ERC registry. The NO<sub>x</sub> credits were acquired from the American Video Glass LLC (Sony Electronics Inc.), Mt. Pleasant Plant in Westmoreland County.

(c) This plan approval authorizes the permittee to use 212 tpy of the acquired NO<sub>x</sub> credits for offsetting purposes for the Kiln No. 8 Project. The amount of NO<sub>x</sub> credits as determined by 25 Pa. Code § 127.203a(2)(i), satisfies the requirements at 25 Pa. Code §§ 127.205(3) and 127.210. The approval to use the portion of the acquired NO<sub>x</sub> credits for the Kiln No. 8 Project satisfies the requirements at 25 Pa. Code §§ 127.208(2), 127.208(9) and 127.209(c).

(d) The 10-year expiration date for the acquired NO<sub>x</sub> credits is April 30, 2016. Upon issuance of this plan approval, the acquired NO<sub>x</sub> credits are no longer subject to expiration under 25 Pa. Code § 127.206(f), except as specified in 25 Pa. Code § 127.206(g). In accordance with § 127.206(g), the 10 year expiration date for the acquired NO<sub>x</sub> credits or portion of the acquired NO<sub>x</sub> credits shall not be extended, if the acquired NO<sub>x</sub> credits or any portion of the acquired NO<sub>x</sub> credits specified in this plan approval are not used and subsequently reentered into the ERC registry.

2. Pursuant to the provisions of 40 CFR § 52.21(aa)(12), the permittee shall monitor and record the monthly SO<sub>2</sub> emissions from each engine associated with Source IDs P320A, P321 and P328 using each engine's total hours operated in a month and the following emission factors.

(a) 0.002 pound per hour for Source ID P320A

(b) 0.002 pound per hour for the Kiln 6 Aux. Engine associated with Source ID P321

(c) 0.006 pound per hour for the Kiln 7 Aux. Engine associated with Source ID P321

(d) 0.003 pound per hour for Source ID P328

3. Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, there shall be no visible emission of air contaminants into the atmosphere from buildings, 235-BUI-401 and 305-BUI-402, of Source ID P323.

4. [Compliance with the requirement specified in this streamlined condition assures conformance with the monthly inspection requirements as specified in 40 CFR § 60.674(b)]

Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall conduct daily visible emissions observations, while Source ID P322A is in operation and during daylight hours, on ID C322A and the sources associated with Source ID P322A.

5. (a) Source ID P322A is the Kiln No. 8 project stone reclamation system, which consists of the following:

(1) Conveyor 235-BEC-232 (Controlled by 235-PDC-144, ID C322)

(2) Conveyor 235-BEC-236 (reversible)

(3) Kiln 8 Stock Piles



- (4) Kiln Start-up Pile
- (5) Seven (7) Vibratory Feeders in the Reclaim Tunnel
- (6) Conveyor 305-BEC-252
- (7) Screen 305-IVS-254
- (8) Stone Bin 305-BIN-262
- (9) Vibratory Feeder, 305-VIF-264
- (10) Conveyor 305-BEC-268 (Reversible)
- (11) Oversize Pile
- (12) Conveyor 305-BEC-266

(b) ID C322A is a fabric collector, 305-PDC-258, rated at 4000 SCFM of airflow and controls the following: (3), (6), (7), (8), (9), (10), and (12).

(c) Building, 305-BUI-401, houses the following: (2) and (3)

(d) Building, 305-BUI-402, houses the following: (7), (8), (9), (10), and part of (12)

6. Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12 and 40 CFR § 63.7090(a), there shall be no visible emission of air contaminants into the atmosphere from building, 305-BUI-008, of Source ID P323.

7. [Compliance with the requirement specified in this streamlined condition assures conformance with the compliance timeline requirements as specified in 40 CFR § 63.7083(a)(2)]

Within 120 days of achieving maximum normal operating conditions, but no later than 180 days after initial startup, the permittee shall perform a visible emissions check test on building, 305-BUI-008, of Source ID P323 to verify compliance with the no visible emissions limitation.

(a) Pursuant to 40 CFR § 63.1112(a), the EPA reference method testing program shall be performed in accordance with the applicable testing requirements as specified in item 18 of Table 4 to 40 CFR Part 63 Subpart AAAAA.

8. [Compliance with the requirement specified in this streamlined condition assures conformance with the visible emissions observation requirements as specified in 40 CFR § 63.7121(e)]

Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall conduct daily visible emissions observations while Source ID P323 is operating normally on building, 305-BUI-008, of Source ID P323 and ID C323.

(a) The daily visible emissions observations on the buildings shall be performed during daylight hours and in accordance with the applicable procedure requirements as specified in items 2(i) and 2(ii) of Table 6 to 40 CFR Part 63 Subpart AAAAA.

(b) The daily visible emissions observations on ID C323 shall be performed during daylight hours and in accordance with the applicable procedure requirements as specified in items 1(i) and 1(iv) of Table 6 to 40 CFR Part 63 Subpart AAAAA.

9. Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall only use 16 weight (ounces per square yard) polyester bags, or other bags, as approved by the Department, that offer equivalent or better control of particulate matter emissions in ID C323 associated with Source ID P323.

10. (a) Source ID P323 is the Kiln No. 8 processed stone handling system, which consists of the following:

- (1) Kiln No. 8 Processed Stone Hopper, 328-HOP-850
- (2) Vibratory Feeder 328-VIF-852
- (3) Conveyor 328-BEC-854/328-DGC-853 (Reversible)
- (4) Silo 328-SIL-855
- (5) Silo 328-SIL-856
- (6) Building 328-BUI-008

(b) ID C325A is fabric collector, 328-PDC-898, rated at 4000 SCFM of airflow and controls the dust emissions from items (1), (4), (5), and certain sources of Source ID P325.

11. (a) Source ID P324 is the LKD handling, storage and loading system for Kiln No. 8, which consists of the following:

- (1) Screw Conveyor 328-SCC-878
- (2) Screw Conveyor 328-SCC-879
- (3) Screw Conveyor 328-SCC-880
- (4) Screw Conveyor 328-SCC-838
- (5) Bin 328-BIN-890
- (6) Silo 345-SIL-687 (Existing Kiln No. 6 LKD Silo)
- (7) LKD Truck Loading Operation located at Kiln No. 6 LKD Silo (Existing)
- (8) Kiln No. 8 Project LKD Truck
- (9) LKD Storage Pile

(b) (1) through (4) received all LKD from baghouse, 328-PDC-870, Control Device ID

(c) LKD from Kiln No. 8 may be sent to Source ID P325 via multi-position gate (328-MPG-886). LKD from Kiln No. 8 may also be sent to (5) via multi-position gate (328-MPG-886) and culminate at the LKD storage pile via source (7) and (8).

12. Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, all trucks leaving the LKD truck loading operation shall be fully tarped.

13. (a) Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, there shall be no emission of visible air contaminants to the atmosphere from buildings, 345-BUI-810 and 345-BUI-811, of Source ID P325.

(b) Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, there shall be no emission of visible air contaminants to the atmosphere from bin, 345-BIN-850 and silos, 345-SIL-880 and 345-SIL-890, of Source ID P325.

14. Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall conduct daily visible emissions observations while Source ID P325 is operating normally on ID C325 and buildings, 345-BUI-810 and 345-BUI-811, as well as on the transfer points associated with 345-BIN-850, 345-SIL-880 and 345-SIL-890.

15. Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall only use 16 weight (ounces per square yard) polyester bags, or other bags, as approved by the Department, that offer equivalent or better control of particulate matter emissions in ID C325 of Source ID P325.

16. (a) Source ID P325 is the lime handling, processing and storage system, which consists of the following:

- (1) Vibratory Feeder 328-VIF-882
- (2) Vibratory Feeder 328-VIF-883
- (3) Conveyors 345-BEC-814/345-DGC-816 (Controlled by, 328-PDC-898, ID C323)
- (4) Conveyors 345-BEC-818/345-DGC-820 (Controlled by, 328-PDC-898, ID C323)
- (5) Conveyors 345-BEC-824/345-DGC-825
- (6) Roll Crusher 345-IRC-830 (located in Building 345-BUI-811)
- (7) Conveyors 345-BEC-834/345-DGC-835
- (8) Elevator 345-ELE-842
- (9) Elevator 345-ELE-844
- (10) Screen 345-ECS-846 (located in Building 345-BUI-811)
- (11) Screen 345-ECS-848 (located in Building 345-BUI-811)
- (12) Conveyors 345-BEC-857/345-DGC-859
- (13) Cage Mill 345-CAM-862
- (14) Elevators 345-ELE-842 and 345-ELE-844
- (15) Elevators 345-ELE-870 and 345-ELE-872
- (16) Conveyors 345-BEC-874/345-DGC-875
- (17) Conveyors 345-BEC-876/345-DGC-877
- (18) Silos 345-SIL-880 and 345-SIL-890
- (19) Conveyors 345-BEC-857/345-DGC-859
- (20) Conveyors 345-BEC-235/345-DGC-237
- (21) Bin 345-BIN-850

(b) ID C325 is fabric collector 345-PDC-570 rated at 13000 SCFM of airflow and controls the dust emissions from items (20), (10), (11), (14), (15), (5), (13), (7), (19), (17), (16), (21) and (18).

(c) ID C323 is fabric collector, 328-PDC-898, rated at 4000 SCFM of airflow and controls the dust emissions from items (3), (4), and certain sources of Source ID P323.

17. Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, there shall be no emission of visible air contaminants to the atmosphere from building 345-BUI-812 of Source ID P326. The emission of visible air contaminants to the atmosphere from the transfer point associated with the truck loading via 345-LSP-856 shall not exceed 7% opacity. The emission of visible air contaminants to the atmosphere from the transfer point associated with the railcar loading via 345-LSP-904 shall not exceed 7% opacity.

18. Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall conduct daily visible emissions observations while Source ID P326 is operating normally on ID C326, building 345-BUI-812. During daylight hours, the permittee shall conduct daily visible emissions observations on truck and/or railcar loading, while loading is occurring.

19. Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall only use 16 weight (ounces per square yard) polyester bags, or other bags, as approved by the Department, that offer equivalent or better control of particulate matter emissions in ID C326 associated with Source ID P326.

20. (a) Source ID P326 is the Kiln No. 8 project lime loading system, which consists of the following:

- (1) Truck loading operation via 345-LSP-856

- (2) Bay #1 railcar loading operation via 345-LSP-904
- (3) Conveyors 345-BEC-900/345-DGC-901
- (4) Conveyors 345-BEC-888/345-DGC-889
- (5) Conveyor 345-BEC-898/345-DGC-899

(b) ID C326 is fabric collector 345-PDC-560 rated at 8500 SCFM of airflow and controls the dust emissions from (a).

21. Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, all trucks leaving the single bay lime kiln dust truck loading operation shall be fully tarped.

22. Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the concentration of filterable particulate matter (PM) in the exhaust from the Kiln No. 8 baghouse (ID C418) shall not exceed 0.004 grain per dry standard cubic foot, and the total PM (filterable and condensable) shall not exceed 2.31 pounds per hour as demonstrated with EPA reference method stack tests.

23. Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the concentration of filterable particulate matter with an effective aerodynamic diameter of less than 10 micrometers (PM<sub>10</sub>) in the exhaust from the Kiln No. 8 baghouse (ID C418) shall not exceed 0.003 grain per dry standard cubic foot, and the total PM<sub>10</sub> (filterable and condensable) shall not exceed 1.97 pound per hour as demonstrated with EPA reference method stack tests.

24. Pursuant to the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the concentration of filterable particulate matter with an effective aerodynamic diameter of less than 2.5 micrometers (PM<sub>2.5</sub>) in the exhaust from the Kiln No. 8 baghouse (ID C418) shall not exceed 0.002 grain per dry standard cubic foot, and the total PM<sub>2.5</sub> (filterable and condensable) shall not exceed 1.62 pound per hour as demonstrated with EPA reference method stack tests.

25. Source ID P418 consists of a 660 tons per day, twin-shaft vertical lime kiln, designated as Kiln No. 8, that is equipped with 66 natural gas fuel delivery lances (2 sets of 33) with a total approximate heat input (HHV) equal to 100.4 MMBtu/hr. The air contaminant emissions from the kiln shall be controlled by the installation of ID C418 which is a pulse jet baghouse, designated as 328-PDC-870. The baghouse shall have a design effective area equal 26,734 square feet of fabric and a design volumetric rate of gas handled equal to 77,700 actual cubic feet per minute at 275°F.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

Any person(s) wishing to provide the Department of Environmental Protection with additional information, which they believe should be considered prior to the issuance of this plan approval, may submit the information to the Department of Environmental Protection at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval (Plan Approval

14-00002P) and concise statements regarding the relevancy of the information or objections to issuance of the plan approval.

A public hearing may be held, if the Department 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.

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

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

**25-025T: GE Transportation—Erie Plant** (2901 East Lake Road, Bldg. 9-201, Erie, PA 16531) for modification of conditions from Plan Approval 25-025Q for the test cells in Lawrence Park Township, **Erie County**. This is a Title V 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.

Plan approval No 25-025T is for the modification of plan approval 25-025Q with regards to the number of test cells to be constructed; the use of Liquid Natural Gas (LNG), Compressed Natural Gas (CNG), and Natural Gas (NG) as approved fuels in the four test cells being built and the placement and ranges of temperatures sensors in the air pollution control train. This project will not increase the number of engines tested. This project will not result in an emission increase. This Plan Approval will contain emission restriction, testing, 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 Best Available Technology (BAT) for the source including, but are not limited to, the following:

- This plan approval replaces conditions from plan approval 25-025Q issued on May 11, 2011.
- Test cells subject to 40 CFR 63 Subpart P. The following air contaminant emission limits are approved for the 4 engine test cells (Source 359, 361, 364, & 365) located in Building 4E and area 10-K, combined.
  - The company shall limit the emissions of nitrogen oxides (calculated as NO<sub>2</sub>) to 341.8 tons, or less, in a 12 month rolling period.
  - The company shall limit the emissions of carbon monoxide (CO) to 29.4 tons, or less, in a 12 month rolling period.
  - The company shall limit the emissions of sulfur dioxide (SO<sub>2</sub>) to 73.2 tons, or less, in a 12 month rolling period.
  - The company shall limit the emissions of particulate matter to 12.7 tons, or less, in a 12 month rolling period.

- The annual emission limit for the pollutants listed above includes the emissions from start-ups and shut-downs.

- The following short-term air contaminant emission limits are approved for each test cell.

- The company shall limit the emissions of ammonia to 10 ppm<sub>dv</sub>, or less.

- The company shall limit the emissions of nitrogen oxides (calculated as NO<sub>2</sub>) to 7.40 grams per brake horsepower per hour.

- The company shall limit the emissions of carbon monoxide (CO) to 3.73 grams per brake horsepower per hour.

- The company shall limit the emissions of sulfur dioxide (SO<sub>2</sub>) to 6.40 grams per brake horsepower per hour.

- The company shall limit the emissions of particulate matter (filterable and condensable) to 0.45 gram per brake horsepower per hour.

- The company shall limit the emissions of volatile organic compounds to 0.55 gram per brake horsepower per hour. The volatile organic compounds shall be calculated as methane.

- Compliance with the short-term emission limits shall be determined by the average of the 3 runs conducted during the stack test that is required by this plan approval.

- The short-term emission limits apply at all times except during start-up and shutdown periods.

- The company shall limit the amount of fuel combusted in the four test cells (Source 359, 361, 364, & 365) to a combined 11,000,000 gallons in a 12-month rolling period. LNG/CNG/NG fuel use will be converted to gallon equivalents of #2 oil on a BTU basis for purposes of demonstrating compliance with the fuel limitation.

- The company shall keep a record of the weight percentage of sulfur in the fuel being combusted in the test cell. When the fuel is natural gas, this condition may be satisfied by demonstrating that the natural gas combusted is pipeline natural gas from a natural gas distribution utility.

- Source 359 test cell:

- The company shall limit the sulfur content of the fuel combusted in the engine to a maximum of 2.0 percent, by weight.

- If the company would like to combust fuel greater than 2.0 percent, by weight, the company shall apply to the Department, in writing, at least 10 days prior to combusting the fuel. In no event shall the concentration of sulfur dioxide in the exhaust stack exceed 500 ppm, by volume, dry basis.

- Source 359 test cell may also use ULSD (ultra low sulfur diesel—15 ppm sulfur), LNG (liquid natural gas), CNG (compressed natural gas), or NG (natural gas).

- The permittee shall maintain the following parameters within their prescribed ranges:

- SCR outlet temperature—550 to 800F. The temperature range may be amended upon the company demonstrating that the temperature range is different during operation. The new temperature range will be incorporated in to the facility's operating permit.

- Liquid recirculation rate—manufacturer's specifications or latest test data. The scrubbing liquid recirculation rate range shall be incorporated in to the company's facility operating permit.

- pH of the scrubbing liquid—manufacturer's specifications or latest test data. The scrubbing liquid pH range shall be incorporated in to the company's facility operating permit.

- Source 361, 364, & 365 test cells:

- Shall use only ULSD (ultra low sulfur diesel—15 ppm sulfur), LNG (liquid natural gas), CNG (compressed natural gas), or NG (natural gas) in this test cell.

- The company shall continuously monitor the selective catalyst reduction system (Johnson Matthey system) outlet temperature when an engine is operating in the test cell.

- The permittee shall maintain the following parameters within their prescribed ranges:

- SCR (Johnson Matthey system) outlet temperature—570 to 950F

- Filter pressure drop—manufacturer's specifications or latest test data

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 [25-025T] 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 (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.**

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

*Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6131*

**42-00004: American Refining Group** (77 N. Kendall Ave., Bradford, PA 16701-1726) to modify a Title V Operating Permit for their facility, in Bradford City, **McKean County**.

In accordance with 25 Pa. Code § 127.521, the Department of Environmental Protection (Department) intends to modify a Title V Operating Permit for the facility, located in Bradford City, McKean County.

The facility is a major facility as defined in Title I, Part D of the Clean Air Act Amendments due to the facility's potential to emit NO<sub>x</sub>, SO<sub>x</sub>, VOC, HAP, and Particulate Matter emissions. The facility is subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapters F and G. The facility is subject to multiple State and Federal Regulations. The modification involves the incorporation of the requirements of 40 CFR 63 Subpart DDDDD—National Emission Standards for Hazardous Air Pollutants (NESHAPs) for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters. The requirements in Subpart DDDDD became effective April 1, 2013. The Department is required to revise the permit because the expiration date of the current permit is more than 3 years from the effective date of Subpart DDDDD. The modification is pursuant to 25 Pa. Code § 127.463 (Operating permit revisions to incorporate applicable standards). The permit expires September 30, 2016. The boilers and process heaters (except boiler #5 and the crude unit heater) are subject to the tune-up and energy assessment work practice standards of Subpart DDDDD. The boiler #5 is a coat fired boiler which will be replaced and the permit includes milestones for the extension of the Boiler MACT for that source. The crude unit heater is subject to emission limits, testing, fuel analysis, monitoring requirements, recordkeeping requirements, reporting requirements, work practice standards, additional requirements, and operating limits identified in Subpart DDDDD.

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

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

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

**48-00064: Ungerer & Company** (110 North Commerce Way, Bethlehem, PA 18017-8932) to issue a renewal State Only operating permit for a flavoring syrup and concentrate manufacturing facility in Hanover Township, **Northampton County**. The proposed operating permit contains all applicable Federal and State regulations including emissions, monitoring, record keeping, reporting and work practice requirements.

**40-00061: International Paper Co.** (533 Forest Road, Hazleton, PA 18202) to issue a renewal State Only (Synthetic Minor) operating permit for a corrugated and solid fiber box manufacturing facility in Hazle Township, **Luzerne County**. The facility is taking site level emission limitations for Volatile Organic Compounds (VOCs) and Hazardous Air Pollutants (HAPs) in order to maintain Synthetic Minor status. The proposed operating permit contains all applicable Federal and State regulations including emissions, monitoring, record keeping, reporting and work practice requirements.

*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, Regional Air Quality Manager, Telephone: 717-705-4702.*

**01-05022: Knouse Foods Cooperative, Inc.** (800 Peach Glen Idaville Road, Peach Glen, PA 17375) for their fruit processing facility in Hamiltonban 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 abovementioned facility.

The estimated potential emissions are: 2.5 tons of PM per year; 84.5 tons of CO per year; 65.1 tons of NO<sub>x</sub> per year; 0.4 ton of SO<sub>x</sub> per year; 10.2 tons of VOCs per year; and 0.6 ton of HAPs per year. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. The facility is subject to 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units; 40 CFR Part 60 Subpart GG—Standards of Performance for Stationary Gas Turbines; and 40 CFR Part 63, Subpart JJJJJ—National Emission Standard for Area Sources of Hazardous Air Pollutants (HAPs) for Industrial, Commercial, and Institutional Boilers.

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. 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.

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.

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

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

**11-00283: Portage Area School District** (84 Mountain Ave., Portage, PA, 15946-1809) Operating Permit renewal for the Portage Area Elementary/Junior-Senior High School in Portage Borough, **Cambria County**. Equipment at this facility includes a 9.1 mmbtu/hr tri-fuel boiler which burns primarily coal, two natural gas-fired boilers rated at 6.75 mmbtu/hr each, two natural gas-fired boilers rated at 2.5 mmbtu/hr each, and two natural gas-fired emergency generators. Potential emissions from the emission sources at this facility are based on operation for 8,760 hours per year for all sources except for the tri-fuel boiler which is restricted to burning 2,160 tons of coal per year and the emergency generators which have a 500 hours per year operating limit. Emissions are estimated to be 18.4 tons per year NO<sub>x</sub>, 1.8 tons per year VOCs, 18.7 tons per year CO, 50.3 tons per year SO<sub>2</sub>, and 7.3 tons per year particulate matter less than ten microns. Actual emissions from the facility are much lower as the tri-fuel boiler does not generally operate from May through September. The facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. The proposed Operating Permit contains applicable emission limits, as well as testing, monitoring, recordkeeping, reporting and work practice requirements.

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

Any person may submit comments or object to the operating permit or a proposed condition thereof by filing a written protest with the Department at the Southwest Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments.

A protest to a proposed action shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa Code § 127.424 (relating to public notice). A protest shall include the following:

The name, address and telephone number of the person filing the protest; Identification of the proposed permit issuance being opposed (Operating Permit 11-00283); and, A concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons who have properly filed a protest under 25 Pa Code § 127.426 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

Written comments, protests and requests for a public hearing should be directed to Nick Waryanka, Air Quality Engineer, Department of Environmental Protection, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA

15222. For additional information concerning the permit or the issuance procedure, contact Mr. Waryanka at (412) 442-4172.

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

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

**24-00025: Alpha Sintered Metals, Inc.—Ridgeway Plant** (95 Mason Run Road, Ridgeway, PA 15853) to re-issue a Natural Minor Operating Permit to operate this powdered metal part manufacturing facility, in Ridgeway Township, **Elk County**. The facility's primary emission sources include Sintering and Heat Treating Furnaces. The emissions of criteria pollutants from this facility continue to be well below major source levels. [Particulate Matter < 1.0 ton per year (TPY), NO<sub>x</sub> < 1.0 TPY, CO < 1.0 TPY, and VOCs < 3.0 TPY.]

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

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

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

### *Coal Applications Received*

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

**30841317 and NPDES No. PA0213527. Consol Pennsylvania Coal Company, LLC**, (1525 Pleasant Grove Rd., PO Box J, Claysville, PA 15323). To revise the permit for the Enlow Fork Mine in East Finley Township, **Washington County** to install a borehole and waterline at the Oak Spring Slope and Supply Yard. Surface Acres Proposed 1.2. No additional discharges. The application was considered administratively complete on March 11, 2014. Application received December 13, 2013.

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

**Permit No. 56090102 and NPDES No. PA0262722. PBS Coals, Inc.**, 1576 Stoystown Road, P. O. Box 260, Friedens, PA 15541, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Somerset Township, **Somerset County** affecting 83.5 acres. Receiving stream: Wells Creek classified for the following use: cold water fisheries. There are no potable water supply intakes within 10 miles downstream. Application Received: March 3, 2014.

**Permit No. 56080108 and NPDES No. PA0262692. PBS Coals, Inc.**, 1576 Stoystown Road, P. O. Box 260, Friedens, PA 15541, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Brothersvalley Township, **Somerset County**, affecting 377.7 acres. Receiving streams: unnamed tributary to Blue Lick Creek; unnamed tributary to Swamp Creek; and an unnamed tributary to Buffalo Creek, classified for the following use: cold water fisheries. There are no potable water supply intakes within 10 miles downstream. Application Received: March 3, 2014.

**Permit No. 56890101 and NPDES No. PA0598364. Croner, Inc.**, P. O. Box 260, Friedens, PA 15541, permit renewal for reclamation only of a bituminous surface and coal refuse disposal mine in Brothersvalley Township, **Somerset County**, affecting 226.6 acres. Receiving streams: unnamed tributary to/and Buffalo Creek, classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application Received: March 3, 2014.

**Permit No. 56663069 and NPDES No. PA0120944. Rosebud Mining Co.**, P. O. Box 157, Meyersdale, PA 15552, permit renewal for reclamation only of a bituminous surface mine in Elk Lick and Summit Townships, **Somerset County**, affecting 3,040 acres. Receiving streams: unnamed tributary to/and Casselman River and an unnamed tributary to/and Elk Lick Creek, classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: March 5, 2014.

**Permit No. 56030106 and NPDES No. PA0249513. Rosebud Mining Co.**, P. O. Box 157, Meyersdale, PA 15552, permit renewal for the continued operation and restoration of a bituminous surface mine in Summit Township, **Somerset County**, affecting 353.0 acres. Receiving streams: unnamed tributaries to/and Casselman River and unnamed tributaries to/and Elk Lick Creek, classified for the following uses: warm water fishery and

cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: March 5, 2014.

*Greensburg District Mining Office: Armbrust Professional Center, 8205 Route 819, Greensburg, PA 15601, 724-925-5500, (Contact: Cathy Hillman)*

**GP12-26130101. Amerikohl Mining, Inc.** (1384 State Route 711, Stahlstown, PA 15687). Application for authorization under General Permit BAQ-GPA/GP12 and is required to meet all applicable limitations, terms, and conditions of authorization GP12-26130101 to operate a portable coal crusher for an existing bituminous surface mine, located in Franklin Township, **Fayette County**, affecting 55.5 acres. Receiving streams: unnamed tributaries to Bolden Run and unnamed tributary to Bute Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: March 11, 2013.

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

**17080116 and NPDES No. PA0256978. Forcey Coal, Inc.** (P. O. Box 225, 475 Banion Road, Madera, PA 16661). Revision to an existing bituminous surface mine for

permit boundary corrections located in Bigler Township, **Clearfield County** affecting 42.0 acres. Receiving stream(s): Unnamed Tributary to Clearfield Creek classified for the following use(s): Cold Water Fishes and Clearfield Creek classified for the following use(s): Warm Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: March 11, 2014.

*Coal Applications Returned*

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

**Permit No. 54900101C49. Blackwood, Inc.**, (PO Box 639, Wind Gap, PA 18091), correction to update the use of biosolids on an existing anthracite surface mine, coal refuse reprocessing, refuse disposal and preparation plant operation in Branch, Reilly and Tremont Townships, **Schuylkill County** affecting 1850.6 acres, receiving streams: Panther Creek and Swatara Creek. Application received: September 17, 2013. Application returned: March 12, 2014.

*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.

*Greensburg District Mining Office: Armbrust Professional Center, 8205 Route 819, Greensburg, PA 15601, 724-925-5500*

**26980601 and NPDES Permit No. PA0202193. Hanson Aggregates BMC, Inc.** (2200 Springfield Pike, Connelville, PA 15425). Revision application to add 99.5 acres of underground mining to an existing large noncoal surface mine, located in Bullskin Township, **Fayette County**, affecting 808.1 acres. Receiving streams: unnamed tributaries to Breakneck Run and Breakneck Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: February 12, 2014.

**65930401 and NPDES Permit No. PA0200402. Hanson Aggregates BMC, Inc.** (2200 Springfield Pike, Connelville, PA 15425). NPDES renewal application for continued mining to an existing large noncoal surface mine, located in Ligonier & Derry Townships, **Westmoreland County**, affecting 172.6 acres. Receiving streams: unnamed tributaries to Loyalhanna Creek, classified for the following use: TSF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: March 6, 2014.

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

**Permit No. 39140301 and NPDES Permit No. PA0225444. Geryville Materials, Inc.**, (PO Box 193, Eagelsville, PA 19408), commencement, operation and restoration of a quarry operation and discharge of treated mine drainage in Lower Milford Township, **Lehigh County** affecting 628.5 acres, receiving streams: unnamed tributary to Hosensack Creek and unnamed tributary to Macoby Creek, classified for the following uses: cold water and migratory; trout stock fishes and migratory fishes. Application received: March 4, 2014.

### MINING ACTIVITY NPDES DRAFT PERMITS

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

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

*Effluent Limits for Coal Mining Activities*

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

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

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

\* The parameter is applicable at all times.

In addition, the Department imposes a technology-based aluminum limit of 2.0 mg/l (30 day average) to protect stream uses.

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

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

*Effluent Limits for Noncoal Mining Activities*

The BAT limits for noncoal mining activities as provided in 40 CFR Part 436 and 25 Pa. Code Chapter 77 are as follows:

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

\* The parameter is applicable at all times.

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

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

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

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 362-0600-001, NPDES Program Implementation—Memorandum of Understanding (MOU) Concerning Water Quality Management, NPDES Program Implementation, and Related Matters. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

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

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

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



*Bulletin* and a newspaper of general circulation within the relevant geographical area. When a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

*Coal NPDES Draft Permits*

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

**NPDES No. PA0269344 (Mining Permit No. 32130106), Amerikohl Mining, Inc.**, 202 Sunset Drive, Butler, PA 16001, new NPDES permit for surface mining activities in Montgomery Township, **Indiana County**, affecting 61.9 acres. Receiving streams: Kilns Run and unnamed tributaries to Cush Cushion Creek, classified for the following uses: cold water fisheries and high quality-cold water fisheries. Discharges from the proposed mine site are not permitted to enter the unnamed tributaries to Cush Cushion Creek. These receiving streams are included in the West Branch Susquehanna River TMDL. Application received: January 21, 2014.

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

The treated wastewater outfall listed below discharges to Kilns Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001 (TP-1)	Y

The proposed effluent limits for the above listed outfall is as follows:

<i>Outfalls: 001 Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	0.7	1.4	1.8
Aluminum (mg/l)	0.9	1.8	2.3
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The stormwater outfalls listed below discharge to Kilns Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
002 (SP-1)	Y
003 (ST-1)	Y

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

<i>Outfalls: 002 and 003 (Dry Weather) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	0.7	1.4	1.8
Aluminum (mg/l)	N/A	N/A	2.3
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

*Outfalls: 002 and 003  
(≤10-yr/24-hr precip. event)  
Parameter*

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	N/A	N/A	7.0
Total Settleable Solids (ml/l)	N/A	N/A	0.5
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

**NPDES No. PA0269352 (Mining Permit No. 32030110), Fossil Fuel, Inc.**, 690 Weaver Road Marion Center, PA 15759, renewal of an NPDES permit for surface coal mining in East Mahoning and Grant Townships, **Indiana County**, affecting 43 acres. Receiving streams: Unnamed Tributaries to Crooked Run, classified for the following use: High Quality—Cold Water Fisheries. Application received: February 12, 2014.

The outfalls listed below require a non-discharge alternative:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001 (TF-1)	N
002 (SP-1)	N
003 (ST-2)	N
004 (ST-3)	N

There is no proposed surface discharge from the above listed facilities to the receiving stream due to the implementation of Best Management Practices in the form of infiltration galleries. The only potential point source discharges to surface water are the discharges from the emergency spillway of a sediment pond during precipitation that exceeds a 10 yr/24 hr event. BAT limits will be applied to the outfall effluent entering the infiltration galleries for the protection of the groundwater. Effluent limits for the emergency spillways are as follows:

Outfalls: 002 (SP-1), 003 (ST-2), 004 (ST-3)  
 Emergency Spillways Only  
 (During >10-yr/24-hr Precipitation Event)  
 Parameter

	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids (mg/L)	N/A	N/A	235.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

*Noncoal NPDES Draft Permits*

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

**NPDES No. PA0612383 (Mining Permit No. 6875SM3), New Enterprise Stone & Lime Co, Inc. d.b.a. Eastern Industries, Inc.**, 4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034, renewal of an NPDES permit for limestone quarry in Armagh Township, **Mifflin County**, affecting 114.7 acres. Receiving stream: unnamed tributary to Honey Creek, classified for the following use: high quality cold water fishery. Application received: February 20, 2014.

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

The outfall(s) listed below discharge to unnamed tributary to Honey Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001	N

**NPDES No. PA0613371 (Mining Permit No. 28030301), D.L. George & Sons Construction Co., Inc.**, 20 East Sixth Street, Waynesboro, PA 17268, renewal of an NPDES permit for a noncoal surface mining operation in Antrim Township, **Franklin County**, affecting 43.0 acres. Receiving stream: Paddy Run, classified for the following use: warm water. Application received: October 30, 2013.

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

The outfall listed below discharge to: Paddy Run.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001—Sediment Pond	N

The proposed effluent limits for the above listed outfall is as follows:

<i>Outfalls: 001 Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

### FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the Commonwealth to certify that the involved projects will not violate the sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA, the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment shall submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before an application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or

conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between 8 a.m. and 4 p.m. on working days at the office noted before the application.

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

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

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E40-751. Scott and Stephanie Williams**, 42 Payne Lane, Dallas, PA 18612, in Dallas Township, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain a private road crossing of 0.27 acre of EV wetlands to access a single family residence. The project is located on Upper Demunds Road approximately 1.2 miles from its intersection with SR 309 in Dallas Township, Luzerne County (Kingston, PA Quadrangle, Latitude: 41°21'32"; Longitude: -75°56'54").

**E40-752. Albert and Catherine Brown**, 34 Circle Drive, Dallas, PA 18612, in Harveys Lake Borough, Luzerne County, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain a 683 sq. ft. boat dock/slip impacting 64 sq. ft. of EV wetlands and 639 sq. ft. of open water in Harveys Lake (HQ-CWF). The project is located at Pole 280 along Lake Drive in Harveys Lake Borough, Luzerne County (Harveys Lake, PA Quadrangle, Latitude: 41°21'52"; Longitude: -76°3'16").

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

**E07-452. Sheetz Inc.** 5700 Sixth Ave, Altoona, PA 16602. Logan Township Sheetz, in Logan Township, Blair County, Baltimore ACOE District (Hollidaysburg, PA Quadrangle Latitude: 40° 28' 37", Longitude -78° 23' 26.3").

The applicant proposes to: (1) extend and maintain existing stream enclosure 237-linear feet with a 36-inch diameter with R-5 riprap apron for scour protection and within an Unnamed Tributary to Brush Run which is a perianal stream classified as a Warm Water Fishery, (2) place fill in 0.03 acre of Exceptional Value (EV) Palustrine Emergent (PEM) wetland, (3) place fill in 0.13 acre of EV PEM/Palustrine Scrub Shrub (PSS) wetland and temporarily impacting 0.13 acre of this wetland, (4) temporarily impact 0.01 acre of EV PSS wetland, and (5) construct .82 acre of wetlands as compensation for wetland Impacts permanently impacting 0.01 acre of existing EV PEM wetland. The project proposes to directly affect a total of 237-linear feet of stream channel, temporarily impact 0.14 acre of Exceptional Value Wetland and permanently impact 0.17 acre of Exceptional Value Wetland, and proposes to create 0.46 acre of wetland as compensatory mitigation.

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

**E02-1684-A1. PennDOT District 11-0**, 45 Thoms Run Road, Bridgeville, PA 15017; Harmar Township and Oakmont Borough, Allegheny County; ACOE Pittsburgh District.

ACOE: Pittsburgh

Applicant is proposing to amend existing permit E02-1684 to include additional temporary impacts from dredging an adjacent 12,235 sq ft of Allegheny River bed to provide for barge access during construction, and adjacent areas of barge construction staging that require 160 sq ft of anchoring river bed disturbance. Mitigation for the additional impacts will be via contribution to the Pennsylvania Mussel Conservation Fund. The existing permit authorizes the removal of the existing SR 2082, two lane, 28.3 ft total width, five span, steel through truss bridge with a 70 degree skew and having a total length of 1,544 ft, and having a navigational channel normal pool elevation clearance of approximately 50 ft; and to construct and maintain adjacent to and upstream and to the north of the existing bridge a five span, steel girder, four lane, 69 ft width replacement bridge with an 80 degree skew

and having a total length of 1,633 ft, and having a navigational channel normal pool elevation clearance of approximately 47 ft over the Allegheny River (WWF) with a drainage area of 11,682 square miles. In addition the project includes temporary encroachments for construction and demolition, and encroachments associated with modification or replacement of stormwater facilities from the road alignment adjustment and new bridge. The PennDOT improvement and relocation project extends between Oakmont Borough to the east and Harmar Township to the west (New Kensington West Quadrangle: N: 4.8"; W: 13.5"; Latitude 40° 31' 37" and Longitude -79° 50' 46") in Allegheny County.

**E02-1694. Orchard Hill Church**, 2551 Brandt School Road; Wexford, PA 15090; Franklin Park Borough, Allegheny County; ACOE Pittsburgh District.

ACOE: Pittsburgh District

Applicant is proposing to place and maintain fill in a de minimus amount of wetland (approx. 0.03 acre of PEM wetland), for the purpose of constructing a parking lot, in association with constructing building additions, at the Orchard Hill Church, located within the Pine Creek Watershed (CWF), at 2551 Brandt School Road (Emsworth, PA USGS topographic quadrangle, N: 19.88 inches; W: 12.95 inches; Latitude: 40° 36' 34"; Longitude: -80° 5' 36"), in Franklin Park Borough, Allegheny County.

*District Oil & Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA 17701*

**E5829-072. Williams Field Services Company, LLC**; Park Place Corporate Center 2, 2000 Commerce Park Drive, Pittsburgh, PA 15275; Gibson and Clifford Townships, Susquehanna County, ACOE Baltimore District.

To construct, operate, and maintain:

- 1) a 20-inch diameter natural gas pipeline and temporary timber bridge crossing impacting 1,262 square feet of floodway to an unnamed tributary to Idlewild Creek (CWF-MF) (Clifford, PA Quadrangle; N 41° 43' 27" Lat., W -75° 35' 25" Long.),
- 2) a 20-inch diameter natural gas pipeline and temporary timber bridge crossing impacting 55 lineal feet of an unnamed tributary to Idlewild Creek (CWF-MF) (Clifford, PA Quadrangle; N 41° 43' 26" Lat., W -75° 35' 28" Long.),
- 3) a 20-inch diameter natural gas pipeline and temporary timber bridge crossing impacting 57 lineal feet of an unnamed tributary to Idlewild Creek (CWF-MF) (Clifford, PA Quadrangle; N 41° 43' 26" Lat., W -75° 35' 29" Long.),
- 4) a 20-inch diameter natural gas pipeline and temporary timber mat crossing impacting 4,747 square feet (0.11 acre) of a PEM wetland (Clifford, PA Quadrangle; N 41° 43' 25" Lat., W -75° 35' 31" Long.),
- 5) a temporary timber mat crossing impacting 45 square feet (0.01 acre) of a PEM wetland (Clifford, PA Quadrangle; N 41° 43' 25" Lat., W -75° 35' 32" Long.),
- 6) a 20-inch diameter natural gas pipeline and temporary timber mat crossing impacting 10,548 square feet (0.24 acre) of a PEM wetland (Clifford, PA Quadrangle; N 41° 43' 22" Lat., W -75° 35' 33" Long.),
- 7) a 20-inch diameter natural gas pipeline and temporary timber bridge crossing impacting 75 lineal feet of an unnamed tributary to Idlewild Creek (CWF-MF) (Clifford, PA Quadrangle; N 41° 43' 18" Lat., W -75° 35' 32" Long.),
- 8) a 20-inch diameter natural gas pipeline and temporary timber mat crossing impacting 802 square feet (0.02

acre) of a PEM wetland (Clifford, PA Quadrangle; N 41° 43' 18" Lat., W -75° 35' 32" Long.),

9) a 20-inch diameter natural gas pipeline and temporary timber bridge crossing impacting 72 lineal feet of an unnamed tributary to Idlewild Creek (CWF-MF) (Clifford, PA Quadrangle; N 41° 43' 17" Lat., W -75° 35' 31" Long.),

10) a 20-inch diameter natural gas pipeline and temporary timber bridge crossing impacting 29 lineal feet of an unnamed tributary to Idlewild Creek (CWF-MF) (Clifford, PA Quadrangle; N 41° 43' 16" Lat., W -75° 35' 30" Long.),

11) a 20-inch diameter natural gas pipeline crossing impacting 3 lineal feet of an unnamed tributary to Idlewild Creek (CWF-MF) (Clifford, PA Quadrangle; N 41° 43' 16" Lat., W -75° 35' 29" Long.),

12) a 20-inch diameter natural gas pipeline crossing impacting 3 lineal feet of an unnamed tributary to Idlewild Creek (CWF-MF) (Clifford, PA Quadrangle; N 41° 43' 16" Lat., W -75° 35' 29" Long.),

13) a 20-inch diameter natural gas pipeline crossing impacting 5 lineal feet of an unnamed tributary to Idlewild Creek (CWF-MF) (Clifford, PA Quadrangle; N 41° 43' 16" Lat., W -75° 35' 29" Long.),

14) a 20-inch diameter natural gas pipeline crossing impacting 143 square feet (0.01 acre) of a PEM wetland (Clifford, PA Quadrangle; N 41° 43' 16" Lat., W -75° 35' 29" Long.),

15) a 20-inch diameter natural gas pipeline and temporary timber mat crossing impacting 4,858 square feet (0.11 acre) of a PEM wetland (Clifford, PA Quadrangle; N 41° 43' 13" Lat., W -75° 35' 26" Long.),

16) a 20-inch diameter natural gas pipeline and temporary timber bridge crossing impacting 53 lineal feet of an unnamed tributary to Idlewild Creek (CWF-MF) (Clifford, PA Quadrangle; N 41° 42' 56" Lat., W -75° 35' 19" Long.),

17) a 20-inch diameter natural gas pipeline impacting 51 square feet (0.01 acre) of a PSS wetland and a temporary timber mat crossing impacting 693 square feet (0.02 acre) of a PEM wetland (Clifford, PA Quadrangle; N 41° 42' 55" Lat., W -75° 35' 18" Long.),

18) a 20-inch diameter natural gas pipeline and temporary timber bridge crossing impacting 53 lineal feet of an unnamed tributary to Idlewild Creek (CWF-MF) (Clifford, PA Quadrangle; N 41° 42' 54" Lat., W -75° 35' 16" Long.),

19) a 20-inch diameter natural gas pipeline and temporary timber bridge crossing impacting 50 lineal feet of an unnamed tributary to Idlewild Creek (CWF-MF) (Clifford, PA Quadrangle; N 41° 42' 41" Lat., W -75° 35' 08" Long.),

20) a temporary timber mat crossing impacting 1,018 square feet (0.02 acre) of a PEM wetland (Clifford, PA Quadrangle; N 41° 42' 40" Lat., W -75° 35' 07" Long.).

The project consists of constructing approximately 8,554 lineal feet (1.62 mile) of 20" natural gas gathering line, within a maintained 50 to 75 foot permanent right of way located in Gibson, and Clifford Townships, Susquehanna County. The project will result in 444 lineal feet of temporary stream impacts, 0.48 acre of temporary wetland impacts, and 0.02 acre of permanent conversion impacts, all for the purpose of conveying Marcellus Shale natural gas to market.

**E5829-073: Bluestone Pipeline Company of Pennsylvania, LLC;** 1429 Oliver Road, New Milford, Pennsylvania 18834; Harmony and Thompson Townships, Susquehanna County; ACOE Baltimore District.

To construct, operate, and maintain:

1) a 24 inch diameter natural gas pipeline and temporary timber bridge crossing impacting 41 lineal feet of unnamed tributaries to Wildcat Run (CWF, MF) (Susquehanna, PA Quadrangle, N 41° 55' 20", W -75° 31' 08");

2) a 24 inch diameter natural gas pipeline and temporary timber bridge crossing impacting 36 lineal feet of unnamed tributaries to Wildcat Run (CWF, MF) (Susquehanna, PA Quadrangle, N 41° 55' 14", W -75° 31' 17");

3) a 24 inch diameter natural gas pipeline and temporary timber bridge crossing impacting 43 lineal feet of unnamed tributaries to Wildcat Run (CWF, MF) (Susquehanna, PA Quadrangle, N 41° 55' 06", W -75° 31' 22");

4) a 24 inch diameter natural gas pipeline and temporary timber bridge crossing impacting 48 lineal feet of the East Branch Canawacta Creek (CWF, MF) (Susquehanna, PA Quadrangle, N 41° 54' 30", W -75° 32' 18");

5) a 24 inch diameter natural gas pipeline and temporary timber bridge crossing impacting 55 lineal feet of unnamed tributaries to South Branch Canawacta Creek (CWF, MF) (Susquehanna, PA Quadrangle, N 41° 54' 21", W -75° 32' 39");

6) a 24 inch diameter natural gas pipeline and temporary timber bridge crossing impacting 65 lineal feet of unnamed tributaries to South Branch Canawacta Creek (CWF, MF) (Susquehanna, PA Quadrangle, N 41° 54' 17", W -75° 33' 03");

7) a 24 inch diameter natural gas pipeline and temporary timber bridge crossing impacting 52 lineal feet of the South Branch Canawacta Creek (CWF, MF) (Susquehanna, PA Quadrangle, N 41° 54' 22", W -75° 33' 30");

8) a 24 inch diameter natural gas pipeline and temporary timber bridge crossing impacting 50 lineal feet of unnamed tributaries to South Branch Canawacta Creek (CWF, MF) (Susquehanna, PA Quadrangle, N 41° 54' 22", W -75° 33' 30");

9) a 24 inch diameter natural gas pipeline and temporary timber mat crossing impacting 67 lineal feet of unnamed tributaries to South Branch Canawacta Creek (CWF, MF) (Susquehanna, PA Quadrangle, N 41° 54' 07", W -75° 33' 46");

10) a 24 inch diameter natural gas pipeline and temporary timber mat crossing impacting 828 square feet (0.02 acre) of PEM wetlands (Susquehanna, PA Quadrangle, N 41° 55' 20", W -75° 31' 08");

11) a 24 inch diameter natural gas pipeline and temporary timber mat crossing impacting 2,047 square feet (0.05 acre) of PEM wetlands (Susquehanna, PA Quadrangle, N 41° 55' 20", W -75° 31' 08");

12) a 24 inch diameter natural gas pipeline and temporary timber mat crossing impacting 3,180 square feet (0.07 acre) of PEM wetlands (Susquehanna, PA Quadrangle, N 41° 55' 16", W -75° 31' 14");

13) a temporary timber mat crossing impacting 44 square feet (0.01 acre) of PEM wetlands (Susquehanna, PA Quadrangle, N 41° 55' 15", W -75° 31' 17");

14) a 24 inch diameter natural gas pipeline impacting 306 square feet (0.01 acre) of PFO wetlands (Susquehanna, PA Quadrangle, N 41° 54' 39", W -75° 31' 53");

15) a temporary timber mat crossing impacting 2,811 square feet (0.06 acre) of PEM wetlands (Susquehanna, PA Quadrangle, N 41° 54' 39", W -75° 31' 53");

16) a 24 inch diameter natural gas pipeline and temporary timber mat crossing impacting 8,102 square feet (0.19 acre) of PEM wetlands (Susquehanna, PA Quadrangle, N 41° 54' 30", W -75° 32' 16");

17) a 24 inch diameter natural gas pipeline and temporary timber mat crossing impacting 915 square feet (0.02 acre) of PEM wetlands (Susquehanna, PA Quadrangle, N 41° 54' 30", W -75° 32' 19");

18) a 24 inch diameter natural gas pipeline impacting 697 square feet (0.02 acre) of PEM wetlands (Susquehanna, PA Quadrangle, N 41° 54' 17", W -75° 33' 02");

19) a temporary timber mat crossing impacting 87 square feet (0.01 acre) of PEM wetlands (Susquehanna, PA Quadrangle, N 41° 54' 22", W -75° 33' 30");

20) a 24 inch diameter natural gas pipeline and temporary timber mat crossing impacting 479 square feet (0.01 acre) of PEM wetlands (Susquehanna, PA Quadrangle, N 41° 54' 22", W -75° 33' 30");

21) a 24 inch diameter natural gas pipeline and temporary timber mat crossing impacting 523 square feet (0.01 acre) of PEM wetlands (Susquehanna, PA Quadrangle, N 41° 54' 21", W -75° 33' 30");

22) a 24 inch diameter natural gas pipeline and temporary timber mat crossing impacting 2,134 square feet (0.05 acre) of PEM wetlands (Susquehanna, PA Quadrangle, N 41° 54' 20", W -75° 33' 40");

23) a 24 inch diameter natural gas pipeline and temporary timber mat crossing impacting 348 square feet (0.01 acre) of PEM wetlands (Susquehanna, PA Quadrangle, N 41° 54' 14", W -75° 33' 43");

24) a 24 inch diameter natural gas pipeline and temporary timber mat crossing impacting 871 square feet (0.02 acre) of PEM wetlands (Susquehanna, PA Quadrangle, N 41° 54' 12", W -75° 33' 44");

25) a 24 inch diameter natural gas pipeline impacting 131 square feet (0.01 acre) of PEM wetlands (Susquehanna, PA Quadrangle, N 41° 54' 07", W -75° 33' 47").

The Bluestone Loop Pipeline construction consists of approximately 18,480 feet (3.5 miles) of 24" steel natural gas gathering line located in Harmony and Thompson Township, Susquehanna County. The project will result in 477 lineal feet of temporary stream impacts and 23,503 square feet (0.54 acre) of temporary wetland impacts all for the purpose of development and conveyance of Marcellus Shale natural gas.

#### ENVIRONMENTAL ASSESSMENTS

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

**D06-295EA. Michael Kapil**, Project Coordinator, Pennsylvania Department of Public Welfare, 3 Ginko Drive, Hilltop Building 52, Harrisburg, PA 17110.

Project proposes to breach and remove Mill Dam at Wernersville State Hospital for the purpose of eliminating a threat to public safety and restoring the stream to a free-flowing condition. The proposed restoration project includes removing a check dam downstream from the main dam, removing accumulated sediments, grading the stream channel through the reservoir and dam, construction of in-stream structures for grade control and fish habitat, stream bank stabilization and the removal of a bridge. The project will restore/enhance 1,615 feet of stream channel. The project is located across Hospital Creek (TSF, MF) (Sinking Spring, PA Quadrangle, Latitude: 40.3294; Longitude: -76.1135). South Heidelberg Township, **Berks County**.

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## ACTIONS

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### THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

#### FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and NOIs for coverage under General Permits. This notice of final action is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P. S. §§ 691.1—691.101) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

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

Sections I—VI contain actions regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains notices for parties who have submitted NOIs for Coverage under General NPDES Permits. The approval for coverage under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions in each General Permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions in the respective permit. The permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to

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

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

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

### I. NPDES Renewal Permit Actions

*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 &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0060852 (Sewage)	EIHAB Human Services Inc. 1200 State Route 92 South Tunkhannock, PA 18657	Wyoming County Falls Township	Susquehanna River (4-G)	Y
PA0061212 (Sewage)	Mik-Joan, Inc. 655 Route 61 Orwigsburg, PA 17961-2231	Schuylkill County North Manheim Township	Mahannon Creek (3-A)	Y
PA0013218 (IW)	Tredegar Film Products 30 Maple Avenue Mar Lin, PA 17951-0160	Schuylkill County Norwegian Township	West Branch Schuylkill River (3-A)	Y
PA0063100 (Sewage)	Harford Township WWTP Burns Road Harford, PA 18823	Susquehanna County Harford Township	(4-F)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PAS603506— Storm Water	Aumiller's Auto Wrecker's, Inc. 45 Auto Parts Drive PO Box 354 Milroy, PA 17063	Mifflin County / Armaugh Township	UNT Laurel Creek / HQ-CWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0114880 (SFTF)	Church Of Jesus Christ Latter Day Saints Berwick, PA 18603	Columbia County North Centre Township	Unnamed Tributary to West Branch Briar Creek (5-D)	Y
PA0114316 (Sewage)	John & Sandra Erdley Res 175 Eagle Lane Milmont, PA 17845	Union County Hartley Township	Penns Creek (6-A)	Y
PA0060208 (Sewage)	Nelson Township Authority Wastewater Treatment Plant 328 Bliss Road Nelson, PA 16940-0100	Tioga County Nelson Township	Cowanesque River (4-A)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0210030 (Industrial Waste)	Knox Township WTP PO Box 130 Knox Dale, PA 15847-0130	Jefferson County Knox Township	Indiancam Run (17-C)	Y

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


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

**NPDES Permit No. PA0065307 A-1**, Industrial Waste, SIC Code 4953, **Commonwealth Environmental Systems, L.P.**, P.O. Box 322, Hegins, PA 17938.

This existing facility is located in Foster Township, **Schuylkill County**.

Description of Existing Action/Activity: Issuance of an amendment to an NPDES Permit for an existing discharge of treated industrial waste.

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


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

**WQM Permit No. WQG02461403**, Sewage, **Horsham Water & Sewer Authority**, 617 Horsham Road, Horsham, PA 19044.

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

Description of Action/Activity: Installation of a low pressure sewer system.

**WQM Permit No. 2313403**, Sewage, **DELCORA**, 100 East Fifth Street, P.O. Box 999, Chester, PA 19016-0999.

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

Description of Action/Activity: Installation of a new sanitary force main.

**WQM Permit No. 1596404**, Sewage, Transfer, **Aqua Pennsylvania Wastewater Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3402.

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

Description of Action/Activity: Permit transferred from Little Washington Wastewater Co. to Aqua PA Wastewater Inc.

**WQM Permit No. 1506409**, Sewage, Transfer, **Aqua Pennsylvania Wastewater Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3402.

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

Description of Action/Activity: Permit transferred from Little Washington Wastewater Co. to Aqua PA Wastewater Inc.

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

**WQM Permit No. 1314401**, Sewage, **Borough of Bowmanstown**, 490 Ore Street, Bowmanstown, PA 18030.

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

Description of Proposed Action/Activity: Issuance of a WQM Permit for the installation of an influent screen at the existing wastewater treatment facility.

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

**WQM Permit No. WQG01311301**, Sewerage, **Allegrippis, LLC**, 2400 Philadelphia Avenue, Chambersburg, PA 17201.

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

Description of Proposed Action/Activity: Permit approval for the construction / operation of a small flow treatment facility to serve Allegrippis Eagle's Roost SFTF #2.

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

**WQM Permit No. 1414401**, Sewage, SIC Code 4952, **University Area Joint Authority**, 1576 Spring Valley Road, State College, PA 16801-8401.

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

Description of Proposed Action/Activity: Selders Circle Sanitary Sewer Replacement

*Southwest Region: Water Standards & Facility Regulation Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

**WQM Permit No. 0213402**, Sewage, **Phipps Conservatory & Botanical Gardens Inc.**, One Schenly Drive, Pittsburgh, PA 15213.

This proposed facility is located in the City of Pittsburgh, **Allegheny County**.

Description of Proposed Action/Activity: Amendment of the Standard and Special Conditions to a Water Quality Management Permit that was issued to Phipps Conservatory and Botanical Gardens, Inc.

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

**WQM Permit No. 6113401**, Sewage, Amendment No. 1, **J. Thomas & Karen L. Chatham**, P.O. Box 242, Polk, PA 16342.

This proposed facility is located in Frenchcreek Township, **Venango County**.

Description of Proposed Action/Activity: This is a major WQM permit amendment to replace permitted but not built small flow treatment facility serving a single residence.

**WQM Permit No. 4371415**, Sewage, Amendment No. 1, **Dennis S. Shadron d/b/a Goddard Park Vactionland Campground**, 867 Georgetown Road, Sandy Lake, PA 16145-8601.

This existing facility is located in Deer Creek Township, **Mercer County**.

Description of Proposed Action/Activity: Amendment to add aeration and treatment units to improve ammonia removal.

**WQM Permit No. WQG01201305**, Sewage, **Reash Community Church**, 3607 Reash Church Road, Cochranon, PA 16314.

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

Description of Proposed Action/Activity: Small Flow Treatment Facility.

**WQM Permit No. WQG01251401**, Sewage, **Michael A. Cahill**, 1415 Luehm Avenue, North Versailles, PA 15137.

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

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

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#### IV. NPDES Stormwater Discharges from MS4 Permit Actions

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Watershed</i>
PAI133512— Waiver	Michael Sacks Longswamp Township 1112 State Street Mertztown, PA 19539	Berks	Longswamp Township	2-C

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#### V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAG133574	Toni Hemerka Douglass Township 1068 Douglass Drive Boyertown, PA 19512	Berks	Douglass Township	Ironstone Creek, Manatwany Creek, UNT Minister Creek / CWF, MF, TSF and MF
PAG133699	Russ Gibble West Cornwall Township 73 South Zinns Mill Road Lebanon, PA 17042	Lebanon	West Cornwall Township	Snitz Creek and UNT to Snitz Creek / TSF and MF
PAG133668	RoseEllen Mull Ruscombmanor Township 204 Oak Lane Fleetwood, PA 19522-8942	Berks	Ruscombmanor Township	Willow Creek / CWF and MF
PAG133575	William Moyer Earl Township 19 Schoolhouse Road Boyertown, PA 19512	Berks	Earl Township	UNT to Ironstone Creek / TSF and MF
PAG133523	Michael Keffer Penn Township 840 N Garfield Road Bernville, PA 19506-9034	Berks	Penn Township	Plum Creek and UNT to Plum Creek / CWF, WWF and MF

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

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*Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023913013	Lower Macungie Township c/o Bruce Fosselman 3400 Brookside Road Macungie, PA 18062	Lehigh	Lower Macungie Township	Little Lehigh Creek (HQ-CWF, MF)



<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023913014	PP&L Electric Utilities Corporation c/o Mr. Nathan Chaney 2 North Ninth Street Allentown, PA 18101	Lehigh	Emmaus Borough & Upper Milford Township	Unnamed Tributary to Liebert Creek (HQ-CWF, MF); Unnamed Tributary to Saucon Creek (CWF, MF)
PAI024813008	PPL Electric Utilities Corporation Two North Ninth Street GENN 3 Allentown, PA 18101	Northampton	Freemansburg Borough, City of Bethlehem, Lower Saucon Township	Lehigh River (WWF, MF), Saucon Creek (HQ-CWF, MF), Saucon Creek (CWF, MF), UNT to Saucon Creek (CWF, MF)
PAI024807009(1)	CMC Development Corporation c/o Mr. Michael Tuskes 4511 Falmer Road Bethlehem, PA 18020	Northampton	Bethlehem & Palmer Twps.	UNT to Bushkill Creek (HQ-CWF, MF)

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

<i>Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032108003R	Lettermen, Inc. 716 North West Street Carlisle, PA 17013	Cumberland	Borough of Carlisle	Letort Spring Run (EV)

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10F106(6) Phase 83	PSU Office of Physical Plant 113 Physical Plant Bldg University Park PA 16802	Centre	State College Borough	Thompson Run HQ-CWF
PAI041403017(3) Phase 42	PSU Office of Physical Plant 113 Physical Plant Bldg University Park PA 16802	Centre	State College Borough	Thompson Run HQ-CWF

*Cambria District: Environmental Program Manager, 286 Industrial Park Road, Ebensburg, PA 15931-4119.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI092413002	Attention: Patrick M. Webb  Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 814-472-1800	Elk County	Jay Township	Laurel Run, HQ-CWF, Unnamed Tributary to Laurel Run, HQ-CWF, Bennett Branch, WWF

## **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 &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Falls Township Bucks County	PAG0200 0914008	Gelest Realty, Inc. 11 East Steel Road Morrisville, PA 19067	Unnamed Tributary to the Delaware River TSF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Doylestown Township Bucks County	PAG0200 0912007R	Zaveta Custom Homes, LLC 4030 Skyron Drive Doylestown, PA 18901	Tributary to Neshaminy Creek TSF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Hilltown Township Bucks County	PAG0200 0913025	Chris Brockett 1811 Mill Road Perkasie, Pa 18944	West Branch Neshaminy Creek WWF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Warminster Township Bucks County	PAG0200 0908046R	Farabee Construction Company 2630 Meetinghouse Road Jamison, PA 18929	Little Neshaminy Creek WWF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Makefield Township Bucks County	PAG0200 0913080	Estate of Sidney T. Yates P.O. Box 70 2 North State Street Newtown, PA 18940	Hough Creek WWF Jericho Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Goshen Township Chester County	PAG0200 1505108R(1)	Goshen Partners, LP 1300 Virginia Drive, Suite 215 Fort Washington, PA 19034	East Branch of Chester Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Downingtown Borough Chester County	PAG0200 1513048	Rouse Chamberlin LTD 500 Exton Commons Exton, PA 19341	Parke Run WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Valley Township Chester County	PAG0200 1504064-R	Valley Square Development Associates, LP 321 South Valley Road Devon, PA 19333	Rock Run TSF Unnamed Tributary to W Branch Brandywine Creek MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Radnor Township Delaware County	PAG0200 2314001	Stan Bowers 527 St. David's Avenue Wayne, PA 19087	Gulph Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

## NOTICES

1915

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Swarthmore Borough Delaware County	PAG0200 2313028	Swarthmore College 500 College Avenue Swarthmore, PA 19081	Crum Creek WWF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Ridley Township and Nether Providence Township Delaware County	PAG0200 2313025	Kinder Park Housing Partnership I, L.P. One Brewery Place 1301 N. 31st Street Philadelphia, PA 19121	Ridley Creek TSF—MF Crum Creek WWF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Plymouth Township Montgomery County	PAG0200 4613080	Plymouthtowne Apartments LP 126 West Germantown Pike Norristown, PA 19401	Sawmill Run WWF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Pottsgrove Township Montgomery County	PAG0200 4613086	Pottsgrove School District 1301 Kauffman Road Pottstown, PA 19464	Sprogels Run WWF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Pottstown Borough Montgomery County	PAG0200 4614002	Borough of Pottstown 100 East High Street Pottstown PA 19464	Manatawny Creek CWF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

*Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Bethlehem Township Northampton County	PAG02004813017	PennDOT District 5-0 Jay McGee 1002 Hamilton Street Allentown, PA 18101	UNT to Lehigh River (CWF, MF)	Northampton County Conservation District 610-746-1971

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

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Ferguson Township Centre County	PAG041404002R(1)	Lindsey Kiefer 2990 Ernest Ln State College PA 16801	Beaver Creek HQ-CWF	Centre County Conservation District 414 Holmes Avenue, Suite 4 Bellefonte, PA 16823 (814) 355-6817
Spring Township Centre County	PAG02001412006R	Graymont (PA) Inc 194 match Factory Place Bellefonte PA 16823	Buffalo Run CWF	Centre County Conservation District 414 Holmes Avenue, Suite 4 Bellefonte, PA 16823 (814) 355-6817
Castanea Township Clinton County	PAG02001814001	First Quality Tissue 904 Woods Ave Lock Haven PA 17745	Bald Eagle Creek WWF, MF	Clinton County Conservation District 45 Cooperation Lane Mill Hall, PA 17751 (570) 726-3798
Richmond Township Tioga County	PAG02005914001	North Penn Comprehensive Health Services 22 Walnut St Wellsboro PA 16901	Tioga River CWF	Tioga County Conservation District 50 Plaza Lane Wellsboro, PA 16901 (570) 724-1801, X 3

*Northwest Regional Office—Waterways and Wetlands, 230 Chestnut Street, Meadville PA 16335*

*Facility Location:  
Municipality &  
County*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
PAG02001010010R	North Boundary Partners LP c/o Dominic Gigliotti 11279 Perry Hwy, Suite 509 Wexford PA 15090-3434	UNT Brush Creek WWF	Butler County Conservation District 724-284-5270
PAG02001012019R	North Boundary Partners LP c/o Dominic Gigliotti 11279 Perry Hwy, Suite 509 Wexford PA 15090-3434	UNT Brush Creek WWF	Butler County Conservation District 724-284-5270
PAG02001011026(3)	Sippel Enterprises 2591 Wexford Bayne Road Suite 100 Sewickley PA 15143	UNT Brush Creek WWF	Butler County Conservation District 724-284-5270
PAG02001013033	Cranberry business Park Associates LP 3120 Unionville Road Suite 300 Cranberry Township PA 16066	UNT Brush Creek WWF	Butler County Conservation District 724-284-5270
PAG02061609002R	Trinity Development Co. 33 North Point Drive Clarion PA 16214	Brush Run CWF	Clarion County Conservation District 814-297-7813
PAG02002512001R(1)	Tresler, Rea, Dahlkemper Partnership 8330 Clark Road Ext Erie PA 16510	Elk Creek CWF; MF	Erie County Conservation District 814-825-6403

*General Permit Type—PAG-3*

*Facility Location:  
Municipality &  
County*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
PAR803598	Eric Wolf Altoona Metro Transit Authority 3301 Fifth Avenue Altoona, PA 16602	Mill Run / WWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
PAR803639	Con-way Freight—XRQ 2211 Old Earhart Road, Suite 100 Ann Arbor, MI 48105	UNT Molasses Creek / WWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
PAR803703	Richard Renner Tri County Petroleum, Inc. PO Box 108 Defiance, PA 16633	Raystown Branch Juniata River / TSF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
PAR803653	FedEx Freight, Inc. 2200 Forward Drive DC:2219 Harrison, AR 72601	UNT Little Conewago Creek / TSF & MF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Dubois City Clearfield County	PAR804875	Rolling Frito Lay Sales LP 7075 Samuel Morse Drive Suite 240 Columbia, MD 21046-3434	Sandy Lick Creek— 17-C	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.0530
Ralpho Township Northumberland County	PAR804874	Rolling Frito Lay Sales LP 7075 Samuel Morse Drive Suite 240 Columbia, MD 21046-3434	Shamokin Creek— 6-B	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.0530
Summit Township Butler County	PAR218308	Ervin Industries, Inc. 681 East Butler Street Butler, PA 16001-9127	Bonnie Brook and Unnamed Tributary to Bonnie Brook 20-C	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-4*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Huntingdon County / Hopewell Township	PAG043934	Mr. Dennis Black Allegrippis, LLC— (Allegrippis Eagles Roost SFTF No. 2) 2400 Philadelphia Avenue Chambersburg, PA 17201	UNT Shy Beaver Creek / WWF & MF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Greenwood Township Crawford County	PAG041143	Reash Community Church 3607 Reash Church Road, Cochranton, PA 16314	Williams Run 16-D	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
Elk Creek Township Erie County	PAG041145	Michael A. Cahill 1415 Luehm Avenue, North Versailles, PA 15137	Unnamed Tributary of West Branch Cussewago Creek 16-D	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-5*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Scott Township Lackawanna County	PAG052228	Docs Deli Licious 527 Carbondale Road Scott Township, PA 18411	Unnamed Tributary to Kennedy Creek— 4-F	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511

*General Permit Type—PAG-10**Facility Location:  
Municipality &  
County*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Donegal Township Butler County	PAG108318 Mountain Gathering LLC 810 Houston Street Fort Worth, TX 76102	Bonnie Brook and an Unnamed Tributary to Bonnie Brook	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
Summit Township Butler County	PAG108317 Mountain Gathering LLC 810 Houston Street Fort Worth, TX 76102	Unnamed Tributary to Bonnie Brook	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-13*

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>DEP Protocol (Y/N)</i>
PAG133623	Don Umberger South Annville Township 1000 Clearview Lane Lebanon, PA 17042	Lebanon	South Annville Township	7-D	Y
PAG133520	Dianna Minnich Lower Heidelberg Township 720 Brownsville Road Sinking Springs, PA 19608	Berks	Lower Heidelberg Township	3-C	Y
PAG133515	Jeri Diesinger Kenhorst Borough 339 South Kenhorst Boulevard Reading, PA 19607	Berks	Kenhorst Borough	3-C	Y
PAG133679	Cheri Grumbine North Lebanon Township 725 Kimmerlings Road Lebanon, PA 17046	Lebanon	North Lebanon Township	7-D	Y
PAG133529	Patricia Loder Boyertown Borough 100 South Washington Street Boyertown, PA 19512	Berks	Boyertown Borough	3-D and 3-E	Y
PAG133502	Leo Mutter Bally Borough PO Box 217 425 Chestnut Street Bally, PA 19503	Berks	Bally Borough	3-E	Y
PAG133709	Ronald Seaman South Heidelberg Township 68a M Galen Road Wernersville, PA 19565	Berks	South Heidelberg Township	3-C	Y
PAG133503	Shannon Rossman Berks County Berks County Services Center 633 Court Street, 13th Floor Reading, PA 19601	Berks	Bern Township	3-C and 3-D	Y
PAG133501	Michael Stump Alsace Township 65 Woodside Avenue Temple, PA 19560	Berks	Alsace Township	3-C and 3-D	Y

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>DEP Protocol (Y/N)</i>
PAG133513	Christeena Kauffman Mount Penn Borough Mount Penn 200 North Twenty Fifth Street Reading, PA 19606	Berks	Mount Penn Borough	3-C	Y
PAG133517	Marsha Anderson Fleetwood Borough 110 West Arch Street Suite 104 Fleetwood, PA 19522	Berks	Fleetwood Borough	3-B	Y
PAG133506	Debra Pierce Wernersville Borough 100 North Reber Street PO Box 167 Wernersville, PA 19565	Berks	Wernersville Borough	3-C	Y

**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**

*Northeast Regional Office: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone: 570.826.2511.*

<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>
David & Marilee Kiliti 62 Kiliti Road Berwick, PA 18603	Luzerne	79.4 Total 57.7 Available for Nutrient Application	734.74	Finishing Swine, Beef Steers, Goats	N/A	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 proce-

dures may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

### SAFE DRINKING WATER

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

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

**Wellhead Protection Program** Approval issued to Arendtsville Municipal Water System, PO Box 508, Arendtsville, PA 17303, **PWSID No. 7010001**, Arendtsville Borough, **Adams County** on March 7, 2014.

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

**Permit No. 4113509MA**—Construction Public Water Supply.

Applicant	<b>Harvest Moon Mobile Home Park</b>
Township/Borough	Woodward Township
County	<b>Lycoming</b>
Responsible Official	David A. Liberti Harvest Moon Mobile Home Park 38 Harvest Moon Park Road Linden, PA 17744
Type of Facility	Public Water Supply
Consulting Engineer	Bruce Rader, P.E. Berks Surveying and Engineering 311 East Main Street Fleetwood, PA 19522
Permit Issued	3/14/14
Description of Action	Replacement of the existing greensand filtration system with an EcoWater EWS 160T triplex ion exchange system.

**Permit No. 4192502**—Operation Public Water Supply.

Applicant	<b>Harvest Moon Mobile Home Park</b>
Township/Borough	Woodward Township
County	<b>Lycoming</b>

Responsible Official	David A. Liberti Harvest Moon Mobile Home Park 38 Harvest Moon Park Road Linden, PA 17744
Type of Facility	Public Water Supply
Consulting Engineer	Bruce Rader, P.E. Berks Surveying and Engineering 311 East Main Street Fleetwood, PA 19522
Permit Issued	3/14/14
Description of Action	Approved construction of Well Nos. 4 and 5.

**Permit No. 4114801-MA**—Construction Public Water Supply.

Applicant	<b>Montgomery Borough Water and Sewer Authority</b>
Township/Borough	Clinton Township
County	<b>Lycoming</b>
Responsible Official	John Lynch, Sr., Executive Director Montgomery Borough Water and Sewer Authority 35 South Main Street Montgomery, PA 17752
Type of Facility	Public Water Supply
Consulting Engineer	Paul Krizan, P.E. Larson Design Group 1000 Commerce Drive Williamsport, PA 17701
Permit Issued	3/17/14
Description of Action	Authorizes construction of a chlorine gas disinfection system to replace the sodium hypochlorite disinfection system in the Well No. 1 treatment building.

**Permit No. 1713505**—Construction Public Water Supply.

Applicant	<b>Pike Township Municipal Authority</b>
Township/Borough	Pike Township
County	<b>Clearfield</b>
Responsible Official	F. Michael Smeal, Manager Pike Township Municipal Authority P.O. Box 27 Curwensville, PA 16833
Type of Facility	Public Water Supply
Consulting Engineer	John P. Mazich, P.E. Uni-Tec Consulting Engineers 2007 Cato Avenue State College, PA 16801
Permit Issued	3/17/14
Description of Action	Authorizes construction of Naulton Road Pump Station No. 1.



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

**Permit No. 6513506**, Public Water Supply.  
 Applicant **Municipal Authority of Westmoreland County**  
 124 Park & Pool Road  
 New Stanton, PA 15672  
 [Borough or Township] Allegheny Township  
 County **Westmoreland**  
 Type of Facility Shearsburg pump station  
 Consulting Engineer Gibson-Thomas Engineering Co., Inc.  
 1004 Ligonier Street  
 PO Box 853  
 Latrobe, PA 15650  
 Permit to Construct Issued March 14, 2014

**Permit No. 6513507**, Public Water Supply.  
 Applicant **Municipal Authority of Westmoreland County**  
 124 Park & Pool Road  
 New Stanton, PA 15672  
 [Borough or Township] North Huntingdon Township  
 County **Westmoreland**  
 Type of Facility Strawpump pump station  
 Consulting Engineer Gibson-Thomas Engineering Co., Inc.  
 1004 Ligonier Street  
 PO Box 853  
 Latrobe, PA 15650  
 Permit to Construct Issued March 14, 2014

**Permit No. 6513505**, Public Water Supply.  
 Applicant **Municipal Authority of Westmoreland County**  
 124 Park & Pool Road  
 New Stanton, PA 15672  
 [Borough or Township] Washington Township  
 County **Westmoreland**  
 Type of Facility North Washington pump station  
 Consulting Engineer Gibson-Thomas Engineering Co., Inc.  
 1004 Ligonier Street  
 PO Box 853  
 Latrobe, PA 15650  
 Permit to Construct Issued March 14, 2014

**Permit No. 0213528**, Public Water Supply.  
 Applicant **Moon Township Municipal Authority**  
 1700 Beaver Grade Road  
 Moon Township, PA 15108  
 [Borough or Township] Moon Township  
 County **Allegheny**  
 Type of Facility Water system

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

Permit to Construct Issued March 14, 2014

**Operations Permit** issued to: **Borough of Point Marion**, 426 Morgantown Street, Point Marion, PA 15474, (PWSID #5260017) Point Marion Borough, **Fayette County** on March 14, 2014 for the operation of facilities approved under Construction Permit # 2609503MA.

**Operations Permit** issued to: **Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033, (PWSID #5020039) Green Tree Borough, **Allegheny County** on March 14, 2014 for the operation of facilities approved under Construction Permit # 0212527MA.

**Permit No. 0213516WMP, Minor Amendment.** Public Water Supply.

Applicant **Fawn-Frazer Joint Water Authority**  
 326 Donnellsville Road  
 Natrona Heights, PA 15065  
 [Borough or Township] Frazer Township  
 County **Allegheny**  
 Type of Facility Water system  
 Consulting Engineer Bankson Engineers, Inc.  
 267 Blue Run Road  
 Indianola, PA 15051  
 Permit to Operate Issued March 14, 2014

**Permit No. 0213547WMP, Minor Amendment.** Public Water Supply.

Applicant **Municipal Authority of the Borough of West View**  
 210 Perry Highway  
 Pittsburgh, PA 15229  
 [Borough or Township] Ross Township  
 County **Allegheny**  
 Type of Facility Water system  
 Consulting Engineer Bankson Engineers, Inc.  
 267 Blue Run Road  
 Indianola, PA 15051  
 Permit to Operate Issued March 14, 2014

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

**Permit No. 8742-W-T1-MA2** Public Water Supply  
 Applicant **Sykesville Borough**  
 Township or Borough Sykesville Borough  
 County **Jefferson**  
 Type of Facility Public Water Supply  
 Consulting Engineer Mark V. Glenn, P.E.  
 Gwin, Dobson and Foreman, Inc.  
 3121 Fairway Drive  
 Altoona, PA 16602  
 Permit to Construct Issued March 17, 2014

## SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
East Hempfield Township	1700 Nissley Road, PO Box 128 Landisville, PA 17538	Lancaster

*Plan Description:* Approval of a revision to the Official Sewage Plan of East Hempfield Township, Lancaster County. The revision consists of development of 238 residential units (93,223 gpd) and 9,923 gpd of commercial flows, for a total of 266 edus of sewage tributary to the Lancaster Area Sewer Authority collection, conveyance and treatment system. The development is proposed to be located at Running Pump Rd just south of Rt 30 west of Rt 741 and south of Marietta Avenue. The name of the development is Lime Spring Farms. The DEP Code number is A3-36928-336-3 and the APS number is 832634. The plan revision requires that WQM Permits be obtained in the name of Lancaster Area Sewer Authority.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 2

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

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

For further information concerning plans or reports, contact the environmental cleanup program manager in

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

The Department has received the following plans and reports:

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

**Covered Wagon Train, Inc.**, Interstate 80 @ MM 196E, Lewis Township, **Union County**. Northridge Group, Inc., 1172 Ridge Road, Northumberland, Pa 17856, on behalf of Covered Wagon Train, Inc., submitted a Final Report concerning remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Cumene, Napthalene, 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.

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

**REC Oil / Former Sunoco Bulk Storage Facility**, 280 North East Street, York, PA 17403, City of York, **York County**. Enviro Trac, Ltd., 176 Thorn Hill Road, Warrendale, PA 15086, on behalf of REC-Oil, 280 North East Street, York, PA 17403 and Environmental Compliance Management, 345 King Street, Myerstown, PA 17067, submitted a combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with PAHs, VOCs and lead. The report is intended to document remediation of the site to meet a combination of Non-Residential Statewide Health and Site Specific standards.

**York Northwest Triangle**, parcel bounded by Philadelphia Street, Codorus Creek, North George Street, and North Street, City of York, **York County**. ARM Group, Inc., PO Box 797, Hershey, PA 17033-0797, on behalf of City of York Redevelopment Authority, 101 South George Street, York, PA 17401, submitted a combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with inorganics and petroleum hydrocarbons. The report is intended to document remediation of the site to meet the Residential Statewide Health and Site Specific standards. The site is enrolled in the One Cleanup Program.

**PREIT / Logan Valley Mall**, Plank Road and Goods Lane, Altoona, PA 16602, Logan Township, **Blair County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of PREIT, 5580 Goods Lane, Suite 1, Altoona, PA 16602, submitted a Remedial Investigation Report, Risk Assessment Report, and Final Report concerning remediation of site soils contaminated with BTEX, PAHs, and lead. The report is intended to document remediation of the site to meet the Residential Statewide Health standard.

**Charles Lafferty Residence**, 24 3rd Street, Douglassville, PA 19518, Amity Township, **Berks County**. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of Mr. and Mrs. Charles Lafferty, 24 3rd Street, Douglassville, PA 19581 and State Farm Insurance, PO Box 106110, Atlanta, GA 30348-6110 submitted a Final Report concerning remediation site soils contami-

nated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Residential Statewide Health standard.

**Faulkner Hyundai of Harrisburg / Former Faulkner Pontiac/GMC**, 2060 Paxton Street, Harrisburg, PA 17111, Swatara Township, **Dauphin County**. Hafer Environmental Services, Inc., PO Box 4418, Reading, PA 19606, on behalf of Faulkner Hyundai of Harrisburg, 2060 Paxton Street, Harrisburg, PA 17111 and Henry Faulkner III Trust, 4437 Street Road, Trevoise, PA 19053, submitted a Final Report concerning remediation of site soils contaminated with hydraulic oil, diesel fuel, and gasoline from the operation of a vehicle repair facility. The report is intended to document remediation of the site to meet the Residential Statewide Health standard.

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

**Mid Mon Valley Transit Authority North Charleroi Park & Ride (formerly Stout's Discount Carpet)**, 1301 Lincoln Ave., North Charleroi 15022, **Washington County**. Allegheny Global Environmental, Inc., 416 Anthony Street, Carnegie, PA 15106 on behalf of Mid Mon Valley Transit Authority, 1300 McKean Ave., Charleroi, PA 15022 has submitted a Final Report concerning remediation of site soils contaminated with hydraulic oil. The Final Report is intended to document remediation of the site to meet the non-residential Statewide Health Standard. Notice of the final report was published in the *Valley Independent* on February 4, 2014.

**Aspinwall Waterworks Site**, Waterworks Drive and River Avenue, Aspinwall, PA 15215, **Allegheny County**. Tetra Tech, Inc., 661 Andersen Drive, Pittsburgh, PA 15215 on behalf of the Borough of Aspinwall, 217 Commercial Ave., Aspinwall, PA 15215 has submitted a Remedial Investigation/Risk Assessment Report concerning remediation of site soils and groundwater contaminated with volatile & semi-volatile organic compounds and metals. The report is intended to document the remediation of the site to meet the Site Specific Standard. This notice was published in the *Tribune review* on March 7, 2014.

**KFC Whitehall**, 5130 Clairton Boulevard, Borough of Baldwin, **Allegheny County**. EBI Consulting Inc. 21 B Street, Burlington, MA 01803 on behalf of DBMFI, LLC., Drawbridge Special Opportunities Fund, 1345 Avenue of the Americas, 46th Floor, NY, NY 10105 submitted a Remedial Investigation/ Final Report concerning site soils and groundwater contaminated with lead and volatile organic compounds. The report is intended to document remediation of the site to meet the Site Specific standard. Notice of the remedial investigation/ final report was published in the *Pittsburgh Post-Gazette* on February 26, 2014.

## 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:

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

**Covered Wagon Train, Inc.**, Interstate 80 @ MM 196E, Lewis Township, **Union County**. Northridge Group, Inc., 1172 Ridge Road, Northumberland, Pa 17856, on behalf of Covered Wagon Train, Inc. submitted a Final Report concerning the remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Cumene, Napthalene, 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 March 7, 2014.

**Alan A. Myers Fuel Tanker Spill**, Area within, and near, PA Rt. 287 in Middlebury Center, PA, Middleburg Center, **Tioga County**. Tetra Tech, Inc., 661 Andersen Drive, Pittsburgh, PA 15220 on behalf of American Infrastructure, submitted a Final Report concerning the

remediation of site soils contaminated with Benzene, Cumene, Isopropylbenzene, Ethylbenzene, Methyl tert-butyl ether, Naphthalene, Toluene, Trimethyl benzene, 1,2,4 Trimethyl benzene, 1,3,5. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on March 3, 2014.

**Robert Gearhart**, 3165 Tower Road, Limestone Township, **Union County**. Northridge Group, Inc., 1172 Ridge Road, Northumberland, Pa 17857, on behalf of Robert Gearhart submitted a Final Report concerning the remediation of site soils contaminated with #2 heating oil/kerosene. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on March 6, 2014.

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

**Ephrata Marketplace**, 830 to 870 East Main Street, Ephrata, PA 17522, Ephrata Township, **Lancaster County**. Advantage Engineers LLC, 910 Century Drive, Mechanicsburg, PA 17055, on behalf of Ephrata GF, LP, 1000 North Front Street, Suite 500, Wormleysburg, PA 17043, submitted a Final Report concerning site soils and groundwater contaminated with PCBs, VOCs, PAHs and Inorganics. The Final Report did not demonstrate attainment of the Residential and Nonresidential Statewide Health standards, and was disapproved by the Department on March 11, 2014.

**PREIT / Logan Valley Mall**, Plank Road and Goods Lane, Altoona, PA 16602, Logan Township, **Blair County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of PREIT, 5580 Goods Lane, Suite 1, Altoona, PA 16602, submitted a Remedial Investigation Report, Risk Assessment Report, and Final Report concerning remediation of site soils contaminated with BTEX, PAHs, and lead. The report is intended to document remediation of the site to meet the Site Specific standard. The combined report was not administratively complete and was disapproved by the Department on March 12, 2014.

**Douglas Shaffer Property**, 1999 and 2002 Ritner Highway, Carlisle, PA 17015, Carlisle Borough, Dickinson and West Pennsboro Townships, **Cumberland County**. Advantage Engineers, LLC, 910 Century Drive, Mechanicsburg, PA 17055, on behalf of Goodman North American Partnership Holdings, LLC, 1275 Glenlivet Drive, Suite 100, Allentown, PA 18106 and Douglas Shaffer, 440 Barnstable Road, Carlisle, PA 17015, submitted a Final Report concerning remediation of groundwater contaminated with Chlorinated Solvents from an undetermined source. The Final Report demonstrated attainment of the Background standard, and was approved by the Department on March 13, 2014.

**Faulkner Hyundai of Harrisburg / Former Faulkner Pontiac/GMC**, 2060 Paxton Street, Harrisburg, PA 17111, Swatara Township, **Dauphin County**. Hafer Environmental Services, Inc., PO Box 4418, Reading, PA 19606, on behalf of Faulkner Hyundai of Harrisburg, 2060 Paxton Street, Harrisburg, PA 17111 and Henry Faulkner III Trust, 4437 Street Road, Trevoise, PA 19053, submitted a Final Report concerning remediation of site soils contaminated with hydraulic oil, diesel fuel, and gasoline from the operation of a vehicle repair facility.

The Final Report demonstrated attainment of the Residential Statewide Health standard, and was approved by the Department on March 14, 2014.

**Teleflex / Former Arrow International Facility**, 1001 Hill Avenue, Wyomissing, PA, Wyomissing Borough, **Berks County**. Langan Engineering & Environmental Services, Inc., 30 South 17th Street, Philadelphia, PA 19103, on behalf of Arrow International, Inc., 155 South Limerick Road, Limerick, PA 19468, submitted a combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with VOCs, chlorinated solvents, and inorganics. The combined report demonstrated attainment of a combination of Non-Residential Statewide Health and Site Specific standards, and was approved by the Department on March 14, 2014.

#### RESIDUAL WASTE GENERAL PERMITS

**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 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. WMGR145. Beaver Valley Slag, Inc.**, 100 Bet-Tech Drive, Aliquippa, PA 15001, **Beaver County**. This permit authorizes the beneficial use of industrial water from wells associated with a former steelmaking and foundry site for use to develop or hydraulically fracture an oil or gas well. The permit was issued by Central Office on March 11, 2014.

Persons interested in reviewing the general permit may contact Scott E. Walters, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

**General Permit Application No. WMGR144. Beaver Valley Slag, Inc.**, 100 Bet-Tech Drive, Aliquippa, PA 15001, **Beaver County**. This permit authorizes the processing and beneficial use of blast furnace slag and steel slag from historic steelmaking operations extracted from the site for use as sub-base construction material, pavement aggregate, ready mix concrete ingredient, gas well construction and gas well pad construction. The approved processing is limited to sizing and removal of metals. The permit was issued by Central Office on March 11, 2014.

Persons interested in reviewing the general permit may contact Scott E. Walters, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

*Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17106-9170.*

**General Permit Application No. WMGR097R020. Ultra-Poly Corporation**; 102 Demi Road, P.O. Box 330, Portland, PA 18351-0330. This permit authorizes research

and development activities to support the processing and beneficial use of residual waste. The project involves gasification of waste plastics to alternative energy and the creation of light oil. The permit renewal was issued by Central Office on February 28, 2014.

Persons interested in reviewing the general permit may contact Scott E. Walters, Chief, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

**General Permit Application No. WMGR097R017. Clean Earth, Inc.,** 334 South Warminster Road, Hatboro, PA 19040; Site: 212 Colvin Road, Williamsport, PA 17701. This permit authorizes research and development activities to support the processing prior to beneficial use to demonstrate the potential for the processing and beneficial use of drill cuttings and drilling mud generated during Marcellus Shale operations as fill at brownfield sites, as construction material, and in construction of drill pads. The permit renewal was issued by Central Office on February 28, 2014.

Persons interested in reviewing the general permit may contact Scott E. Walters, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

**General Permit No. WMGR085D001. Hazleton Creek Properties, LLC,** 580 Third Avenue, P.O. Box 1389, Kingston, PA 18704; Site: Property bounded by Routes 924/309 & Broad Street, City of Hazleton, Luzerne County. The permit authorizes the processing of freshwater, brackish and marine dredge material, cement kiln dust, lime kiln dust, coal ash, and cogeneration ash and beneficial use of the processed waste in coal mine reclamation to level an area or bring an area to an approved grade. The permit renewal was issued by Central Office on February 28, 2014.

Persons interested in reviewing the general permit may contact Scott E. Walters, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

#### REGISTRATION FOR GENERAL PERMIT—RESIDUAL WASTE

**Registration issued Under the Solid Waste Management Act; the Residual 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/or the Beneficial Use of Residual Waste Other Than Coal Ash.**

*Northcentral Region: Regional Solid Waste Manager, 208 West Third Street, Williamsport, PA 17701.*

**General Permit Registration No. WMGR123NC027. Chesapeake Appalachia, LLC,** 14 Chesapeake Lane,

Sayre, PA 18840, Smithfield Township, **Bradford County.** Registration to operate under General Permit No. WMGR123 for Lamb's Farm Storage Facility for oil and gas liquid waste. The registration was issued by Northcentral Regional Office on March 13, 2014.

Persons interested in reviewing the general permit may contact Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3740. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

#### MUNICIPAL WASTE GENERAL PERMITS

**Permit(s) Issued Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and the Beneficial Use of Municipal Waste.**

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

**General Permit No. WMGM027D001. Evergreen Recycling Solutions, LLC;** 11 Dundar Road, Suite 210; Springfield, NJ 07081-3513; Site: 110 Evergreen Avenue, Newark, NJ 07114-1125. The general permit authorizes the beneficial use of alternative fuel produced by the processing of construction and demolition waste, wood, paper, cardboard, plastic, polymers, rubber, textiles and synthetic fibers, and carpet. The permit was issued by Central Office on February 25, 2014.

Persons interested in reviewing the general permit may contact Scott E. Walters, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

#### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

**Permit(s) issued under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

*Southwest Regional Office, Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone 412.442.4000.*

**Permit ID No. 300876. GenOn Northeast Management Company,** 121 Champion Way, Suite 200, Canonsburg, PA 15317. Conemaugh Generating Station Ash/Mine Refuse Disposal Site, 1442 Power Plant Road, SR 2008, New Florence, PA 15944-9154 for the captive residual waste landfill located in West Wheatfield Township, **Indiana County.** Major permit modification authorizing disposal of an additional residual waste comprised of IBIO solids generated in the FGD Blowdown Wastewater Treatment System was issued in the Regional Office on March 11, 2014.

## AIR QUALITY

**General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.**

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

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

**GP10-09-0064: RR Donnelley—Quakertown Plant** (100 American Drive, Quakertown, PA 18951) on March 13, 2014, was authorized to operate a non-heatset web offset lithographic printing press in Richland Township, **Bucks County**.

*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, Regional Air Quality Manager, Telephone: 717-705-4702.*

**GP1-22-03054A: Pinnacle Health System—Community General Osteopathic Hospital** (111 South Front Street, Harrisburg, PA 17101) on March 6, 2014, for a new natural gas and #2 oil-fired boiler (13.4 MMBtu/hr), as well as an existing boiler, under GP1, at their Community General Osteopathic Hospital in Harrisburg City, **Dauphin County**.

**GP9-67-03157: United Natural Foods, Inc.** (225 Cross Farm Lane, York, PA 17406) on March 14, 2014, for three (3) existing diesel-fired internal combustion engines, under GP 9, powering two (2) emergency generators and a fire pump, at their facility in Conewago Township, **York County**.

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

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

**GP14-19-01: Columbia Montour Crematory** (745 Market Street, Bloomsburg, PA 17815) on March 12, 2014, to operate a human crematory pursuant to the General Plan Approval and General Operating Permit for Human Crematories (BAQ-GPA/GP-14), in the Town of Bloomsburg, **Columbia County**.

**GP4-41-478: Jersey Shore Steel Co.** (70 Maryland Avenue, Jersey Shore, PA 17740) on March 17, 2014, to construct and operate one 21 lb/hr Guspro model 404836 natural gas-fired burn off oven pursuant to the General Plan Approval and General Operating Permit for Burn Off Ovens (BAQ-GPA/GP-4) at their Fabrication facility in Loyalsock Township, **Lycoming County**.

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

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

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

**23-0003X: Monroe Energy, LLC** (4101 Post Road, Trainer, PA 19061) On March 13, 2014, for installation of an emergency generator at 4101 Post Road, Trainer Borough, **Delaware County**. This plan approval will authorize the construction of the generator, and the transfer and use of nitrogen oxides (NO<sub>x</sub>) emission reduction credits (ERCs). The emergency generator is described in the Applicant's application of October 31, 2013, and subsequent submissions.

Based on the information provided by the Applicant and DEP's own analysis, the project will increase emissions of 1.19 ton NO<sub>x</sub> per year. The required ERCs are 146.2 tons NO<sub>x</sub> to offset the contemporaneous net emission increases of 112.45 tons.

Copies of the application, draft Plan Approval and other documents used in evaluation of the application are available for public inspection during normal business hours at the address shown below.

In order to assure compliance with the applicable standards, DEP will place the following conditions in the plan approval:

25 Pa. Code § 127.208—ERC use and transfer requirements

The permittee shall use and transfer ERC in accordance with 25 Pa. Code § 127.208.

25 Pa. Code § 127.210—Offset ratios

Before commencement operation, the permittee shall provide NO<sub>x</sub> ERC at a 1.3:1.0 ratio to offset the NO<sub>x</sub> net emissions increase of 112.45 tons as per 25 Pa. Code §§ 127.203(b)(1)(ii), 127.205(3), and 127.210. The required amount of NO<sub>x</sub> ERC is 146.2 tons.

Source Level Plan Approval Requirements

Source ID: 091 Source Name: NEW EMERGENCY GENERATORS (CI IC <30LITER)

RESTRICTIONS.

Emission Restriction(s).

25 Pa. Code § 123.13—Processes

The permittee shall not emit into the outdoor atmosphere of particulate matter from this source in a manner that the concentration of particulate matter in the effluent gas exceeds 0.04 grain per dry standard cubic foot.

25 Pa. Code § 123.21—General

No person may permit the emission into the outdoor atmosphere of sulfur oxides from this source in a manner that the concentration of the sulfur oxides, expressed as SO<sub>2</sub>, in the effluent gas exceeds 500 parts per million, by volume, dry basis.

25 Pa. Code § 123.41—Limitations

The permittee shall not emit into the outdoor atmosphere of visible air contaminants from this source in such a manner that the opacity of the emission is either of the following:

(1) Equal to or greater than 20% for a period or periods aggregating more than three minutes in any 1 hour.

(2) Equal to or greater than 60% at any time.

40 CFR Part 60 Standards of Performance for New Stationary Sources 40 CFR 60.4205

(a) The permittee must comply with the emission standards for all pollutants as specified in 40 CFR 60.4202(a)(2), as per 40 CFR 60.4205(b).

(b) As per 40 CFR 60.4202(a)(2), the emission from this engine shall not exceed the exhaust emission standards as follows:

- (1) NMHC + NO<sub>x</sub>: 4.0 g/kW-hr
- (2) CO: 3.5 g/kW-hr
- (3) PM: 0.20 g/kW-hr

40 CFR Part 60 Standards of Performance for New Stationary Sources 40 CFR 60.4206

The permittee must operate and maintain stationary CI ICE that achieves the emission standards as required in 40 CFR 60.4205 over the entire life of the engine.

#### Fuel Restriction

40 CFR Part 60 Standards of Performance for New Stationary Sources 40 CFR 60.4207

Beginning October 1, 2010, the permittee must use diesel fuel that meets the requirements of 40 CFR 80.510(b) for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to October 1, 2010, may be used until depleted.

#### Recordkeeping Requirements

40 CFR Part 60 Standards of Performance for New Stationary Sources 40 CFR 60.4214

The permittee must record the time of operation of the engine(s) and the reason the engine was in operation during that time each time the engine was operated.

#### Work Practice Requirements

40 CFR Part 60 Standards of Performance for New Stationary Sources 40 CFR 60.4211

(a) The permittee must

(1) Operate and maintain the stationary CI internal combustion engine according to the manufacturer's emission-related written instructions;

(2) Change only those emission-related settings that are permitted by the manufacturer; and

(3) Meet the requirements of 40 CFR 89.112.

(b) The permittee must comply by purchasing an engine certified to the emission standards in 40 CFR 60.4205(b) for the same model year and maximum engine power. The engine must be installed and configured according to the manufacturer's emission-related specifications.

(c) The permittee must operate the emergency stationary ICE according to the requirements in paragraphs (c)(1) through (3) below. In order for the engine to be considered an emergency stationary ICE under this subpart, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (c)(1) through (3) below, is prohibited. If the engine is not operated according to the requirements in paragraphs (c)(1) through (3) below, the engine will not be considered an emergency engine and must meet all requirements for non-emergency engines in 40 CFR 60 Subpart IIII.

(1) There is no time limit on the use of emergency stationary ICE in emergency situations.

(2) The permittee may operate the emergency stationary ICE for any combination of the purposes specified in paragraphs (c)(2)(i) below for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraph (c)(3) below counts as part of the 100 hours per calendar year allowed by this paragraph (c)(2).

(i) Emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by Federal, State or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The permittee may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the permittee maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year.

(3) Emergency stationary ICE may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in paragraph (c)(2) above. The 50 hours per calendar year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

#### Additional Requirements

40 CFR Part 60 Standards of Performance for New Stationary Sources 40 CFR 60.4218

The permittee must comply with the applicable parts of the General Provisions in §§ 60.1 through 60.19.

40 CFR Part 63 NESHAPS for Source Categories 40 CFR 63.6590

(a) The engine under this source ID must meet the requirements of 40 CFR Part 63 by meeting the requirements of 40 CFR part 60 subpart IIII, for compression ignition engines.

(b) The New Emergency Generator firing diesel fuel under this Plan Approval is:

Caterpillar 400kW; Model No. C15; EPA Certification No.: DCPXL15.2NYS-023; 619HP; 2.53 liter per cylinder displacement.

Any person wishing to provide DEP with additional information they believe should be considered prior to the issuance of the Plan Approval may submit the information to the address shown below. Each written comment must include the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval No. 23-0003X and concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

Requests for a public fact finding conference or hearing may also be made by writing DEP at the address shown below. A public conference may be held, if DEP in its discretion decides that such a conference is warranted on the basis of the information received. All persons who have submitted comments or have requested a conference will be notified of the decision to hold such a conference by publication in this newspaper or the *Pennsylvania*

*Bulletin*, or by telephone, where DEP determines such notification by telephone is sufficient.

James Rebarchak, Regional Manager, Air Quality, Department of Environmental Protection, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401

For additional information, please contact Mr. James Beach at 484-250-7501.

*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*

**26-00488E: Laurel Aggregates of Delaware, LLC** (1600 Market Street, 38th Floor, Philadelphia, PA 19102) on March 17, 2014, to issue a Plan Approval effective March 18, 2014, to operate an existing limestone processing plant at Lake Lynn Quarry in Springhill Township, **Fayette County**.

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

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

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

**09-0206: Samax Enterprises** (1001 New Ford Mill Road, Morrisville, PA 19067) on March 5, 2014, to operate an installation of a paint remover manufacturing process in Falls Township, **Bucks County**.

**46-0026G: Global Packaging, Inc.** (209 Brower Avenue, Oaks, PA 19456) on March 13, 2014, to install a new 10-station flexographic printing press at its Oaks facility in Upper Providence Township, **Montgomery County**. This facility is a minor facility. The facility wide VOC emissions will stay below 25 tons per year. The combined HAP emissions will be below 25 tons per year. Each HAP emissions will stay below 10 tons per year. The Plan Approval and Operating Permit will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

**46-0282: Titan International, Inc.** (700 Queen Street, Pottstown, PA 19464) on March 13, 2014, to install two (2) batch reactor tanks, two (2) natural gas cooking kettles, and related metal recovery equipment, including fume scrubbers, at a new facility in Pottstown Borough, **Montgomery County**. The modification is to correct the source level testing condition for Source ID 101 (Reactor Tank DT1) and Source ID 102 (Reactor Tank DT2) to state testing shall be performed within 180 days of completion of construction of all sources listed in the plan approval. The associated technical review memo correctly stated testing to be performed within 180 days of construction; however the plan approval incorrectly stated testing to be performed within 180 days of plan approval issuance. The minor modification corrects this error. There are no other changes in the plan approval. Facility-wide potential to emit for all criteria pollutants is below major facility thresholds for the Philadelphia Consolidated Metropolitan Statistical Area. The plant is therefore a Natural Minor Facility. The plan approval will include monitoring, testing, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

*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, Regional Air Quality Manager, Telephone: 717-705-4702.*

**38-05028C: Bemis Performance Packaging, Inc.** (5 Keystone Drive, Lebanon Valley Business Park, Lebanon, PA 17042-9791) on March 12, 2014, to install two rotogravure printing presses, two additional regenerative thermal oxidizers, and a wax coater at the facility in South Lebanon Township, **Lebanon County**. The Title V plan approval also removes the synthetic minor facility VOC limit from State-Only Permit No. 38-05028 for existing sources at the facility. The plan approval was extended.

**36-03186A: Kline's Services, Inc.** (5 Holland Street, Salunga, PA 17538) on March 10, 2014, to install an anaerobic digester, biogas IC engine, H<sub>2</sub>S biogas scrubbers and biogas flares for their facility in East Hempfield Township, **Lancaster County**. The plan approval was extended.

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

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

**47-309-001A: United States Gypsum Co.** (60 PPL Road, Danville, PA 17821) on March 7, 2014, to extend the authorization an additional 180 days from March 19, 2014 to September 15, 2014, in order to continue the compliance evaluation and permit operation pending issuance of an operating permit for the facility. The extension authorization allows continued operation of the railcar handling and unloading system at their wallboard manufacturing facility located in Derry Township, **Montour County**. The plan approval has been extended.

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

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

**25-179C: Erie City Sewer Authority** (68 Port Access Road, Erie, PA 16507-2202) on March 11, 2014, effective March 31, 2014, will issue a plan approval extension for replacement of incinerator burners and the emergency bypass stack, rehabilitation of the existing wet electrostatic precipitators and replacement of three existing dewatering belt filter presses in the City of Erie, **Erie County**.

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

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

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

**46-00050: Rohm & Haas Co.** (727 Norristown Road, P. O. Box 904, Spring House, PA 19477-0904) on March 7, 2014, for renewal of a State Only Operating Permit in Lower Gwynedd Township, **Montgomery County**. The facility operates five (5) natural-gas and no. 2 fuel oil fired boilers, one (1) dry cleaning unit, and two (2) metal parts washers. No new sources have been added and there have been no changes to any of the existing sources. The site shall continue to maintain a synthetic minor status for NO<sub>x</sub> emissions. The permit shall include moni-



toring, record keeping, and reporting requirements designed to address all applicable air quality requirements.

**23-00029: Upper Darby School District** (8201 N Lansdowne Ave, Upper Darby, PA 19082) on March 13, 2014, for the Upper Darby High School located in Upper Darby Township, **Delaware County**. The renewal permit is for a non-Title V (State only) facility. Air emissions sources at the facility include three dual fuel fired (natural gas/No. 2 fuel oil) boilers (16 MMBtu/hr each), a natural gas fired chiller (8.1 MMBtu/hr), and 4 emergency generators (3 natural gas fired, 1 #2 fuel oil fired), ranging in capacity of 15–375 kilowatts. Each boiler is equipped with Low NO<sub>x</sub> (nitrogen oxides) Burners and Flue Gas Recirculation. The boilers are the major emission source. With the Operating Permit renewal, the following emissions limitations per 12-month rolling period, are revised using updated emissions factors: NO<sub>x</sub> reduction to 1.7 tons/year and carbon monoxide (CO) increase to 1.27 tons/year. Limits for the boilers for particulate matter and volatile organic compounds (VOC) remain at 0.28 ton/year and 0.08 ton/year respectively. The facility has taken a restriction to operate the boilers as gas fired boilers, pursuant to 40 CFR Section 63.11237 thereby avoiding applicability of 40 CFR Part 63 Subpart JJJJJ, National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources. The facility has also taken a restriction to operate the emergency generators in conformance with the exemption criteria for 40 CFR Part 63 Subpart ZZZZ, National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. The operating permit will include monitoring and recordkeeping requirements designed to keep the facility operating within all applicable air quality requirements.

*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, Regional Air Quality Manager, Telephone: 717-705-4702.*

**38-05037: Zimmerman Chair Shop** (1486 Colebrook Road, Lebanon, PA 17042-9507) on March 11, 2014, for their wood furniture manufacturing facility in North Cornwall Township, **Lebanon County**. The State-only permit was renewed.

**38-03014: Pennsy Supply, Inc.** (PO Box 3331, 1001 Paxton Street, Harrisburg, PA 17105-3331) on March 11, 2014, for the Millard Stone crushing facility in North Londonderry Township, **Lebanon County**. The State-only permit was renewed.

**06-03087: Arkema, Inc.** (1112 Lincoln Road, Birdsboro, PA 19508-1804) on March 6, 2014, for their nylon polymer manufacturing facility in Exeter Township, **Berks County**. The State-only permit was renewed.

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

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

**17-00006: Mt Savage Specialty Refractories Co.** (PO Box 60, Curwensville, PA 16833-0060) on March 17, 2014, issued a state only operating permit for their facility in Pike Township, **Clearfield 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*

**04-00218: NF & M International, Inc.** (1729 Pennsylvania Avenue, Monaca, PA 15061) on March 13, 2014, for a State Only Operating Permit (SOOP) renewal to NF & M to authorize the continued operation of their Titanium cleaning and machining operation at their Monaca Plant located in the Monaca Borough, **Beaver County**.

**04-00498: World Class Processing Corp.** (21 Century Drive, Ambridge, PA 15003) on March 14, 2014, for a State Only Operating Permit (SOOP) renewal to World Class Processing Corp to authorize the continued operation of a hot-rolled steel coils cleaning and electrostatic coating operation at their facility located in the Ambridge Borough, **Beaver County**.

**63-00872: RTS Packaging LLC—Charleroi Partition** (300 & Penn Central R.R., Charleroi, PA 15022) on March 18, 2014, to issue a State Only Operating Permit renewal for the manufacturing corrugated and solid fiber boxes in Charleroi Borough, **Washington County**.

The subject facility consists of a spray booth, parts washer, water/oil separator, MSK bag machine, 18 space heaters, shredder and one corrugated die cutter. The fabrication sources are controlled by a transfer cyclone and a main cyclone before exhausting to the atmosphere. The facility's potential emissions are calculated to be 4.81 tpy NO<sub>x</sub>, 4.04 tpy CO, 0.03 tpy SO<sub>x</sub>, 2.35 tpy VOC, 0.09 tpy HAPs, 29.87 tpy PM and 0.66 tpy PM<sub>10</sub>. The facility is required to maintain records of the volume used, weight percent of total volatiles, and VOC content of each coating as supplied and applied. The proposed authorization is subject to State and Federal Regulations. The permit includes additional operational requirements, monitoring requirements, and recordkeeping requirements.

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

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-616636*

**25-00591: Seaway Manufacturing Corp.—Erie** (2250 East 33rd Street., Erie, PA 16510-2556) on March 10, 2014, to re-issue the referenced permit for this manufacturer of windows, doors, and enclosures, in the City of Erie, **Erie County**. This facility is subject to permitting because of their surface coating operations.

The potential annual emissions from the natural gas combusted in the process and space heaters (11 MMBtu/hr total) are as follows: NO<sub>x</sub>—4.9 tons, SO<sub>x</sub>—2.9 tons, CO—4.0 tons, VOC—0.27 tons, and PM—0.37 tons. The theoretical maximum potential VOC emissions from the surface coating operations at this facility are 49.9 tons per year. Actual VOC emissions during the past five years have been about 2 tons per year or less.

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**Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.**

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

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

**46-00112: Palmer International, Inc.** (2036 Lucon Road, Skippack, PA 19474) On March 7, 2014, is a non-Title V facility located in Skippack Township, **Montgomery County**. The Synthetic Minor Operating Permit has been amended to incorporate Plan Approval No. 46-0112F and Request for Determination (RFD) No. 3816. Plan Approval No. 46-0112F was issued for the modification of Reactor A (Source ID 129) and Reactor A Condenser (Source ID C03) and the installation of B1 Thermal Fluid Heater (Source ID 221), B2 Thermal Fluid Heater (Source ID 222), Reactor B (Source ID 132), Reactor B Condenser (Source ID C04), Reactor C (Source ID 133), and Reactor C Condenser (C05). Emissions from all three reactors are controlled by the existing Bldg A Thermal Oxidizer (Source ID C02). RFD No. 3816 approved the installation of a new, larger distillation stage two on the facility's cashew nutshell liquid (CNSL) distillation process. The majority of sources at the site are operated in "Building A" and "Building B". As a result of Plan Approval No. 46-0112F, potential emissions from sources in these two buildings on a 12-month rolling basis are: VOC—21.0 tons; PM—19.04 tons; NO<sub>x</sub>—23.16 tons; CO—50.01 tons; SO<sub>x</sub>—37.19 tons; HAP (total)—12.49 tons; formaldehyde (a VOC and HAP)—9.71 tons; and Ammonia—22.63 tons. Hours of operation and production are monitored and recorded to determine compliance with the emission limits. Temperature readings of coolant and effluent gas through the condensers are monitored and recorded to ensure proper operation of the condensers. The Synthetic Minor Operating Permit contains additional monitoring, recordkeeping, and operating conditions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

*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, Regional Air Quality Manager, Telephone: 717-705-4702.*

**38-05022: Weaber, Inc.** (1231 Mount Wilson Road, Lebanon, PA 17042-4785) on March 6, 2014, for their hardwood dimensional and flooring mill in South Annville Township, **Lebanon County**. The Title V permit was administratively amended to reflect a change of ownership.

**36-05017: Conestoga Wood Specialties Corp.** (245 Reading Road, East Earl, PA 17519-0158) on March 6, 2014, for their wood cabinet manufacturing facility in East Earl Township, **Lancaster County**. The Title V permit was administratively amended to incorporate the provisions of Plan Approval No. 36-05017D5.

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

*Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6131*

**10-00298: ESM Group, Inc.** (955 Saxonburg Blvd, Saxonburg, PA 16056) on March 11, 2014, issued an administrative amendment to the State Only Operating Permit for the facility in Saxonburg Borough, **Butler County**. The amendment incorporates the requirements of plan approval 10-00369. Plan Approval 10-00369 was previously issued to ESM Specialty Metals & Technology (ESM SMT). ESM Group has acquired the ESM SMT facility.

**De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.**

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

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

**63-00616: Therm-O-Rock East, Inc.** (PO Box 429, New Eagle, PA 15067). Per Title 25 Pa Code Section 127.449(i), this Notice is for the following de minimis emission increases at the Therm-O-Rock East, Inc. Plant 1 located in New Eagle Borough, **Washington County**.

The construction and operation of a new Perlite handling and train loading process. Emissions from the process will be controlled by a dust collector rated at 560 cfm; the emission increase from the facility as a result of the project will not exceed 0.1 tpy of PM<sub>10</sub>; and this project will not trigger the requirements of 25 PA Code Subchapter G at the facility.

The list of de minimis increases at this facility includes only this project.

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

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

**24-00145: Amphenol Thermometrics, Inc.** (967 Windfall Road, Saint Marys, PA 15857) for its facility located in Saint Marys, **Elk County**. The De minimis emission increase is for the construction of a wastewater treatment plant with an air stripper for VOC control. In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8). The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 Pa. Code 127.449(i). This list includes the De minimis emission increases since the Title V Operating Permit issuance on June 2, 2010.

Date	Source	PM <sub>10</sub> (tons)	SO <sub>x</sub> (tons)	NO <sub>x</sub> (tons)	VOC (tons)	CO (tons)
3/24/11	2 Laser Etching Operations	0.0125	0	0	0.103	0
2-26-14	Wastewater Treatment Plant				0.152	

<i>Date</i>	<i>Source</i>	<i>PM<sub>10</sub> (tons)</i>	<i>SO<sub>x</sub> (tons)</i>	<i>NO<sub>x</sub> (tons)</i>	<i>VOC (tons)</i>	<i>CO (tons)</i>
Total Reported Increases		0.0125			0.255	
Allowable		0.6 ton/source 3 tons/facility	1.6 tons/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

**25-00095: Lord Corporation—Erie** (1635 West 12th Street, Erie, PA 16505) for its facility located in Erie City, **Erie County**. The De minimis emission increase is for the construction of the Diversitech Downdraft Table for sandblasting Cadmium coating parts. In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8). The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 Pa. Code 127.449(i). This list includes the De minimis emission increases since the Title V Operating Permit issuance on May 24, 2012.

<i>Date</i>	<i>Source</i>	<i>PM<sub>10</sub> (tons)</i>	<i>SO<sub>x</sub> (tons)</i>	<i>NO<sub>x</sub> (tons)</i>	<i>VOC (tons)</i>	<i>CO (tons)</i>
3-17-14	Diversitech downdraft table	0.0002				
Total Reported Increases		0.0002				
Allowable		0.6 ton/source 3 tons/facility	1.6 tons/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

**25-00944: PHB Inc.** (7900 West Ridge Road, Fairview, PA 16415) for its facility located in Fairview Township, **Erie County**. The De minimis emission increase is for construction of an ONEX zinc re-melt furnace #6 and 5 new zinc die cast machines with melting pots. In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8). The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 Pa. Code 127.449(i). This list includes the De minimis emission increases since the Title V Operating Permit issuance on September 12, 2011.

<i>Date</i>	<i>Source</i>	<i>PM<sub>10</sub> (tons)</i>	<i>SO<sub>x</sub> (tons)</i>	<i>NO<sub>x</sub> (tons)</i>	<i>VOC (tons)</i>	<i>CO (tons)</i>
3-17-14	ONEX Re-melt furnace #6	0.057	0.0045	0.872	0.041	0.631
3-17-14	5 zinc die cast machines with melting pots	0.068	0.0054	0.94	0.049	1.138
Total Reported Increases		0.125	0.0099	1.812	0.09	1.769
Allowable		0.6 ton/source 3 tons/facility	1.6 tons/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

**62-00017: United Refining** (15 Bradley Street, Warren, PA 16365) for its facility located in Warren City, **Warren County**. The De minimis emission increase is for the modification of the NHT Stripper. In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8). The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 Pa. Code 127.449(i). This list includes the De minimis emission increases since the Title V Operating Permit issuance on December 14, 2012.

<i>Date</i>	<i>Source</i>	<i>PM<sub>10</sub> (tons)</i>	<i>SO<sub>x</sub> (tons)</i>	<i>NO<sub>x</sub> (tons)</i>	<i>VOC (tons)</i>	<i>CO (tons)</i>
5-8-13	Alky Feed	0.07	0.01	0.79	0.05	0.81
3-10-14	NHT Stripper modification	0.03	0.07	0.56	0.01	0.23
Total Reported Increases		0.1	0.08	1.35	0.06	1.04
Allowable		0.6 ton/source 3 tons/facility	1.6 tons/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

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**Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act and 25 Pa. Code §§ 127.431 and 127.461.**

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

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

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**10-00369: ESM Specialty Metals & Technology—ESM SMT** (955 Saxonburg Boulevard, Suite A, Saxonburg, PA 16056) for the primary metal production facility located in Saxonburg Borough, **Butler County**. This permit was revoked on March 11, 2014 because ESM Group has acquired the ESM SMT facility and the Department has combined the sources from permit 10-00369 into ESM Group's permit 10-00298.

## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

### Coal Permits Issued

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

**30831303 and NPDES No. PA0013511. Cumberland Coal Resources, LP**, (158 Portal Road, PO Box 1020). To revise the permit for the Cumberland Mine in Whiteley Township, **Greene County** and related NPDES permit to install a new slope and access road. Surface Acres Proposed 28.82. No additional discharges. The application was considered administratively complete on November 19, 2013. Application received October 16, 2013. Permit issued March 12, 2014.

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

**Permit No. 56110104, NPDES No. PA0263206 and General Permit GP-12 -56110104, Wilson Creek Energy, LLC**, 609 Georgian Place, Somerset, PA 15501, revision of an existing surface bituminous coal site to obtain coverage for coal processing under air quality general permit GP-12 in Jenner Township, **Somerset County**, affecting 50.5 acres. Receiving stream: Unnamed Tributaries to/and Hoffman Run classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: January 6, 2014. Permit Issued: March 10, 2014.

**Permit No. 11070201 and NPDES No. PA0262391. Fuel Recovery, Inc.**, 254 Interpower Drive, Colver, PA 15927, permit renewal for the continued operation and restoration of a bituminous surface mine in Washington Township, **Cambria County**, affecting 87.8 acres. Receiving streams: unnamed tributaries to/and Bear Rock Run and Burgoon Run classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received May 16, 2013. Permit Issued: March 10, 2014.

*Greensburg District Mining Office: Armbrust Professional Center, 8205 Route 819, Greensburg, PA 15601, 724-925-5500*

**PAG-02 266313001. Canestrone Environmental Control Corp.** (Route 1, P.O. Box 234, Belle Vernon, PA 15012). General NPDES permit for stormwater discharges associated with the reclamation of the Mathies Refuse Removal Project, located in Union and Carroll

Townships, **Washington County**, affecting 146 acres. Receiving streams: Mingo Creek and Monongahela River. Application received: March 14, 2013. Permit issued: March 13, 2014.

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

**33130102 and NPDES Permit No. PA0259411. Bedrock Mines, LP** (111 Freeport Road, Aspinwall, PA 15215) Commencement, operation and restoration of a bituminous surface mine in Porter Township, **Jefferson County**, affecting 85.0 acres. Receiving streams: One unnamed tributary to Nye Branch, Four unnamed tributaries to Pine Run. Application received: August 30, 2013. Permit Issued: March 11, 2014.

**24030103. AMFIRE Mining Company, LLC** (One Energy Place, Suite 2800, Latrobe, PA 15650) Renewal of an existing bituminous surface, auger and coal ash placement mine in Horton Township, **Elk County**, affecting 581.1 acres. Receiving streams: Little Toby Creek. This renewal is issued for reclamation only. Application received: January 21, 2014. Permit Issued: March 14, 2014.

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

**17030107 and NPDES No. PA0243485. Swisher Contracting, Inc.** (P. O. Box 1223, Clearfield, PA 16830). Permit renewal for reclamation only to an existing bituminous surface and auger mine in Lawrence Township, **Clearfield County** affecting 50.2 acres. Receiving stream(s): Unnamed Tributary to Moose Creek and Moose Creek classified for the following use(s): Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: January 28, 2014. Permit issued: February 28, 2014.

**17080106 and NPDES No. PA0256790. Swisher Contracting, Inc.** (P. O. Box 1223, Clearfield, PA 16830). Permit renewal for reclamation only to an existing bituminous surface mine in Lawrence Township, **Clearfield County** affecting 15.3 acres. Receiving stream(s): Moose Creek classified for the following use(s): Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: January 28, 2014. Permit issued: February 28, 2014.

**17070107 and NPDES No. PA 0256536. P & N Coal Company, Inc.** (P. O. Box 332, Punxsutawney, PA 15767). Permit renewal for reclamation only to an existing bituminous surface mine in Penn Township, **Clearfield County** affecting 119.2 acres. Receiving stream(s): Unnamed Tributaries to Kratzer Run classified for the following use(s): Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: February 6, 2014. Permit issued: March 13, 2014.

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

**Permit No. 54860206R5. Westwood Generation, LLC**, (67 Park Place East, Morristown, NJ 07960), renewal of an existing anthracite coal refuse reprocessing operation in Frailey and Porter Townships, **Schuylkill County** affecting 441.1 acres, receiving stream: Lower Rausch Creek. Application received: August 13, 2013. Renewal issued: March 13, 2014.

**Permit No. 54860206GP104. Westwood Generation, LLC**, (67 Park Place East, Morristown, NJ 07960), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface

Mining Permit No. 54860206 in Frailey and Porter Townships, **Schuylkill County**, receiving stream: Lower Rausch Creek. Application received: August 13, 2013. Permit issued: March 13, 2014.

*Noncoal Permits Issued*

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

**Permit No. 4273SM6A2—GP-104. Grannas Brothers Stone and Asphalt Company, Inc.**, P.O. Box 488, Hollidaysburg, PA 16648. General NPDES Permit for stormwater discharges associated with mining activities on a large noncoal surface mining permit, located in Frankstown Township, **Blair County**. Receiving stream: unnamed tributary to Brush Creek classified for the following use: warm water fishery. There are no potable water supply intakes within 10 miles downstream. Notice of Intent for coverage received: September 19, 2013. Coverage approved March 12, 2014.

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

**10020306. Allegheny Mineral Corporation** (P.O. Box 1022, Kittanning, PA 16201) Application to impact 0.37 acre of wetlands and construct 4.78 acres of replacement wetlands in Worth Township, **Butler County**. Receiving streams: Slippery Rock Creek and two unnamed tributaries to Slippery Rock Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. In conjunction with this approval, the Department is granting a 401 Water Quality Certification certifying that the approved activities will comply with the applicable provisions of sections 301—303, 306 and 307 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341) and will not violate applicable federal and state water quality standards. Application received: October 21, 2013. Permit Issued: March 11, 2014.

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

**Permit No. 52090301 and NPDES Permit No. PA0224791. Dingmans Ferry Stone, Inc.**, (PO Box 686, Dingmans Ferry, PA 18328), commencement, operation and restoration of quarry operation and NPDES Permit for discharge of treated mine drainage in Delaware Township, **Pike County** affecting 68.2 acres, receiving stream: Hornbeck's Creek. Application received: May 21, 2009. Permit issued: March 11, 2014.

**ACTIONS ON BLASTING ACTIVITY APPLICATIONS**

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

*Blasting Permits Issued*

*Greensburg District Mining Office: Armbrust Professional Center, 8205 Route 819, Greensburg, PA 15601, 724-925-5500*

**03144101. Newville Construction Services** (408 Mowhawk Road, Newville, PA 17241). Blasting activity permit for utility lines installed by West Penn Power, located in Washington Township, **Armstrong County**, with an exploration date of March 3, 2015. Blasting permit issued: March 10, 2014.

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

**Permit No. 36144110. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Stonehenge Reserve in Manheim Township, **Lancaster County** with an expiration date of March 31, 2015. Permit issued: March 12, 2014.

**Permit No. 58144113. Brubacher Excavating, Inc.**, (P.O. Box 528, Bowmansville, PA 17507), construction blasting for the Choconut to Ayers Water Pipeline in Choconut Township, **Susquehanna County** with an expiration date of March 30, 2015. Permit issued: March 13, 2014.

**FEDERAL WATER POLLUTION CONTROL ACT SECTION 401**

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

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

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

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

**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.**

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

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E09-980. Doylestown Township**, 425 Wells Road, Doylestown, PA 18901, Doylestown Township, **Bucks County**, ACOE Philadelphia District.

To construct and maintain a 10-foot wide trail along the eastern floodplain of the Neshaminy Creek (TSF, MF) which will cross 5 unnamed tributaries and one wetland area. The proposed trail will extend between Upper State Road and the State Route 202, and will serve as a connection between community facilities and other trails.

The site is located approximately 2,500 feet northeast of the intersection of Bristol Road and Upper State Roads (Latitude: 40.2868; Longitude: -75.1780).

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

**E15-839. Aqua PA**, 105 Valley Forge Road, Phoenixville, PA 19460-2657, Phoenixville Borough, **Chester County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities associated with the removal and replacement of an existing bridge on Aqua Pennsylvania Pickering Plant Site over Pickering Creek (WWF/MF). Specific water obstructions and encroachment are:

1) To remove an existing three span composite Concrete I-beam bridge and two associated abutment piers over the Pickering Creek along with auxiliary parts connected.

2) To construct and maintain a single span steel beam bridge approximately 82.2 feet upstream of the old existing bridge. The proposed bridge has an approximate 25 feet underclearance and a 105 approximate span length impacting approximately 110 linear feet of Pickering Creek.

3) To conduct grading within the floodway to accommodate the construction of the proposed bridge.

The project is located on the East side of the intersection of North Main Street and Vanderslice Streets and runs an approximate 475 feet segment south ending at approximately 225 feet north of the intersection of North Main Street and Mills Street (Phoenixville, PA USGS Quadrangle N: 2.06 inches; W: 1.91 inches).

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

**E51-224. Sugarhouse HSP Gaming LP**, 1080 N. Delaware Avenue, Philadelphia, PA 19125, City of Philadelphia, **Philadelphia County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities at the Sugarhouse Casino property, located along the Delaware River (WWF/MF) to accommodate the next phase of the SugarHouse Casino Project, the SugarHouse Phase 1A Expansion:

To relocate and maintain a combined sewer overflow (CSO) outfall to a point approximately 180 feet upriver at the northern border of the SugarHouse Casino property, which will include approximately 5 cubic yards of new fill, to accommodate public access.

1. To place approximately 1721 cubic yards of fill within the CSO channel at Shackamaxon Street.

2. Development of certain Phase 1A Expansion components comprising a parking structure with additional casino facilities on the ground floor, a pedestrian promenade and bicycle path.

3. Removal of approximately 2,861 cubic yards of fill material at Pier 41, and Pier 42/43 as compensatory mitigation.

This project is located approximately 500 feet northwest of the Intersection of Frankford Avenue and North Columbus Boulevard (Philadelphia, PA, USGS Quadrangle N: 16.4 inches, W: 1.2 inches).

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

*Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-1915, Telephone 570-826-2511.*

**E48-426. Lafayette College**, 9 N. Campus Lane, Easton, PA 18042, City of Easton, **Northampton County**, Army Corps of Engineers Philadelphia District.

To authorize the following water obstructions and encroachments associated with the construction of the Lafayette College Film and Media Studies Building:

1. To remove the existing retaining wall.

2. To construct and maintain a 23-foot by 8-foot concrete stairwell in the floodway of Bushkill Creek (HQ-CWF, MF).

3. To construct and maintain a 130-foot long concrete retaining wall in the floodway of and along the right bank of Bushkill Creek varying in height from 9 feet to 15 feet, armored at the toe with rip-rap.

4. To construct and maintain an 18-inch diameter stormwater outfall pipe through the face of the proposed concrete retaining wall.

5. To construct and maintain a concrete stormwater outfall channel in the floodway of Bushkill Creek.

The project is located at the northeast corner of the intersection of Snyder Street and N. 3rd Street (Easton, PA Quadrangle Latitude: 40°41'41"; Longitude: -75°12'32") in the City of Easton, Northampton County. Sub-basin: 1F

**E35-449. Pennsylvania Department of Transportation Engineering District 4-0**, 55 Keystone Industrial Park Dunmore, PA 18512. City of Scranton, **Lackawanna County**, Army Corps of Engineers Baltimore District.

To remove an existing 3-span reinforced concrete arch bridge and to construct and maintain a 49-foot wide, 3-span steel plate girder bridge, having spans of 130-feet, 205-feet, and 130-feet respectively, and having an underclearance of approximately 109-feet across Roaring Brook (CWF, MF). The project site is located at S.R. 6011, Segment 0190, Offset 0273 (Scranton, PA Quadrangle Latitude: 41°23'59.6"; Longitude: -75°39'06")

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

**E31-228: Franklin Township Supervisors**, 5054 Greystone Lane, Tyrone, PA 16686 in Franklin Township, **Huntingdon County**, ACOE Baltimore District.

To 1) remove the existing structure and to construct and maintain a 28' 3.75" wide, single span, adjacent box beam bridge with reinforced concrete wingwalls having a clear span of 71' 6", an underclearance of 5' 3.5", and a normal clear span of 68' 6" with a minimum underclearance of 3' 9" across Spruce Creek (CWF, MF, HQ) 50' upstream of the existing structure for the purpose of improving transportation safety and roadway standards. The out-to-out width will be 27' 4.5" and on a 90 degree skew. The project will permanently impact 0.015 acre (653 square feet) of exceptional value Palustrine Emergent wetlands. The amount of wetland impact is considered a de minimus impact and wetland mitigation is not required. The project is located along T-548 in Franklin Township, Huntingdon County (Franklinville, PA Quadrangle, N: 12.3", W: 3.6"; Latitude: 40° 41' 40", Longitude: -78° 01' 41").

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

**E14-554, Ferguson Township**, 3147 Research Drive, State College, PA 16801-2752. Rosemont Drive / Selders Circle Storm Drain and Culvert Replacement, in Ferguson Township, **Centre County**, ACOE Baltimore District (Pine Grove Mills, PA Quadrangle N: 40°44'20"; W: -77°52'49").

To remove: 1) an existing 32-inch by 44-inch, 440 foot long ECMP culvert and a 42-inch, 130-foot long CMP culvert along Selder's Circle, 2) two 30-inch, 45-foot long culverts under Rosemont Drive, 3) a 36-inch 40-foot long and an 18-inch, 40-foot long CMP culvert under a farm lane, then to construct and maintain: 4) a 60-inch, 360-foot long HDPE culvert with inlet and outlet systems along Selder's Circle, 5) followed by a 140-foot long channel along Selder's Lane, 6) followed by a 5-foot by 10-foot by 50-foot concrete box culvert with inlet and outlet aprons under Rosemont Drive, 7) that outlets to a realigned 195 foot long channel, in order to mitigate flooding of residences and public roads. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

*Northwest Region: Watershed Management Program Manager, 230 Chestnut Street, Meadville, 16335.*

**E24-261, Fox Township**, P.O. Box 184, Kersey PA 15846. Foxhead Industrial Park, in Fox Township, **Elk County**, ACOE Pittsburgh District (Kersey, PA Quadrangle N: 41°, 21', 30"; W: 78°, 35', 13").

To permanently fill 0.12 acre of PEM wetland for the development of two additional lots in the existing Foxhead Industrial Park at a point approximately 1,300 feet southeast of the State Route 948 and Green Road intersection. Impact to this wetland was originally authorized under Permit # E24-240 but did not occur prior to expiration of the permit. The Permittee has previously mitigated for this impact under the original permit by constructing 0.58 acre of AMD treatment ponds/wetlands.

*Northwest Region: Oil and Gas Management Program Manager, 230 Chestnut Street, Meadville, PA 16335*

**E61-08-002, Halcon Field Service LLC**, 1000 Louisiana Street, Suite 6700, Houston, TX 77002-6003, French Creek, & Sandy Creek Townships, **Venango County**, ACOE Pittsburgh District.

The applicant proposes the installation of approximately 5.4 miles of 16 inch diameter natural gas pipeline, and repairs of a 0.29-mile existing access road. The pipeline project starts at the Rainbow well pad and

terminates at the SCC well pad in Venango County, PA. The project will utilize new & existing right-of-ways (ROWs), and existing public and private roads for construction, operations and maintenance activities. No impacts to wetlands, temporary or permanent, will occur as a result of the project. The project will result in 884 linear feet of temporary stream impacts and 0.0 acres of wetland impacts.

The water obstructions and encroachments for the purposes of installing the pipeline are described below:

1 One (1) 16 inch diameter natural gas gathering line & a proposed LOD crossing of an unnamed tributary (UNT) to Little Sandy Creek (HQ-CWF) using timber mat & potentially Horizontal Directional Drill (HDD) technique, impacting 131 linear feet. (Utica, Polk, Franklin, & Kennerdell, PA Quadrangles) 41°23'26.500"N -79°55'51.578"W

2 One (1) 16 inch diameter natural gas gathering line crossing of an unnamed tributary (UNT) to Little Sandy Creek (HQ-CWF) using timber mat & open cut technique, impacting 51 linear feet. (Utica, Polk, Franklin, & Kennerdell, PA Quadrangles) 41°23'25.606"N -79°55'38.964"W

3 One (1) 16 inch diameter natural gas gathering line crossing of an unnamed tributary (UNT) to Little Sandy Creek (HQ-CWF) using timber mat & open cut technique, impacting 52 linear feet. (Utica, Polk, Franklin, & Kennerdell, PA Quadrangles) 41°23'25.455"N -79°55'36.947"W

4 One (1) 16 inch diameter natural gas gathering line crossing of an unnamed tributary (UNT) to Little Sandy Creek (HQ-CWF) using timber mat & open cut technique, impacting 46 linear feet. (Utica, Polk, Franklin, & Kennerdell, PA Quadrangles) 41°23'24.184"N -79°55'20.493"W

5 LOD crossing of an unnamed tributary (UNT) to Little Sandy Creek (HQ-CWF) using timber mat technique, impacting 6 linear feet. (Utica, Polk, Franklin, & Kennerdell, PA Quadrangles) 41°23'23.879"N -79°55'10.959"W

6 One (1) 16 inch diameter natural gas gathering line crossing of an unnamed tributary (UNT) to Little Sandy Creek (CWF) using timber mat & open cut technique, impacting 41 linear feet. (Utica, Polk, Franklin, & Kennerdell, PA Quadrangles) 41°23'9.141"N -79°54'0.672"W

7 One (1) 16 inch diameter natural gas gathering line crossing of an unnamed tributary (UNT) to Little Sandy Creek (CWF) using temporary bridge & open cut technique, impacting 54 linear feet. (Utica, Polk, Franklin, & Kennerdell, PA Quadrangles) 41°23'7.360"N -79°54'0.165"W

8 One (1) 16 inch diameter natural gas gathering line crossing of an unnamed tributary (UNT) to Little Sandy Creek (CWF) using timber mat & open cut technique, impacting 47 linear feet. (Utica, Polk, Franklin, & Kennerdell, PA Quadrangles) 41°22'59.518"N -79°53'57.935"W

9 One (1) 16 inch diameter natural gas gathering line crossing of an unnamed tributary (UNT) to Little Sandy Creek (CWF) using timber mat & open cut technique, impacting 43 linear feet. (Utica, Polk, Franklin, & Kennerdell, PA Quadrangles) 41°22'52.010"N -79°53'55.799"W

10 One (1) 16 inch diameter natural gas gathering line crossing of an unnamed tributary (UNT) to Little Sandy Creek (CWF) using timber mat & open cut technique, impacting 45 linear feet. (Utica, Polk, Franklin, & Kennerdell, PA Quadrangles) 41°22'44.609"N -79°53'53.694"W

11 One (1) 16 inch diameter natural gas gathering line crossing of an unnamed tributary (UNT) to Little Sandy

Creek (CWF) using timber mat & open cut technique, impacting 40 linear feet. (Utica, Polk, Franklin, & Kennerdell, PA Quadrangles) 41°22'42.179"N -79°53'53.003"W

12 One (1) 16 inch diameter natural gas gathering line crossing of an unnamed tributary (UNT) to Little Sandy Creek (CWF) using open cut technique, impacting the floodway. (Utica, Polk, Franklin, & Kennerdell, PA Quadrangles) 41°22'32.165"N -79°53'53.241"W

13 One (1) 16 inch diameter natural gas gathering line crossing of an unnamed tributary (UNT) to Little Sandy Creek (CWF) using timber mat & open cut technique, impacting 85 linear feet. (Utica, Polk, Franklin, & Kennerdell, PA Quadrangles) 41°22'28.771"N -79°53'52.275"W

14 One (1) 16 inch diameter natural gas gathering line crossing of an unnamed tributary (UNT) to Little Sandy Creek (CWF) using timber mat & open cut technique, impacting 48 linear feet. (Utica, Polk, Franklin, & Kennerdell, PA Quadrangles) 41°22'23.671"N -79°53'50.49"W

15 One (1) 16 inch diameter natural gas gathering line crossing of an unnamed tributary (UNT) to Haggerty Hollow (EV) using timber mat & open cut technique, impacting 41 linear feet. (Utica, Polk, Franklin, & Kennerdell, PA Quadrangles) 41°22'3.855"N -79°53'32.439"W

16 One (1) 16 inch diameter natural gas gathering line crossing of an unnamed tributary (UNT) to Haggerty Hollow (EV) using open cut technique, impacting the floodway. (Utica, Polk, Franklin, & Kennerdell, PA Quadrangles) 41°21'47.401"N -79°53'23.818"W

17 One (1) 16 inch diameter natural gas gathering line crossing of Haggerty Hollow (EV) using temporary bridge & open cut technique, impacting 48 linear feet. Also impacting the floodway of UNT Haggerty Hollow (EV). (Utica, Polk, Franklin, & Kennerdell, PA Quadrangles) 41°21'43.543"N -79°53'20.971"W

18 One (1) 16 inch diameter natural gas gathering line crossing of an unnamed tributary (UNT) to Haggerty Hollow (EV) using open cut technique, impacting the floodway. (Utica, Polk, Franklin, & Kennerdell, PA Quadrangles) 41°21'41.655"N -79°53'19.577"W

19 One (1) 16 inch diameter natural gas gathering line crossing of an unnamed tributary (UNT) to Sandy Creek (WWF) using timber mat & open cut technique, impacting 46 linear feet. (Utica, Polk, Franklin, & Kennerdell, PA Quadrangles) 41°21'11.437"N -79°53'2.450"W

20 One (1) 16 inch diameter natural gas gathering line crossing of an unnamed tributary (UNT) to Sandy Creek (WWF) using timber mat & open cut technique, impacting 60 linear feet. (Utica, Polk, Franklin, & Kennerdell, PA Quadrangles) 41°21'7.516"N -79°53'0.394"W

**E61-08-003, Energy Resources of America Inc.**, 5211 Mahoning Avenue, Suite 125, Austintown, OH 44515, Sandy Creek Township, **Venango County**, ACOE Pittsburgh District.

The applicant proposes the installation of a 2 inch diameter natural gas pipeline inside a protective 4 inch sleeve. The pipeline project starts at a newly drilled well and connects to an existing pipeline system in Venango County, PA. The project will follow an existing logging road which will be utilized for construction, operations and maintenance activities. The project will result in a utility line crossing 285 feet of stream and adjacent wetland. No impacts to wetlands, temporary or permanent, will occur as a result of the project.

The water obstruction for the purposes of installing the pipeline is described below:

1 One (1) 2.0 inch diameter natural gas gathering line inside a 4 inch protective sleeve crossing Haggerty Hollow (EV) & associated wetland, via Horizontal Directional Drill (HDD) technique. The utility line crosses 5 linear feet of stream and 280 feet of wetland. (Polk, PA Quadrangle) 41°21'39"N -79°53'44.5"W.

*District Oil and Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA 17701*

**E5729-066: Appalachia Midstream Services, LLC**, 100 IST Center, Horseheads, NY 14845, Cherry Township, **Sullivan County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) A temporary access road using a timber mats and a 10 inch gathering line 220 linear feet of the Little Loyalsock Creek (EV) (Colley, PA Quadrangle 41°31'58"N, 76°20'09"W).

The project will result in 220 linear feet of temporary stream impacts for the purpose of installing a gathering line for Marcellus well development in Cherry Township, Sullivan County.

**E4129-077: PVR Marcellus Gas Gathering, LLC**, 101 West Third Street, Williamsport, PA 17701, Eldred & Upper Fairfield Townships, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) one 8-inch water pipeline and one 16-inch natural gas pipeline impacting 130 linear feet of Loyalsock Creek (EV) (Mountoursville North, PA Quadrangle 41°18'33"N 76°55'04"W);

2) one 8-inch water pipeline and one 16-inch natural gas pipeline impacting 32 linear feet of an unnamed tributary to Loyalsock Creek (EV) (Mountoursville North, PA Quadrangle 41°18'32"N 76°55'07"W);

3) one 8-inch water pipeline and one 16-inch natural gas pipeline impacting 14 linear feet of an unnamed tributary to Loyalsock Creek (EV) (Mountoursville North, PA Quadrangle 41°18'32"N 76°55'10"W);

4) one 8-inch water pipeline and one 16-inch natural gas pipeline impacting 1326 square feet of palustrine emergent (PEM) wetland (Mountoursville North, PA Quadrangle 41°18'25"N 76°56'22"W);

5) one 8-inch water pipeline and one 16-inch natural gas pipeline impacting 278 linear feet of Mill Creek (TSF) (Mountoursville North, PA Quadrangle 41°18'27"N 76°56'31"W);

6) one 8-inch water pipeline and one 16-inch natural gas pipeline impacting 89 linear feet of an unnamed tributary to Mill Creek (TSF) (Mountoursville North, PA Quadrangle 41°19'05"N 76°57'08"W);

7) one 8-inch water pipeline and one 16-inch natural gas pipeline impacting 11 linear feet of an unnamed tributary to Mill Creek (TSF) and 548 square feet of adjacent palustrine emergent (PEM) wetland (Mountoursville North, PA Quadrangle 41°19'31"N 76°57'06"W).

The project will result in a total of 554 linear feet of stream impacts and 0.04 acre of wetland impacts all for the purpose of installing a natural gas gathering line, water line, and temporary access roadways for Marcellus well development.



**E5729-069: Appalachia Midstream Services, LLC**, 100 IST Center, Horseheads, NY 14845, Elkland Township, **Sullivan County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) An 8 inch diameter well line impacting 321 square feet of an exceptional value palustrine forested (EV-PFO) wetland, 30 linear feet of Kings Creek, 4 linear feet of an unnamed tributary to Kings Creek (EV), and 4 linear feet of an unnamed tributary to Kings Creek (EV) (Overton, PA Quadrangle 41°33'54"N, 76°37'11"W);

2) A temporary access road using timber mats and an 8 inch diameter well line impacting 140 linear feet of an unnamed tributary to Kings Creek (EV) and 2,660 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Overton, PA Quadrangle 41°33'45"N, 76°34'02"W);

3) A temporary access road using timber mats and an 8 inch diameter well line impacting 15,005 square feet of an exceptional value palustrine emergent (EV-PEM) wetland and 1,562 square feet of an exceptional value palustrine scrub shrub (EV-PSS) wetland (Overton, PA Quadrangle 41°33'45"N, 76°36'57"W).

The project will result in 178 linear feet of temporary stream impacts, 17,986 square feet (0.41 acre) of temporary wetland impacts, and 1,562 square feet (0.04 acre) of permanent wetland impacts all for the purpose of installing a gathering line for Marcellus well development in Elkland Township, Sullivan County.

#### ENVIRONMENTAL ASSESSMENTS

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

**EA27-050, USDA Forest Service—Allegheny National Forest**, 4 Farm Colony Drive, Warren PA 16365. The Branch Stream Restoration Project, in Kingsley Township, **Forest County**, ACOE Pittsburgh District (Mayburg, PA Quadrangle N: 41°, 32', 26.9"; W: 79°, 14', 40.9").

To restore a 170 LF section of The Branch (EV—CWF) by installing 3 engineered log complexes and excavating a total of 388 square feet of stream bed in 3 locations. The goal of the project is to improve water quality and ecology by stabilizing the severely eroded bank, restoring natural stream flow patterns, and introducing improved habitat for aquatic life.

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

**D39-125EA, John Mikowychok, Director, Department of Parks and Recreation**, City of Allentown, 3000 Parkway Boulevard, Allentown, PA 18104. Allentown, **Lehigh County**, USACOE Philadelphia District.

Project proposes to remove Keck's Dam for the purpose of eliminating a threat to public safety and restoring the stream to a free-flowing condition. The project is located across the Little Lehigh Creek (HQ-CWF), 250 feet upstream from Keck's Bridge (Allentown West, PA Quadrangle; Latitude: 40.5526; Longitude: -75.5023).

**D39-126EA, Bruce Fosselman, Township Manager**, Lower Macungie Township, 3400 Brookside Road, Macungie, PA 18062. Lower Macungie Township, **Lehigh County**, USACOE Philadelphia District.

Project proposes to remove Wild Cherry Lane Dam for the purpose of eliminating a threat to public safety and

restoring the stream to a free-flowing condition. The project is located across the Little Lehigh Creek (HQ-CWF) (Allentown West, PA Quadrangle; Latitude: 40.5404; Longitude: -75.5422).

#### DAM SAFETY

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

**D52-093. William B. Troy**, 393 Rt. 2001, Milford, PA 18337. To operate and maintain Beaver Lake Lodge Dam across Raymondskill Creek (HQ-CWF), for the purpose of obtaining the required permit for continued operation and maintenance of this dam. (Milford, PA Quadrangle N: 9.4 inches; W: 15.1 inches) in Dingman Township, **Pike County**.

#### EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

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

ESCGP-1 #ESX14-019-0015—Shipley to Lynn Pipeline Project

Applicant MarkWest Liberty Bluestone, LLC

Contact Mr. Rick Lowry

Address 4600 J. Barry Court, Suite 500

City Canonsburg State PA Zip Code 15317

County Butler Township(s) Butler and Connoquenessing Townships and Connoquenessing Borough

Receiving Stream(s) and Classification(s) Unnamed Tributaries to Connoquenessing Creek

ESCGP-1 #ESG14-083-0002—West Branch Impoundment Waterline

Applicant Seneca Resources

Contact Mr. Doug Kepler

Address 5800 Corporate Drive, Suite 300

City Pittsburgh State PA Zip Code 15237

County McKean Township(s) Sergeant(s)

Receiving Stream(s) and Classification(s) East Branch Clarion River / East Branch Clarion River Watershed

ESCGP-1 #ESG14-019-0016—Layne Pump to W23 Temporary Waterline

Applicant PennEnergy Resources, LLC

Contact Mr. Joseph Schwab

Address 1000 Commerce Drive; Park Place One, Suite 100

City Pittsburgh State PA Zip Code 15275

County Butler Township(s) Winfield(s)

Receiving Stream(s) and Classification(s) UNT to Rough Run / Buffalo Creek Watershed

ESCGP-1 #ESX14-019-0007—Adams to Perry Pipeline Project

Applicant MarkWest Liberty Bluestone, LLC

Contact Rick Lowry

Address 4600 J. Barry court, Suite 500

City Canonsburg State PA Zip Code 15317

County Butler Township(s) Lancaster & Muddy Creek(s)

Receiving Stream(s) and Classification(s) Little Yellow Creek/Yellow Creek CWF

ESCGP-1 #ESX14-019-0001—Guiher / Lutherlyn Well Pad

Applicant XTO Energy

Contact Ms. Melissa Breitenbach

Address 502 Keystone Drive

City Warrendale State PA Zip Code 15086

County Butler Township(s) Connoquenessing(s)

Receiving Stream(s) and Classification(s) UNT to Mulligan Run / Little Connoquenessing Creek-Connoquenessing Creek, Semiconon Run

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

ESCGP-1 # ESG29-081-14-0003

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 Little Mill Creek (HQ-TSF/MF), UNT to Mill Creek (TSF/MF), UNT to Loyalsock Creek (EV/MF);  
Secondary: Little Mill Creek and Loyalsock Creek

ESCGP-1 # ESX29-115-14-0016

Applicant Name Cabot Oil & Gas Corporation

Contact Person Kenneth Marcum

Address Five Penn Center West, Suite 401

City, State, Zip Pittsburgh, PA 15276

County Susquehanna County

Township(s) Springville Township

Receiving Stream(s) and Classification(s) Meshoppen

Creek and Pond Brook (CWF);

Secondary: Susquehanna River

ESCGP-1 # ESX13-115-0114 (02)

Applicant Name Williams Field Services, LLC

Contact Person Julie Nicholas

Address 1212 South Abington Road

City, State, Zip Clarks Summit, PA 18411

County Susquehanna County

Township(s) Springville Township

Receiving Stream(s) and Classification(s) Horton Creek, Monroe Creek, Meshoppen Creek, Pond Brook and Tribs thereof (All CWF/MF)

ESCGP-1 # ESX29-115-14-0018

Applicant Name Carrizo Marcellus LLC

Contact Person Gary Byron

Address 251 Drain Lick Road  
City, State, Zip Drifting, PA 16834

County Susquehanna County

Township(s) Forest Lake Township

Receiving Stream(s) and Classification(s) UNT to Middle Branch Wyalusing Creek (CWF)

ESCGP-1 # ESX29-117-14-0003

Applicant Name SWEPI LP

Contact Person Jason Shoemaker

Address 2100 Georgetown Drive, Suite 400

City, State, Zip Sewickley, PA 15143

County Tioga County

Township(s) Richmond Township

Receiving Stream(s) and Classification(s) Slate Run (CWF),

Secondary: Tioga River

[Pa.B. Doc. No. 14-670. Filed for public inspection March 28, 2014, 9:00 a.m.]

### Availability of Technical Guidance

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

#### *Ordering Paper Copies of Department Technical Guidance*

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

#### *Changes to Technical Guidance Documents*

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

#### *Final Technical Guidance—Substantive Revision*

*DEP ID: 263-0900-011. Title: Storage Tank Modification and Maintenance Issues. Description: This technical guidance document primarily assists certified tank installers in determining what constitutes modification and maintenance activities. The Definitions section in the document was revised to be consistent with the regulatory language and edited for clarity. Several definitions contained in regulation were added to the document (Containment Structure or Facility, Emergency Containment and Excavation Zone). Lastly, the definitions were ordered alphabetically. In the Technical Guidance section of the document, regulatory text was added for additional guidance on tank handling activity, conflict of interest, under dispenser containment and report submission deadlines. Diagrams were also repositioned and several recommended practice documents are now mentioned. Changes*

to the Examples section include adding definitions for major and minor modification, revising language in existing examples to aid in clarity and deleting outdated terminology or terms. Finally, several specific examples of what are considered Major Modification, Minor Modification and Maintenance Activities were added or updated, or both. Minor revisions to the document were made in response to public comments received.

*Contact:* Questions regarding this action should be directed to Kris Shiffer at (717) 772-5809 or kshiffer@pa.gov.

*Effective Date:* March 29, 2014.

#### *Final Technical Guidance—Rescission*

*DEP ID:* 254-2167-726. *Title:* Infectious Waste Definition Clarification of Human and Animal Blood and Other Body Fluid Waste. *Description:* This directive established criteria and standards for use when determining whether waste containing blood, blood products or body fluids from humans or animals is infectious waste. The policy also clarified the requirements applicable to “isolation waste” and the terms “plastic ware” and “used sharps.” This guidance is outdated; therefore, it is being rescinded.

*Contact:* Questions regarding this action should be directed to Ali Tarquino Morris at (717) 783-2630 or altarquino@pa.gov.

*Effective Date:* April 9, 2014

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-671. Filed for public inspection March 28, 2014, 9:00 a.m.]

### Bid Opportunity

#### **OSM 30(2791)102.1, Abandoned Mine Reclamation Project, Mather, Morgan Township, Greene County.**

The principal items of work and approximate quantities include mobilization and demobilization; implementation of the Erosion and Sediment Control Plan; selective vegetation reestablishment 8.8 acres; bench reestablishment 5 acres; selective grading areas 23 acres; grading areas 42,000 cubic yards; Ryerson Station dredge 345,000 cubic yards; channel excavation 3,355 cubic yards; rock lining 5,605 square yards; and seeding 48.5 acres. This bid issues on March 28, 2014, and bids will be opened on April 15, 2014, 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,  
*Secretary*

[Pa.B. Doc. No. 14-672. Filed for public inspection March 28, 2014, 9:00 a.m.]

### Pennsylvania Energy Development Authority Board Meeting

A meeting of the Pennsylvania Energy Development Authority Board will be held on Monday, April 7, 2014, at 1 p.m. in Room 105, 1st Floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.

Questions concerning this schedule or agenda items can be directed to David A. Althoff at (717) 783-0542 or dalthoff@pa.gov. This schedule, an agenda for the meeting and notices of meeting changes will be available through the Public Participation Center on the Department of Environmental Protection’s (Department) web site at www.dep.state.pa.us (DEP Keywords “Public Participation, Participate”).

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact David A. Althoff at (717) 783-0542 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-673. Filed for public inspection March 28, 2014, 9:00 a.m.]

### Rates to be Used for Calculating Long-Term Operation and Maintenance Cost Bonds for Water Supply Replacement-Mining Operations

The Department of Environmental Protection (Department) announces the rates to be used to calculate bond amounts for water supply replacement operation and maintenance costs for anthracite and bituminous coal and industrial mineral mining operations. The authority for bonding mining operations is found under The Clean Streams Law (35 P. S. §§ 691.1—691.1001), the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19b), the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66), The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21), the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326) and the regulations promulgated thereunder at 25 Pa. Code Chapters 77 and 86 (relating to noncoal mining; and surface and underground coal mining; general).

The rates are used in calculating the water supply operation and maintenance bond amounts for replacement water supplies affected by activities at mining operations including surface mines, coal refuse disposal sites, coal refuse reprocessing sites, coal processing facilities, underground coal mining operations and industrial mineral surface mines. The procedures for calculating water supply operation and maintenance bonds are described in technical guidance 562-4000-102, “Increased Operation and Maintenance Costs of Replacement Water Supplies,” which is available on the Department’s eLibrary web site at www.elibrary.dep.state.pa.us.

The Department may review the adequacy of bonds on existing permits at any time. The Department will conduct these reviews before issuing permit renewals. The Department may conduct similar reviews at the mid-term of a permit and before approving a permit revision.

*Rates*

The Department calculated the rate of inflation and rate of return using 5-year averages. For the rate of inflation, the Consumer Price Index (Northeast Urban) from the United States Department of Labor, Bureau of Labor Statistics, was averaged for the calendar years 2009-2013, resulting in a rate of 1.67%. For the rate of return, the interest rate for the 20-year Treasury bill as reported by the Federal Reserve was averaged for the calendar years 2009-2013 resulting in a rate of 3.484%.

For background information and supporting documentation regarding the rates, contact the Bureau of Mining Programs, Division of Permitting and Compliance, P. O. Box 8461, Harrisburg, PA 17105-8461, (717) 787-5103.

*Effective Date*

The rates in this notice will become effective on April 1, 2014. They will remain in effect until new rates are published. It is anticipated that these new rates will be published in February 2015 to be effective April 1, 2015.

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-674. Filed for public inspection March 28, 2014, 9:00 a.m.]

**Water Resources Advisory Committee Meeting**

The Water Resources Advisory Committee (Committee) will meet on April 11, 2014. The meeting will be held at 9:30 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning the meeting of the Committee can be directed to Sean Gimbel, (717) 783-4693, sgimbel@pa.gov. The agenda and meeting materials for the April 11, 2014, meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at www.dep.state.pa.us (DEP Keywords: "Public Participation, Participate").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 783-4693 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-675. Filed for public inspection March 28, 2014, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### Lease Office Space to the Commonwealth Delaware County

Proposals are invited to provide the Department of General Services with 16,797 usable square feet of office space for the Pennsylvania State Police in Delaware

County. For more information on SFP No. 94569, which is due on Monday, May 12, 2014, visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or contact David Weyandt at (717) 525-5255 or [daweyandt@pa.gov](mailto:daweyandt@pa.gov).

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 14-676. Filed for public inspection March 28, 2014, 9:00 a.m.]

### Lease Office Space to the Commonwealth Lancaster County

Proposers are invited to provide proposals to the Department of General Services for the lease of 32,923 usable square feet of office space for the Department of Public Welfare in Lancaster County. Downtown locations will be considered. For more information on SFP No. 94575, which is due on Monday, April 7, 2014, visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or contact the Bureau of Real Estate at (717) 787-4394.

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 14-677. Filed for public inspection March 28, 2014, 9:00 a.m.]

### Lease Office Space to the Commonwealth Lehigh County

Proposers are invited to submit proposals to the Department of General Services to provide the Department of Public Welfare with 24,868 usable square feet of office space in Lehigh County. Downtown locations will be considered. For more information on SFP No. 94551, which is due on April 30, 2014, visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or contact the Bureau of Real Estate at (717) 787-4394.

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 14-678. Filed for public inspection March 28, 2014, 9:00 a.m.]

### Lease Retail Space to the Commonwealth Montgomery County

Proposals are invited to provide the Department of General Services with 5,500 to 6,500 usable square feet of retail space for the Liquor Control Board in Gilbertsville, Montgomery County. For more information on SFP No. 94580, which is due on May 2, 2014, visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or contact the Bureau of Real Estate at (717) 787-4394.

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 14-679. Filed for public inspection March 28, 2014, 9:00 a.m.]

### Lease Retail Space to the Commonwealth Montgomery County

Proposals are invited to provide the Department of General Services with 15,000 usable square feet of retail space for the Liquor Control Board in Ardmore, Montgomery County. For more information on SFP No. 94579, which is due on Friday, April 11, 2014, visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or contact the Bureau of Real Estate at (717) 787-4394.

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 14-680. Filed for public inspection March 28, 2014, 9:00 a.m.]

### Lease Retail Space to the Commonwealth Philadelphia County

Proposals are invited to provide the Department of General Services with 5,500 to 6,500 usable square feet of retail space for the Liquor Control Board within Philadelphia County, for a space within the area of West Oxford Street to the north, North Hollywood Street to the east, Harper Street to the south and Poplar Street to the west. For more information on SFP No. 94576, which is due on June 13, 2014, visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or contact the Bureau of Real Estate at (717) 787-4394.

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 14-681. Filed for public inspection March 28, 2014, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

Berkshire Center  
5501 Perkiomen Avenue  
Reading, PA 19606  
Fac. ID #044502

Country Meadows Nursing Center of Bethlehem  
4025 Green Pond Road  
Bethlehem, PA 18020  
Fac. ID #096802

Creekside Health and Rehabilitation Center  
45 North Scott Street  
Carbondale, PA 18407  
Fac. ID #067702

Humbert Lane Nursing and Rehabilitation Centre  
90 Humbert Lane  
Washington, PA 15301  
Fac. ID #085702

Linwood Nursing and Rehabilitation Center  
100 Linwood Avenue  
Scranton, PA 18505  
Fac. ID #394502

Westmoreland Manor  
2480 South Grande Boulevard  
Greensburg, PA 15601  
Fac. ID #231002

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 205.6(a) and (b) (relating to function of building):

John J Kane Regional Center—Ross Township  
110 McIntyre Road  
Pittsburgh, PA 15237  
Fac. ID #365002

John J Kane Regional Center—Scott Township  
300 Kane Boulevard  
Pittsburgh, PA 15243  
Fac. ID #364902

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](mailto:ra-paexcept@pa.gov).

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the address or phone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-682. Filed for public inspection March 28, 2014, 9:00 a.m.]

### Special Supplemental Nutrition Program for Women, Infants and Children (WIC Program); Maximum Allowable Prices and Competitive Prices

#### Maximum Allowable Prices and Competitive Prices for Type 1 Stores in Regular Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) (relating to selection criteria for authorization and reauthorization; and terms and conditions of participation) and 7 CFR 246.12 (relating to food delivery systems), the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 1 Stores in Regular Cost Counties.

#### *Maximum Allowable Prices*

Effective April 1, 2014, through June 30, 2014, the Maximum Allowable Prices the Department of Health (Department) will pay Type 1 Stores in Regular Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz.....	\$1.34
Beans/Peas—Dry—16 oz.....	\$2.18
Canned Fish—Pink Salmon.....	\$2.37
Canned Fish—Sardines.....	\$1.48
Canned Fish—Tuna.....	\$1.27
Cereal (per oz.).....	\$0.33
Cheese, 16 oz.....	\$7.31
Eggs.....	\$2.06
Gerber Infant Cereal—8 oz.....	\$2.25
Infant Fruits, 100%—4 oz.....	\$0.66
Infant Vegetables, 100%—4 oz.....	\$0.66
Infant Meats, 100%—2.5 oz.....	\$1.04
Juice—11.5/12 oz.....	\$2.36
Juice—48 oz.....	\$3.07
Juice—64 oz.....	\$3.98
Kosher Cheese—16 oz.....	\$8.40
Kosher Low Fat Milk—quart.....	\$1.69
Kosher Low Fat Milk—1/2 gallon.....	\$3.27
Kosher Whole Milk—quart.....	\$1.80
Kosher Whole Milk—1/2 gallon.....	\$3.37
Milk, Dry—9.6 oz.....	\$4.34
Milk, Dry—25.6 oz.....	\$9.32
Milk, Evaporated—12 oz.....	\$1.37
Milk, Low Fat—quart.....	\$1.46
Milk, Low Fat—1/2 gallon.....	\$2.74
Milk, Low Fat Lactose Free—quart.....	\$2.44
Milk, Low Fat Lactose Free—1/2 gallon.....	\$3.95
Milk, Whole—quart.....	\$1.50
Milk, Whole—1/2 gallon.....	\$2.79
Milk, Whole Lactose Free—quart.....	\$2.47
Milk, Whole Lactose Free—1/2 gallon.....	\$4.03
Peanut Butter—16-18 oz.....	\$3.46
Soy Beverage—Pacific Natural Foods 32 oz.....	\$3.10
Soy Beverage—8th Continent 64 oz.....	\$3.35
Tofu—16 oz.....	\$2.57
Whole Grain—Bread, 16 oz.....	\$3.55
Whole Grain—Bread, 24 oz.....	\$4.13
Whole Grain—Brown Rice, 16 oz.....	\$1.80
Whole Grain—Brown Rice, 24 oz.....	\$3.32
Whole Grain—Oats, 16 oz.....	\$2.44
Whole Grain—Oats, 24 oz.....	\$5.46
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.....	\$2.57
Boost RTF Formula—8 oz.....	\$1.79
EnfaCare RTF Formula—32 oz.....	\$7.40
EnfaCare w/Iron Powder Formula—12.8 oz.....	\$16.54
Nutramigen Concentrate Formula—13 oz.....	\$7.35
Nutramigen RTF Formula—32 oz.....	\$9.60
Nutramigen w/Enflora Powder Formula—12.6 oz.....	\$24.36
Pediasure RTF Formula—8 oz.....	\$1.92
Pediasure w/Fiber RTF Formula—8 oz.....	\$1.99
Pediasure Sidekicks RTF Formula—8 oz.....	\$1.80
Similac Advance Concentrate Formula—Blue— 13 oz.....	\$4.90
Similac Advance RTF Formula—Blue—32 oz.....	\$7.51
Similac Advance Powder Formula—Blue— 12.4 oz.....	\$15.46
Similac Expert Care Alimentum RTF Formula—32 oz.....	\$9.45
Similac Expert Care Alimentum Powder Formula—16 oz.....	\$27.95
Similac Expert Care for Diarrhea RTF Formula—32 oz.....	\$7.59
Similac Expert Care NeoSure RTF Formula— 32 oz.....	\$7.82

<i>Description</i>	<i>Maximum Allowable Price</i>
Similac Expert Care NeoSure Powder Formula—13.1 oz.....	\$16.14
Similac Go & Grow Powder Milk Based Formula—Blue—1.38 lbs.....	\$22.51
Similac Go & Grow Powder Soy Based Formula—Pink—1.38 lbs.....	\$22.35
Similac for Spit Up RTF Formula—Green— 32 oz.....	\$7.72
Similac for Spit Up Powder Formula—Green— 12.3 oz.....	\$15.93
Similac for Spit Up Powder Formula—Green— 12.0 oz.....	\$15.93
Similac Sensitive Concentrate Formula— Orange—13 oz.....	\$4.89
Similac Sensitive RTF Formula—Orange—32 oz..	\$7.50
Similac Sensitive Powder Formula—Orange— 12.6 oz.....	\$15.31
Similac Sensitive Powder Formula—Orange— 12.0 oz.....	\$15.31
Similac Soy Isomil Concentrate Formula—Pink— 13 oz.....	\$4.95
Similac Soy Isomil RTF Formula—Pink—32 oz...	\$7.93
Similac Soy Isomil Powder Formula—Pink— 12.4 oz.....	\$15.89
Similac Total Comfort Powder Formula— Purple—12.6 oz.....	\$16.39
Similac Total Comfort Powder Formula— Purple—12.0 oz.....	\$16.39

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2 (relating to price adjustment).

*Competitive Prices*

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective April 1, 2014, through June 30, 2014, the Competitive Prices for WIC Authorization for Type 1 Stores in Regular Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz.....	\$1.23
Beans/Peas—Dry—16 oz.....	\$2.00
Canned Fish—Pink Salmon.....	\$2.28
Canned Fish—Sardines.....	\$1.43
Canned Fish—Tuna.....	\$1.19
Cereal (per oz.).....	\$0.31
Cheese, 16 oz.....	\$6.84
Eggs.....	\$1.96
Gerber Infant Cereal—8 oz.....	\$2.22
Infant Fruits, 100%—4 oz.....	\$0.64
Infant Vegetables, 100%—4 oz.....	\$0.64
Infant Meats, 100%—2.5 oz.....	\$1.03
Juice—11.5/12 oz.....	\$2.22
Juice—48 oz.....	\$3.00
Juice—64 oz.....	\$3.66
Kosher Cheese—16 oz.....	\$8.40
Kosher Low Fat Milk—1/2 gallon.....	\$3.27
Kosher Whole Milk—1/2 gallon.....	\$3.37
Milk, Low Fat—1/2 gallon.....	\$2.43

Description	Competitive Prices
Milk, Whole—1/2 gallon	\$2.47
Peanut Butter—16-18 oz.	\$3.30
Whole Grain—Bread, 16 oz.	\$3.35
Whole Grain—Brown Rice, 16 oz.	\$1.71
Whole Grain—Oats, 16 oz.	\$2.40
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.43
Similac Advance Concentrate Formula—Blue—13 oz.	\$4.90
Similac Advance Powder Formula—Blue—12.4 oz.	\$15.46
Similac Soy Isomil Concentrate Formula—Pink—13 oz.	\$4.95
Similac Soy Isomil Powder Formula—Pink—12.4 oz.	\$15.89

**Maximum Allowable Prices and Competitive Prices for Type 2 Stores in Regular Cost Counties**

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 2 Stores in Regular Cost Counties.

*Maximum Allowable Prices*

Effective April 1, 2014, through June 30, 2014, the Maximum Allowable Prices the Department will pay Type 2 Stores in Regular Cost Counties for WIC allowable foods are as follows:

Description	Maximum Allowable Price
Beans, Canned—15.5/16 oz.	\$1.37
Beans/Peas—Dry—16 oz.	\$2.26
Canned Fish—Pink Salmon.	\$2.37
Canned Fish—Sardines	\$1.59
Canned Fish—Tuna	\$1.40
Cereal (per oz.)	\$0.34
Cheese, 16 oz.	\$7.33
Eggs	\$2.06
Gerber Infant Cereal—8 oz.	\$2.30
Infant Fruits, 100%—4 oz.	\$0.70
Infant Vegetables, 100%—4 oz.	\$0.70
Infant Meats, 100%—2.5 oz.	\$1.12
Juice—11.5/12 oz.	\$2.51
Juice—48 oz.	\$3.19
Juice—64 oz.	\$4.18
Kosher Cheese—16 oz.	\$8.40
Kosher Low Fat Milk—quart	\$1.69
Kosher Low Fat Milk—1/2 gallon	\$3.27
Kosher Whole Milk—quart	\$1.80
Kosher Whole Milk—1/2 gallon	\$3.37
Milk, Dry—9.6 oz.	\$4.46
Milk, Dry—25.6 oz.	\$9.47
Milk, Evaporated—12 oz.	\$1.53
Milk, Low Fat—quart	\$1.46
Milk, Low Fat—1/2 gallon	\$2.74
Milk, Low Fat Lactose Free—quart	\$2.53
Milk, Low Fat Lactose Free—1/2 gallon	\$4.31
Milk, Whole—quart	\$1.50
Milk, Whole—1/2 gallon	\$2.79
Milk, Whole Lactose Free—quart	\$2.56
Milk, Whole Lactose Free—1/2 gallon	\$4.33
Peanut Butter—16-18 oz.	\$3.60
Soy Beverage—Pacific Natural Foods 32 oz.	\$3.10
Soy Beverage—8th Continent 64 oz.	\$3.78
Tofu—16 oz.	\$2.62

Description	Maximum Allowable Price
Whole Grain—Bread, 16 oz.	\$3.63
Whole Grain—Bread, 24 oz.	\$4.13
Whole Grain—Brown Rice, 16 oz.	\$1.95
Whole Grain—Brown Rice, 24 oz.	\$3.32
Whole Grain—Oats, 16 oz.	\$2.44
Whole Grain—Oats, 24 oz.	\$6.11
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.57
Boost RTF Formula—8 oz.	\$1.79
EnfaCare RTF Formula—32 oz.	\$7.40
EnfaCare w/Iron Powder Formula—12.8 oz.	\$16.54
Nutramigen Concentrate Formula—13 oz.	\$7.40
Nutramigen RTF Formula—32 oz.	\$9.60
Nutramigen w/Enflora Powder Formula—12.6 oz.	\$24.42
Pediasure RTF Formula—8 oz.	\$1.99
Pediasure w/Fiber RTF Formula—8 oz.	\$2.05
Pediasure Sidekicks RTF Formula—8 oz.	\$1.94
Similac Advance Concentrate—Blue Formula—13 oz.	\$4.94
Similac Advance RTF—Blue Formula—32 oz.	\$7.60
Similac Advance Powder—Blue Formula—12.4 oz.	\$15.58
Similac Expert Care Alimentum RTF Formula—32 oz.	\$9.45
Similac Expert Care Alimentum Powder Formula—16 oz.	\$27.98
Similac Expert Care for Diarrhea RTF Formula—32 oz.	\$7.59
Similac Expert Care NeoSure RTF Formula—32 oz.	\$7.82
Similac Expert Care NeoSure Powder Formula—13.1 oz.	\$16.14
Similac Go & Grow Powder Milk Based Formula—Blue—1.38 lbs.	\$22.51
Similac Go & Grow Powder Soy Based Formula—Pink—1.38 lbs.	\$22.35
Similac for Spit Up RTF Formula—Green—32 oz.	\$7.72
Similac for Spit Up Powder Formula—Green—12.3 oz.	\$16.04
Similac for Spit Up Powder Formula—Green—12.0 oz.	\$16.04
Similac Sensitive Concentrate Formula—Orange—13 oz.	\$4.89
Similac Sensitive RTF Formula—Orange—32 oz.	\$7.50
Similac Sensitive Powder Formula—Orange—12.6 oz.	\$15.51
Similac Sensitive Powder Formula—Orange—12.0 oz.	\$15.51
Similac Soy Isomil Concentrate—Pink Formula—13 oz.	\$5.21
Similac Soy Isomil RTF—Pink Formula—32 oz.	\$7.93
Similac Soy Isomil Powder—Pink Formula—12.4 oz.	\$16.15
Similac Total Comfort Powder Formula—Purple—12.6 oz.	\$16.50
Similac Total Comfort Powder Formula—Purple—12.0 oz.	\$16.50

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

*Competitive Prices*

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective April 1, 2014, through June 30, 2014, the Competitive Prices for WIC Authorization for Type 2 Stores in Regular Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz.....	\$1.27
Beans/Peas—Dry—16 oz.....	\$2.10
Canned Fish—Pink Salmon.....	\$2.28
Canned Fish—Sardines.....	\$1.49
Canned Fish—Tuna.....	\$1.27
Cereal (per oz.).....	\$0.32
Cheese, 16 oz.....	\$6.86
Eggs.....	\$1.96
Gerber Infant Cereal—8 oz.....	\$2.25
Infant Fruits, 100%—4 oz.....	\$0.69
Infant Vegetables, 100%—4 oz.....	\$0.69
Infant Meats, 100%—2.5 oz.....	\$1.10
Juice—11.5/12 oz.....	\$2.42
Juice—48 oz.....	\$3.07
Juice—64 oz.....	\$3.85
Kosher Cheese—16 oz.....	\$8.40
Kosher Low Fat Milk—1/2 gallon.....	\$3.27
Kosher Whole Milk—1/2 gallon.....	\$3.37
Milk, Low Fat—1/2 gallon.....	\$2.43
Milk, Whole—1/2 gallon.....	\$2.47
Peanut Butter—16-18 oz.....	\$3.51
Whole Grain—Bread, 16 oz.....	\$3.50
Whole Grain—Brown Rice, 16 oz.....	\$1.73
Whole Grain—Oats, 16 oz.....	\$2.40
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.....	\$2.43
Similac Advance Concentrate Formula—Blue— 13 oz.....	\$4.94
Similac Advance Powder Formula—Blue— 12.4 oz.....	\$15.58
Similac Soy Isomil Concentrate Formula—Pink— 13 oz.....	\$5.21
Similac Soy Isomil Powder Formula—Pink— 12.4 oz.....	\$16.15

**Maximum Allowable Prices and Competitive Prices for Type 3 Stores in Regular Cost Counties**

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 3 Stores in Regular Cost Counties.

*Maximum Allowable Prices*

Effective April 1, 2014, through June 30, 2014, the Maximum Allowable Prices the Department will pay Type 3 Stores in Regular Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz.....	\$1.37
Beans/Peas—Dry—16 oz.....	\$2.26
Canned Fish—Pink Salmon.....	\$2.37
Canned Fish—Sardines.....	\$1.60
Canned Fish—Tuna.....	\$1.40
Cereal (per oz.).....	\$0.36
Cheese, 16 oz.....	\$7.35
Eggs.....	\$2.06
Gerber Infant Cereal—8 oz.....	\$2.30

*Maximum Allowable Price*

<i>Description</i>	<i>Maximum Allowable Price</i>
Infant Fruits, 100%—4 oz.....	\$0.71
Infant Vegetables, 100%—4 oz.....	\$0.71
Infant Meats, 100%—2.5 oz.....	\$1.17
Juice—11.5/12 oz.....	\$2.56
Juice—48 oz.....	\$3.28
Juice—64 oz.....	\$4.27
Kosher Cheese—16 oz.....	\$8.40
Kosher Low Fat Milk—quart.....	\$1.69
Kosher Low Fat Milk—1/2 gallon.....	\$3.27
Kosher Whole Milk—quart.....	\$1.80
Kosher Whole Milk—1/2 gallon.....	\$3.37
Milk, Dry—9.6 oz.....	\$4.70
Milk, Dry—25.6 oz.....	\$9.47
Milk, Evaporated—12 oz.....	\$1.57
Milk, Low Fat—quart.....	\$1.47
Milk, Low Fat—1/2 gallon.....	\$2.75
Milk, Low Fat Lactose Free—quart.....	\$2.53
Milk, Low Fat Lactose Free—1/2 gallon.....	\$4.31
Milk, Whole—quart.....	\$1.57
Milk, Whole—1/2 gallon.....	\$2.79
Milk, Whole Lactose Free—quart.....	\$2.56
Milk, Whole Lactose Free—1/2 gallon.....	\$4.33
Peanut Butter—16-18 oz.....	\$3.65
Soy Beverage—Pacific Natural Foods 32 oz.....	\$3.10
Soy Beverage—8th Continent 64 oz.....	\$3.78
Tofu—16 oz.....	\$2.62
Whole Grain—Bread, 16 oz.....	\$3.63
Whole Grain—Bread, 24 oz.....	\$4.13
Whole Grain—Brown Rice, 16 oz.....	\$2.00
Whole Grain—Brown Rice, 24 oz.....	\$3.32
Whole Grain—Oats, 16 oz.....	\$2.60
Whole Grain—Oats, 24 oz.....	\$6.11
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.....	\$2.64
Boost RTF Formula—8 oz.....	\$1.79
EnfaCare RTF Formula—32 oz.....	\$7.40
EnfaCare w/Iron Powder Formula—12.8 oz.....	\$17.31
Nutramigen Concentrate Formula—13 oz.....	\$7.40
Nutramigen RTF Formula—32 oz.....	\$9.63
Nutramigen w/Enflora Powder Formula—12.6 oz.....	\$24.64
Pediasure RTF Formula—8 oz.....	\$1.99
Pediasure w/Fiber RTF Formula—8 oz.....	\$2.05
Pediasure Sidekicks RTF Formula—8 oz.....	\$2.03
Similac Advance Concentrate Formula—Blue— 13 oz.....	\$5.15
Similac Advance RTF Formula—Blue—32 oz.....	\$7.60
Similac Advance Powder Formula—Blue— 12.4 oz.....	\$16.37
Similac Expert Care Alimentum RTF Formula— 32 oz.....	\$9.45
Similac Expert Care Alimentum Powder Formula—16 oz.....	\$27.98
Similac Expert Care for Diarrhea RTF Formula— 32 oz.....	\$7.59
Similac Expert Care NeoSure RTF Formula— 32 oz.....	\$7.84
Similac Expert Care NeoSure Powder Formula— 13.1 oz.....	\$16.18
Similac Go & Grow Powder Milk Based Formula—Blue—1.38 lbs.....	\$23.20
Similac Go & Grow Powder Soy Based Formula— Pink—1.38 lbs.....	\$23.03
Similac for Spit Up RTF Formula—Green— 32 oz.....	\$7.72
Similac for Spit Up Powder Formula—Green— 12.3 oz.....	\$16.26



<i>Description</i>	<i>Maximum Allowable Price</i>
Similac for Spit Up Powder Formula—Green— 12.0 oz. ....	\$16.26
Similac Sensitive Concentrate Formula— Orange—13 oz. ....	\$5.04
Similac Sensitive RTF Formula—Orange—32 oz. . .	\$7.54
Similac Sensitive Powder Formula—Orange— 12.6 oz. ....	\$15.74
Similac Sensitive Powder Formula—Orange— 12.0 oz. ....	\$15.74
Similac Soy Isomil Concentrate Formula—Pink— 13 oz. ....	\$5.37
Similac Soy Isomil RTF Formula—Pink—32 oz. . .	\$7.93
Similac Soy Isomil Powder Formula—Pink— 12.4 oz. ....	\$16.35
Similac Total Comfort Powder Formula—Purple— 12.6 oz. ....	\$16.50
Similac Total Comfort Powder Formula—Purple— 12.0 oz. ....	\$16.50

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

*Competitive Prices*

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective April 1, 2014, through June 30, 2014, the Competitive Prices for WIC authorization for Type 3 Stores in Regular Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz. ....	\$1.27
Beans/Peas—Dry—16 oz. ....	\$2.10
Canned Fish—Pink Salmon. ....	\$2.29
Canned Fish—Sardines . . . . .	\$1.54
Canned Fish—Tuna . . . . .	\$1.30
Cereal (per oz.) . . . . .	\$0.34
Cheese, 16 oz. . . . .	\$6.88
Eggs . . . . .	\$1.96
Gerber Infant Cereal—8 oz. ....	\$2.25
Infant Fruits, 100%—4 oz. ....	\$0.70
Infant Vegetables, 100%—4 oz. ....	\$0.70
Infant Meats, 100%—2.5 oz. ....	\$1.15
Juice—11.5/12 oz. ....	\$2.47
Juice—48 oz. . . . .	\$3.16
Juice—64 oz. . . . .	\$4.01
Kosher Cheese—16 oz. . . . .	\$8.40
Kosher Low Fat Milk—1/2 gallon . . . . .	\$3.27
Kosher Whole Milk—1/2 gallon . . . . .	\$3.37
Milk, Low Fat—1/2 gallon . . . . .	\$2.43
Milk, Whole—1/2 gallon . . . . .	\$2.47
Peanut Butter—16-18 oz. ....	\$3.51
Whole Grain—Bread, 16 oz. ....	\$3.50
Whole Grain—Brown Rice, 16 oz. ....	\$2.07
Whole Grain—Oats, 16 oz. ....	\$2.65
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.60
Similac Advance Concentrate Formula—Blue— 13 oz. ....	\$5.15

<i>Description</i>	<i>Competitive Prices</i>
Similac Advance Powder Formula—Blue— 12.4 oz. ....	\$16.37
Similac Soy Isomil Concentrate Formula—Pink— 13 oz. ....	\$5.37
Similac Soy Isomil Powder Formula—Pink— 12.4 oz. ....	\$16.35

**Maximum Allowable Prices and Competitive Prices for Type 1 Stores in High Cost Counties**

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 1 Stores in High Cost Counties.

*Maximum Allowable Prices*

Effective April 1, 2014, through June 30, 2014, the Maximum Allowable Prices the Department will pay Type 1 Stores in High Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz. ....	\$1.34
Beans/Peas—Dry—16 oz. ....	\$2.20
Canned Fish—Pink Salmon. ....	\$2.40
Canned Fish—Sardines . . . . .	\$1.75
Canned Fish—Tuna . . . . .	\$1.28
Cereal (per oz.) . . . . .	\$0.34
Cheese, 16 oz. . . . .	\$7.45
Eggs . . . . .	\$2.16
Gerber Infant Cereal—8 oz. ....	\$2.32
Infant Fruits, 100%—4 oz. ....	\$0.71
Infant Vegetables, 100%—4 oz. ....	\$0.71
Infant Meats, 100%—2.5 oz. ....	\$1.08
Juice—11.5/12 oz. ....	\$2.45
Juice—48 oz. . . . .	\$3.18
Juice—64 oz. . . . .	\$3.99
Kosher Cheese—16 oz. . . . .	\$8.40
Kosher Low Fat Milk—quart . . . . .	\$1.69
Kosher Low Fat Milk—1/2 gallon . . . . .	\$3.27
Kosher Whole Milk—quart . . . . .	\$1.80
Kosher Whole Milk—1/2 gallon . . . . .	\$3.37
Milk, Dry—9.6 oz. . . . .	\$4.43
Milk, Dry—25.6 oz. . . . .	\$9.32
Milk, Evaporated—12 oz. ....	\$1.38
Milk, Low Fat—quart . . . . .	\$1.48
Milk, Low Fat—1/2 gallon . . . . .	\$2.82
Milk, Low Fat Lactose Free—quart . . . . .	\$2.53
Milk, Low Fat Lactose Free—1/2 gallon . . . . .	\$4.00
Milk, Whole—quart . . . . .	\$1.52
Milk, Whole—1/2 gallon . . . . .	\$2.87
Milk, Whole Lactose Free—quart . . . . .	\$2.56
Milk, Whole Lactose Free—1/2 gallon . . . . .	\$4.05
Peanut Butter—16-18 oz. ....	\$3.55
Soy Beverage—Pacific Natural Foods 32 oz. ....	\$3.45
Soy Beverage—8th Continent 64 oz. ....	\$3.42
Tofu—16 oz. . . . .	\$2.57
Whole Grain—Bread, 16 oz. ....	\$3.63
Whole Grain—Bread, 24 oz. . . . .	\$4.13
Whole Grain—Brown Rice, 16 oz. ....	\$1.95
Whole Grain—Brown Rice, 24 oz. ....	\$3.79
Whole Grain—Oats, 16 oz. ....	\$2.52
Whole Grain—Oats, 24 oz. ....	\$5.52
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.70
Boost RTF Formula—8 oz. ....	\$1.79

<i>Description</i>	<i>Maximum Allowable Price</i>
EnfaCare RTF Formula—32 oz. ....	\$7.61
EnfaCare w/Iron Powder Formula—12.8 oz. ....	\$16.74
Nutramigen Concentrate Formula—13 oz. ....	\$7.39
Nutramigen RTF Formula—32 oz. ....	\$9.78
Nutramigen w/Enflora Powder Formula—12.6 oz. ....	\$24.56
Pediasure RTF Formula—8 oz. ....	\$2.04
Pediasure w/Fiber RTF Formula—8 oz. ....	\$2.05
Pediasure Sidekicks RTF Formula—8 oz. ....	\$1.88
Similac Advance Concentrate Formula—Blue—13 oz. ....	\$4.98
Similac Advance RTF Formula—Blue—32 oz. ....	\$7.51
Similac Advance Powder Formula—Blue—12.4 oz. ....	\$15.46
Similac Expert Care Alimentum RTF Formula—32 oz. ....	\$9.45
Similac Expert Care Alimentum Powder Formula—16 oz. ....	\$28.34
Similac Expert Care for Diarrhea RTF Formula—32 oz. ....	\$7.60
Similac Expert Care NeoSure RTF Formula—32 oz. ....	\$8.04
Similac Expert Care NeoSure Powder Formula—13.1 oz. ....	\$16.59
Similac Go & Grow Powder Milk Based Formula—Blue—1.38 lbs. ....	\$23.17
Similac Go & Grow Powder Soy Based Formula—Pink—1.38 lbs. ....	\$23.10
Similac for Spit Up RTF Formula—Green—32 oz. ....	\$7.73
Similac for Spit Up Powder Formula—Green—12.3 oz. ....	\$16.05
Similac for Spit Up Powder Formula—Green—12.0 oz. ....	\$16.05
Similac Sensitive Concentrate Formula—Orange—13 oz. ....	\$5.00
Similac Sensitive RTF Formula—Orange—32 oz. ....	\$7.59
Similac Sensitive Powder Formula—Orange—12.6 oz. ....	\$15.65
Similac Sensitive Powder Formula—Orange—12.0 oz. ....	\$15.65
Similac Soy Isomil Concentrate Formula—Pink—13 oz. ....	\$5.19
Similac Soy Isomil RTF Formula—Pink—32 oz. ....	\$7.93
Similac Soy Isomil Powder Formula—Pink—12.4 oz. ....	\$16.33
Similac Total Comfort Powder Formula—Purple—12.6 oz. ....	\$16.44
Similac Total Comfort Powder Formula—Purple—12.0 oz. ....	\$16.44

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

*Competitive Prices*

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective April 1, 2014, through June 30, 2014, the Competitive Prices for WIC authorization for Type 1 Stores in High Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz. ....	\$1.24
Beans/Peas—Dry—16 oz. ....	\$2.03
Canned Fish—Pink Salmon. ....	\$2.32
Canned Fish—Sardines. ....	\$1.68
Canned Fish—Tuna. ....	\$1.20
Cereal (per oz.) ....	\$0.32
Cheese, 16 oz. ....	\$6.91
Eggs. ....	\$2.06
Gerber Infant Cereal—8 oz. ....	\$2.27
Infant Fruits, 100%—4 oz. ....	\$0.68
Infant Vegetables, 100%—4 oz. ....	\$0.68
Infant Meats, 100%—2.5 oz. ....	\$1.06
Juice—11.5/12 oz. ....	\$2.25
Juice—48 oz. ....	\$3.06
Juice—64 oz. ....	\$3.66
Kosher Cheese—16 oz. ....	\$8.40
Kosher Low Fat Milk—1/2 gallon. ....	\$3.27
Kosher Whole Milk—1/2 gallon. ....	\$3.37
Milk, Low Fat—1/2 gallon. ....	\$2.51
Milk, Whole—1/2 gallon. ....	\$2.55
Peanut Butter—16-18 oz. ....	\$3.35
Whole Grain—Bread, 16 oz. ....	\$3.31
Whole Grain—Brown Rice, 16 oz. ....	\$1.80
Whole Grain—Oats, 16 oz. ....	\$2.50
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.57
Similac Advance Concentrate Formula—Blue—13 oz. ....	\$4.98
Similac Advance Powder Formula—Blue—12.4 oz. ....	\$15.46
Similac Soy Isomil Concentrate Formula—Pink—13 oz. ....	\$5.19
Similac Soy Isomil Powder Formula—Pink—12.4 oz. ....	\$16.33

**Maximum Allowable Prices and Competitive Prices for Type 2 Stores in High Cost Counties**

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 2 Stores in High Cost Counties.

*Maximum Allowable Prices*

Effective April 1, 2014, through June 30, 2014, the Maximum Allowable Prices the Department will pay Type 2 Stores in High Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz. ....	\$1.37
Beans/Peas—Dry—16 oz. ....	\$2.26
Canned Fish—Pink Salmon. ....	\$2.41
Canned Fish—Sardines. ....	\$1.75
Canned Fish—Tuna. ....	\$1.38
Cereal (per oz.) ....	\$0.36
Cheese, 16 oz. ....	\$7.45
Eggs. ....	\$2.16
Gerber Infant Cereal—8 oz. ....	\$2.32
Infant Fruits, 100%—4 oz. ....	\$0.71
Infant Vegetables, 100%—4 oz. ....	\$0.71
Infant Meats, 100%—2.5 oz. ....	\$1.15
Juice—11.5/12 oz. ....	\$2.56
Juice—48 oz. ....	\$3.30
Juice—64 oz. ....	\$4.24

<i>Description</i>	<i>Maximum Allowable Price</i>
Kosher Cheese—16 oz. ....	\$8.40
Kosher Low Fat Milk—quart .....	\$1.69
Kosher Low Fat Milk—1/2 gallon .....	\$3.27
Kosher Whole Milk—quart .....	\$1.80
Kosher Whole Milk—1/2 gallon .....	\$3.37
Milk, Dry—9.6 oz. ....	\$4.46
Milk, Dry—25.6 oz. ....	\$9.47
Milk, Evaporated—12 oz. ....	\$1.55
Milk, Low Fat—quart .....	\$1.53
Milk, Low Fat—1/2 gallon .....	\$2.82
Milk, Low Fat Lactose Free—quart .....	\$2.53
Milk, Low Fat Lactose Free—1/2 gallon .....	\$4.31
Milk, Whole—quart .....	\$1.57
Milk, Whole—1/2 gallon .....	\$2.87
Milk, Whole Lactose Free—quart .....	\$2.56
Milk, Whole Lactose Free—1/2 gallon .....	\$4.37
Peanut Butter—16-18 oz. ....	\$3.55
Soy Beverage—Pacific Natural Foods 32 oz. ....	\$3.45
Soy Beverage—8th Continent 64 oz. ....	\$3.78
Tofu—16 oz. ....	\$2.62
Whole Grain—Bread, 16 oz. ....	\$3.63
Whole Grain—Bread, 24 oz. ....	\$4.13
Whole Grain—Brown Rice, 16 oz. ....	\$1.95
Whole Grain—Brown Rice, 24 oz. ....	\$3.79
Whole Grain—Oats, 16 oz. ....	\$2.88
Whole Grain—Oats, 24 oz. ....	\$6.11
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.70
Boost RTF Formula—8 oz. ....	\$1.79
EnfaCare RTF Formula—32 oz. ....	\$7.61
EnfaCare w/Iron Powder Formula—12.8 oz. ....	\$16.88
Nutramigen Concentrate Formula—13 oz. ....	\$7.43
Nutramigen RTF Formula—32 oz. ....	\$9.78
Nutramigen w/Enflora Powder Formula—12.6 oz. ....	\$24.65
Pediasure RTF Formula—8 oz. ....	\$2.06
Pediasure w/Fiber RTF Formula—8 oz. ....	\$2.05
Pediasure Sidekicks RTF Formula—8 oz. ....	\$1.97
Similac Advance Concentrate Formula—Blue— 13 oz. ....	\$5.08
Similac Advance RTF Formula—Blue—32 oz. ....	\$7.60
Similac Advance Powder Formula—Blue— 12.4 oz. ....	\$15.74
Similac Expert Care Alimentum RTF Formula— 32 oz. ....	\$9.45
Similac Expert Care Alimentum Powder Formula—16 oz. ....	\$28.34
Similac Expert Care for Diarrhea RTF Formula—32 oz. ....	\$8.07
Similac Expert Care NeoSure RTF Formula— 32 oz. ....	\$8.04
Similac Expert Care NeoSure Powder Formula— 13.1 oz. ....	\$16.59
Similac Go & Grow Powder Milk Based Formula—Blue—1.38 lbs. ....	\$23.40
Similac Go & Grow Powder Soy Based Formula— Pink—1.38 lbs. ....	\$23.12
Similac for Spit Up RTF Formula—Green— 32 oz. ....	\$7.89
Similac for Spit Up Powder Formula—Green— 12.3 oz. ....	\$16.34
Similac for Spit Up Powder Formula—Green— 12.0 oz. ....	\$16.34
Similac Sensitive Concentrate Formula— Orange—13 oz. ....	\$5.26
Similac Sensitive RTF Formula—Orange— 32 oz. ....	\$7.59

<i>Description</i>	<i>Maximum Allowable Price</i>
Similac Sensitive Powder Formula—Orange— 12.6 oz. ....	\$15.65
Similac Sensitive Powder Formula—Orange— 12.0 oz. ....	\$15.65
Similac Soy Isomil Concentrate Formula—Pink— 13 oz. ....	\$5.28
Similac Soy Isomil RTF Formula—Pink—32 oz. ....	\$7.93
Similac Soy Isomil Powder Formula—Pink— 12.4 oz. ....	\$16.33
Similac Total Comfort Powder Formula— Purple—12.6 oz. ....	\$16.86
Similac Total Comfort Powder Formula— Purple—12.0 oz. ....	\$16.86

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

*Competitive Prices*

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective April 1, 2014, through June 30, 2014, the Competitive Prices for WIC Authorization for Type 2 Stores in High Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz. ....	\$1.27
Beans/Peas—Dry—16 oz. ....	\$2.11
Canned Fish—Pink Salmon. ....	\$2.32
Canned Fish—Sardines. ....	\$1.68
Canned Fish—Tuna. ....	\$1.27
Cereal (per oz.) ....	\$0.34
Cheese, 16 oz. ....	\$6.91
Eggs. ....	\$2.06
Gerber Infant Cereal—8 oz. ....	\$2.28
Infant Fruits, 100%—4 oz. ....	\$0.69
Infant Vegetables, 100%—4 oz. ....	\$0.69
Infant Meats, 100%—2.5 oz. ....	\$1.13
Juice—11.5/12 oz. ....	\$2.47
Juice—48 oz. ....	\$3.16
Juice—64 oz. ....	\$3.93
Kosher Cheese—16 oz. ....	\$8.40
Kosher Low Fat Milk—1/2 gallon .....	\$3.27
Kosher Whole Milk—1/2 gallon .....	\$3.37
Milk, Low Fat—1/2 gallon .....	\$2.51
Milk, Whole—1/2 gallon .....	\$2.55
Peanut Butter—16-18 oz. ....	\$3.51
Whole Grain—Bread, 16 oz. ....	\$3.52
Whole Grain—Brown Rice, 16 oz. ....	\$1.94
Whole Grain—Oats, 16 oz. ....	\$2.85
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.57
Similac Advance Concentrate Formula—Blue— 13 oz. ....	\$5.08
Similac Advance Powder Formula—Blue— 12.4 oz. ....	\$15.74
Similac Soy Isomil Concentrate Formula—Pink— 13 oz. ....	\$5.28
Similac Soy Isomil Powder Formula—Pink— 12.4 oz. ....	\$16.33

**Maximum Allowable Prices and Competitive Prices for Type 3 Stores in High Cost Counties**

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 3 Stores in High Cost Counties.

*Maximum Allowable Prices*

Effective April 1, 2014, through June 30, 2014, the Maximum Allowable Prices the Department will pay Type 3 Stores in High Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz.....	\$1.44
Beans/Peas—Dry—16 oz.....	\$2.26
Canned Fish—Pink Salmon.....	\$2.43
Canned Fish—Sardines.....	\$1.75
Canned Fish—Tuna.....	\$1.38
Cereal (per oz.).....	\$0.37
Cheese, 16 oz.....	\$7.70
Eggs.....	\$2.16
Gerber Infant Cereal—8 oz.....	\$2.56
Infant Fruits, 100%—4 oz.....	\$0.84
Infant Vegetables, 100%—4 oz.....	\$0.84
Infant Meats, 100%—2.5 oz.....	\$1.17
Juice—11.5/12 oz.....	\$2.60
Juice—48 oz.....	\$3.38
Juice—64 oz.....	\$4.25
Kosher Cheese—16 oz.....	\$8.40
Kosher Low Fat Milk—quart.....	\$1.87
Kosher Low Fat Milk—1/2 gallon.....	\$3.27
Kosher Whole Milk—quart.....	\$1.80
Kosher Whole Milk—1/2 gallon.....	\$3.37
Milk, Dry—9.6 oz.....	\$4.70
Milk, Dry—25.6 oz.....	\$9.47
Milk, Evaporated—12 oz.....	\$1.60
Milk, Low Fat—quart.....	\$1.61
Milk, Low Fat—1/2 gallon.....	\$2.86
Milk, Low Fat Lactose Free—quart.....	\$2.53
Milk, Low Fat Lactose Free—1/2 gallon.....	\$4.31
Milk, Whole—quart.....	\$1.69
Milk, Whole—1/2 gallon.....	\$3.01
Milk, Whole Lactose Free—quart.....	\$2.56
Milk, Whole Lactose Free—1/2 gallon.....	\$4.37
Peanut Butter—16-18 oz.....	\$3.66
Soy Beverage—Pacific Natural Foods 32 oz.....	\$3.45
Soy Beverage—8th Continent 64 oz.....	\$3.90
Tofu—16 oz.....	\$2.65
Whole Grain—Bread, 16 oz.....	\$3.63
Whole Grain—Bread, 24 oz.....	\$4.13
Whole Grain—Brown Rice, 16 oz.....	\$2.35
Whole Grain—Brown Rice, 24 oz.....	\$3.79
Whole Grain—Oats, 16 oz.....	\$3.00
Whole Grain—Oats, 24 oz.....	\$6.11
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.....	\$2.70
Boost RTF Formula—8 oz.....	\$1.80
EnfaCare RTF Formula—32 oz.....	\$8.03
EnfaCare w/Iron Powder Formula—12.8 oz.....	\$17.31
Nutramigen Concentrate Formula—13 oz.....	\$8.15
Nutramigen RTF Formula—32 oz.....	\$9.79
Nutramigen w/Enflora Powder Formula—12.6 oz.....	\$25.10
Pediasure RTF Formula—8 oz.....	\$2.23
Pediasure w/Fiber RTF Formula—8 oz.....	\$2.30
Pediasure Sidekicks RTF Formula—8 oz.....	\$2.27
Similac Advance Concentrate Formula—Blue— 13 oz.....	\$5.57

*Maximum Allowable Price*

<i>Description</i>	<i>Maximum Allowable Price</i>
Similac Advance RTF Formula—Blue—32 oz.....	\$8.10
Similac Advance Powder Formula—Blue— 12.4 oz.....	\$16.89
Similac Expert Care Alimentum RTF Formula— 32 oz.....	\$9.51
Similac Expert Care Alimentum Powder Formula—16 oz.....	\$29.98
Similac Expert Care for Diarrhea RTF Formula— 32 oz.....	\$8.69
Similac Expert Care NeoSure RTF Formula— 32 oz.....	\$8.22
Similac Expert Care NeoSure Powder Formula—13.1 oz.....	\$17.04
Similac Go & Grow Powder Milk Based Formula—Blue—1.38 lbs.....	\$23.40
Similac Go & Grow Powder Soy Based Formula— Pink—1.38 lbs.....	\$23.53
Similac for Spit Up RTF Formula—Green— 32 oz.....	\$8.27
Similac for Spit Up Powder Formula—Green— 12.3 oz.....	\$17.20
Similac for Spit Up Powder Formula—Green— 12.0 oz.....	\$17.20
Similac Sensitive Concentrate Formula— Orange—13 oz.....	\$5.65
Similac Sensitive RTF Formula—Orange— 32 oz.....	\$8.27
Similac Sensitive Powder Formula—Orange— 12.6 oz.....	\$16.75
Similac Sensitive Powder Formula—Orange— 12.0 oz.....	\$16.75
Similac Soy Isomil Concentrate Formula—Pink— 13 oz.....	\$5.75
Similac Soy Isomil RTF Formula—Pink—32 oz.....	\$8.04
Similac Soy Isomil Powder Formula—Pink— 12.4 oz.....	\$17.39
Similac Total Comfort Powder Formula— Purple—12.6 oz.....	\$17.36
Similac Total Comfort Powder Formula— Purple—12.0 oz.....	\$17.36

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*Competitive Prices*

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<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz.....	\$1.38
Beans/Peas—Dry—16 oz.....	\$2.11
Canned Fish—Pink Salmon.....	\$2.32
Canned Fish—Sardines.....	\$1.68
Canned Fish—Tuna.....	\$1.30
Cereal (per oz.).....	\$0.35
Cheese, 16 oz.....	\$7.20
Eggs.....	\$2.06

<i>Description</i>	<i>Competitive Prices</i>
Gerber Infant Cereal—8 oz.....	\$2.53
Infant Fruits, 100%—4 oz.....	\$0.85
Infant Vegetables, 100%—4 oz.....	\$0.85
Infant Meats, 100%—2.5 oz.....	\$1.18
Juice—11.5/12 oz.....	\$2.55
Juice—48 oz.....	\$3.30
Juice—64 oz.....	\$4.10
Kosher Cheese—16 oz.....	\$8.40
Kosher Low Fat Milk—1/2 gallon.....	\$3.27
Kosher Whole Milk—1/2 gallon.....	\$3.37
Milk, Low Fat—1/2 gallon.....	\$2.58
Milk, Whole—1/2 gallon.....	\$2.62
Peanut Butter—16-18 oz.....	\$3.57
Whole Grain—Bread, 16 oz.....	\$3.52
Whole Grain—Brown Rice, 16 oz.....	\$2.32
Whole Grain—Oats, 16 oz.....	\$2.97
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.....	\$2.59
Similac Advance Concentrate Formula—Blue— 13 oz.....	\$5.57
Similac Advance Powder Formula—Blue— 12.4 oz.....	\$16.89
Similac Soy Isomil Concentrate Formula—Pink— 13 oz.....	\$5.75
Similac Soy Isomil Powder Formula—Pink— 12.4 oz.....	\$17.39

Persons with a disability who require an alternative format of this listing (for example, large print, audiotope, Braille) should contact Renee Sadler, Department of Health, Bureau of WIC, 625 Forster Street, 7th Floor West, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-1289, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-683. Filed for public inspection March 28, 2014, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Medical Assistance Program Fee Increase for Select Primary Care Services

The Department of Public Welfare (Department) is announcing the methodology for determining the calendar year 2014 fees for payments for specified primary care services for physicians qualified to receive increased fees.

#### *Background*

Section 1202 of the Patient Protection and Affordable Care Act (Pub. L. No. 111-148), as amended by the Health Care and Education Reconciliation Act of 2010 (Pub. L. No. 111-152) (collectively ACA), requires state Medicaid programs to pay increased fees to qualifying physicians that are no less than the Medicare rates in effect in calendar years (CY) 2013 and 2014 or, if greater, the rates that would be applicable in those CYs using the CY 2009 Medicare physician fee schedule (MPFS) conversion factor

(CF). The Department paid the increased fees in CY 2013 and will continue to pay the increased fee in CY 2014.

As set forth in 43 Pa.B. 105 (January 5, 2013), states are required to increase fees for certain evaluation and management (E&M) and vaccine administration procedure codes to the extent covered by the state when furnished by a physician or under the personal supervision of a physician with a specialty designation of family medicine, general internal medicine or pediatric medicine. To qualify for the increased fees, physicians must have a specialty designation of family medicine, general medicine or pediatric medicine recognized by the American Board of Physician Specialties, the American Board of Medical Specialties or the American Osteopathic Association and have self-attested to board certification or meeting the 60% billing threshold for the certain primary care services.

The fee increase applies to qualified physicians in the previously-stated specialties or subspecialties rendering primary care services to Medicaid beneficiaries in the Medical Assistance (MA) Program's fee-for-service and managed care delivery systems. Qualified physicians rendering services to non-Medicaid beneficiaries, such as General Assistance MA beneficiaries and physicians rendering services who do not qualify for the primary care fee increase, will be paid the current MA Program Fee Schedule rate.

The Centers for Medicare and Medicaid Services (CMS), through enhanced Federal Medical Assistance Percentage (FMAP), will pay 100% of the rate in excess of the MA rate for the specified E&M and vaccine administration procedure codes in effect on July 1, 2009, for dates of service on January 1, 2013, through and including December 31, 2014. On January 1, 2015, the Department will revert back to paying the rates for the specified procedure codes listed on the MA Program Fee Schedule as of December 31, 2012.

#### *Discussion*

The Federal implementing regulation in 42 CFR 447.405 (relating to amount of required minimum payments) requires states to use the Medicare CF in effect at the beginning of CY 2014, or the CY 2009 CF, if higher, to calculate the fee increase. As the CY 2009 CF is higher than the CY 2014 CF, the revised fees (referred to as follows as computed fees) will be calculated by adjusting the 2014 MPFS to reflect the higher CY 2009 CF, using the following formula:

$$\text{Computed fee} = (\text{CY 2014 MPFS}) \div (\text{CY 2014 CF}) \times (\text{CY 2009 CF})$$

(Note: This formula is used to substitute the 2014 CF for the 2009 CF.)

CMS established two geographic location variations in this Commonwealth for purposes of Medicare payment. Pennsylvania Geographic Practice Cost Index (GPCI) 01 consists of Philadelphia, Bucks, Chester, Delaware and Montgomery Counties; GPCI 99 consists of the remaining 62 counties in this Commonwealth. In accordance with the requirements in 42 CFR 447.405, the Department will continue to pay the mean over all counties of the rate for each procedure code calculated as follows.

$$(5 \times \text{GPCI 01 rate} + 62 \times \text{GPCI 99 rate}) / 67$$

The Department will continue to pay qualifying physicians an enhanced rate of \$23.14 per vaccine administration.

Qualifying physicians will initially be paid using the current 2013 increased primary care services fees. The Department anticipates that the system changes necessary to make payments at the 2014 rate will be completed in April. Qualifying physicians who submitted their self-attestation to the Department by December 31, 2013, will be paid the increased fee retroactive to January 1, 2014. Qualifying physicians who submit their self-attestation to the Department on or after January 1, 2014, will be paid the increased fee for dates of service beginning with the date the self-attestation is received by the Department.

The Department will issue a MA Bulletin to provide the specified primary care services procedure codes and the corresponding primary care mean Statewide fees for CY 2014 to physicians and will post the codes and fees on the Department's ACA Physician Fee Increases for Primary Care Services web site.

*Fiscal Impact*

Due to the availability of 100% FMAP for these primary care services, the Department projects no fiscal impact in CY 2014.

*Public Comment*

Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Deputy Secretary's Office, Attention: Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered for any subsequent revisions of the MA Program Fee Schedule. Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

BEVERLY D. MACKERETH,  
*Secretary*

**Fiscal Note:** 14-NOT-856. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 14-684. Filed for public inspection March 28, 2014, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Bureau of Maintenance and Operations; Access Route Approval

Under 75 Pa.C.S. § 4908 (relating to operation of certain combinations on interstate and certain other highways), the Department of Transportation approved on March 14, 2014, the following access route for use by the types of truck combinations as indicated:

1. ( ) 96" wide twin trailers (28 1/2' maximum length of each trailer).
2. (X) 102" wide 53' long trailer.
3. (X) 102" wide 48' long trailer.
4. (X) 102" wide twin trailers (28 1/2' maximum length-each).
5. ( ) 102" wide maxi-cube.

<i>Route Identification</i>	<i>Route Description</i>	<i>County</i>	<i>Length Miles</i>
SR 772	From PA 283 to SR 72	Lancaster	5
SR 4040 (Doe Run Road)	From SR 72 to SR 501	Lancaster	5.5

Questions should be directed to Matthew Hedge at (717) 772-5462.

BARRY SCHOCH, PE,  
*Secretary*

[Pa.B. Doc. No. 14-685. Filed for public inspection March 28, 2014, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Action Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10 a.m., Thursday, February 27, 2014, and announced the following:

*Action Taken—Regulation Disapproved:*

Department of Labor and Industry #12-91: Prohibition of Excessive Overtime in Health Care Act Regulations (amends 34 Pa. Code by adding Chapter 225)

### Disapproval Order

Public Meeting Held  
February 27, 2014

*Commissioners Voting:* John F. Mizner, Esq., Chairperson; George D. Bedwick, Vice Chairperson; W. Russell Faber; Lawrence J. Tabas, Esq.; Dennis A. Watson, Esq.

*Department of Labor and Industry—  
Prohibition of Excessive Overtime in Health Care Act  
Regulations; Order Issued March 17, 2014  
Regulation No. 12-91 (#2957)*

On June 26, 2012, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Labor and Industry (Department). This rulemaking amends 34 Pa. Code by adding Chapter 225. The proposed regulation was published in the July 14, 2012 *Pennsylvania Bulletin* with a 30-day public comment period. On September 12, 2012, the Commission issued its comments on the proposed rule-

making pursuant to Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) (RRA). The final-form regulation was submitted to the Commission on January 16, 2014.

This regulation establishes complaint and investigation procedures as well as administrative penalty provisions related to violations of the Prohibition of Excessive Overtime in Health Care Act (Act) (43 P. S. §§ 932.1—932.6). We find that this regulation is not in the public interest because it may impede or could serve as a deterrent to employees who may want to pursue an action against an employer. (71 P. S. § 745.5b(b).) In support of this finding, the following points are noted.

First, the Commission's second comment on the proposed regulation raised the following legislative concern: "Determinations where no violation is found should include statements of the reason or the applicable exception under the Act." The Department's response to this comment notes that such a requirement would curtail its administrative discretion. However, the Department states that its general practice is to provide, when possible, an explanation as to why no violation was found in its closing letter to the complainant. While we commend the Department for its intent to provide explanations, when possible, we believe a more reasonable approach would be to provide an explanation in all instances where no violations are found. Including such a requirement in this regulation would provide complainants and the regulated community with the basis for the Department's determination and ensure that the general practice of providing explanations where no violations are found continues into the future. (71 P. S. § 745.5b(b)(3)(iv).)

Second, the Commission's comments on § 225.3(f) recommended that the Department include the timeframe for the Bureau to conduct an initial review to assess whether the complaint meets the requirements of § 225.3(c). In response to this comment, the Department added language to Subsection (f) that states, "The Bureau will review all complaints within 60 days of receipt." In addition, the Commission's comments on § 225.3(b) state that "Subsection (b) does not include timeframes within which the Bureau will investigate complaints. The Department should explain why such timeframes are not set forth in the regulation." At the public meeting, the Department stated that it begins its investigation immediately upon completion of its review of the complaint. To improve the clarity of § 225.3(f), we suggest that the new language be amended to state the Bureau will "review and commence investigation" of all complaints within 60 days of receipt. (71 P. S. § 745.5b(b)(3)(ii).)

Third, the Commission's sixth comment on the proposed rulemaking asked the Department to explain why the factors included in § 225.4(b) are an appropriate basis for imposing penalties. The Department's response indicates that the factors were based on its experience with administering penalties under the Pennsylvania Community and Worker Right-to-Know Act (35 P. S. §§ 7301—7320) and similar factors used in issuing administrative penalties found at 34 Pa. Code § 321.4. As noted during the public meeting, there is concern with how the Department will implement the "good faith" factor of § 225.4(b). The "good faith" factor found at § 321.4 sets forth very specific standards the Department can use to calculate penalties. This level of detail establishes a binding norm that could be evenly applied to all parties involved with a complaint at this time and in the future. We recommend that the Department amend § 225.4(b)(3) to include more detail on how the "good faith" factor will be implemented. (71 P. S. § 745.5b(b)(3)(iv).)

Fourth, the Commission's second comment notes that the regulation does not address several items, including the inclusion of an employee's representative throughout the complaint and enforcement process. We note that § 225.8(b)(1)(ii) lists several parties as potential intervenors in a hearing, but the list does not specifically include an employee's union representative. At the meeting, the Department explained the Commonwealth's General Rules of Administrative Practice and Procedure (1 Pa. Code, Part II) allow for union representation and such a representative would be allowed to intervene. We believe the clarity of the rulemaking would be improved if § 225.8(b)(1)(ii) specifically included an employee's union representative as a potential intervenor. (71 P. S. § 745.5b(b)(3)(ii).)

Fifth, the Department added § 225.8(c) to the final-form regulation to provide a complainant with the right to file a petition to intervene. At the public meeting, we asked why the complainant had to file a petition rather than just being made a party at the outset, particularly since it is likely that the complainant will be at the hearing as a witness. We further asked why the regulation did not allow the complainant to opt out of the process rather than take the affirmative step to opt in. Many complainants who do not have legal representation may not fully appreciate the significance of the intervention process and requiring this additional step could serve as a disincentive to their participation. We ask the Department to consider amending the language to remove this potential barrier for complainants.

Finally, we note that our second comment incorporated legislative comments that asked the Department if it would benefit from addressing certain items pertaining to the enforcement of the Act and these regulations. Among the items noted in the legislative comments was a question of whether there is a need to include investigative powers and rights to review employer records in the regulation. In the comment and response document submitted with the final-form rulemaking, the Department notes that the Act does not contain record-keeping requirements, but states that without such requirements, it would have implied authority to inspect records. In order to assist the Department with the implementation of the Act and its review of employer records, we believe a record-keeping requirement could be added to the regulation. We are aware that other statutes administered by the Department include specific record-keeping requirements and the Act does not include similar provisions. However, we believe the implied powers noted in the comment and response document and the rulemaking authority granted to the Department by the Act (43 P. S. § 932.5) provide the mechanism to impose record-keeping requirements in the regulation. We ask the Department to consider adding such a provision to the rulemaking. (71 P. S. § 745.5b(b)(3)(iv).)

We have determined that this regulation is consistent with the statutory authority of the Department (43 P. S. § 932.5) and the intention of the General Assembly. However, after considering all of the other criteria of the RRA discussed above, we find that promulgation of this regulation is not in the public interest.

*By Order of the Commission:*

This regulation is disapproved.

GEORGE D. BEDWICK,  
*Vice Chairperson*

[Pa.B. Doc. No. 14-686. Filed for public inspection March 28, 2014, 9:00 a.m.]

### Notice of Filing of Final Rulemaking

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.

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
126-3	Philadelphia Parking Authority Impoundment of Vehicles and Equipment	3/19/14	5/1/14

JOHN F. MIZNER, Esq.,  
*Chairperson*

[Pa.B. Doc. No. 14-687. Filed for public inspection March 28, 2014, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Juniper Village at State College Operations II, LLC

Juniper Village at State College Operations II, LLC has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Juniper Village at Brookline in State College, PA. The initial filing was received on March 14, 2014, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@pa.gov.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-688. Filed for public inspection March 28, 2014, 9:00 a.m.]

### Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Transitions Healthcare North Huntingdon, LLC

Transitions Healthcare North Huntingdon, LLC has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Transitions Healthcare North Huntingdon in North Huntingdon, PA. The initial filing was received on March 18, 2014, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each

written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@pa.gov.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-689. Filed for public inspection March 28, 2014, 9:00 a.m.]

### Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Transitions Healthcare Washington PA, LLC

Transitions Healthcare Washington PA, LLC has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Transitions Healthcare Washington PA in Washington, PA. The initial filing was received on March 18, 2014, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@pa.gov.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-690. Filed for public inspection March 28, 2014, 9:00 a.m.]

### Export List of Insurance Coverages Request for Comments

The Insurance Commissioner published a notice at 44 Pa.B. 442 (January 18, 2014) soliciting comments to the



export list published at 43 Pa.B. 2404 (April 27, 2013). Consideration was given to all comments received.

The Insurance Commissioner proposes to amend the April 27, 2013, list as following:

• **Flood Insurance [not provided under Federal Flood Insurance]**

Persons wishing to comment on the Insurance Commissioner's proposal are invited to submit a written statement within 15 days from the date of this publication. Each written statement must include sufficient detail and relevant facts to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Office of Corporate and Financial Regulation, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, cbybee@pa.gov. Formal notification of any changes will be published in the *Pennsylvania Bulletin* after the 15-day comment period or a notice will be published stating that the April 27, 2013, list remains in effect.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-691. Filed for public inspection March 28, 2014, 9:00 a.m.]

## OFFICE OF OPEN RECORDS

### Hearing in the Matter of Justin McShane v. Harrisburg Area Community College; Pennsylvania Office of Open Records Doc. No. AP 2009-0718

A hearing on the previously-captioned Right-To-Know appeal will be held as follows:

*Date:* April 29, 2014  
*Time:* 9:30 a.m.  
*Location:* Hearing Room 4  
Plaza Level Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120  
*Presiding:* Edward S. Finkelstein, Esq.  
Hearing Officer  
400 North Street, Plaza Level  
Harrisburg, PA 17120  
(717) 364-9903, fax (717) 425-5343

This hearing is being conducted under section 1101(a)(2) of the Right-to-Know Law (law) (65 P.S. § 67.1101(a)(2)) to determine whether certain records related to training provided by the Harrisburg Area Community College provides under the authority of 53 Pa.C.S. §§ 2161—2171 are exempt from disclosure.

Persons with a disability who wish to attend the hearing should contact the Office of Open Records (OOR) to make arrangements for their special needs. Call the OOR at least 5 business days prior to the hearing to submit a request.

For persons who require an interpreter to participate in the hearings, the OOR will make every reasonable effort

to have an interpreter present. Call the OOR at (717) 346-9903 at least 10 business days prior to the hearing to submit the request.

TERRY MUTCHLER,  
*Executive Director*

[Pa.B. Doc. No. 14-692. Filed for public inspection March 28, 2014, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by April 14, 2014. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

#### Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.*

**A-2014-2401102. U-S Group, Inc.** (2015 West Columbia Street, Allentown, Lehigh County, PA 18104) to transport as a common carrier, by motor vehicle, persons in limousine service, between points in the Counties of Lehigh and Northampton.

**A-2014-2402756. Rafael S. Reyes** (825 West Third Street, Hazleton, PA 18201) to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service within a 12-air mile radius of the City of Hazleton, Luzerne County, to the industrial parks located in the City of West Hazleton and Hazle Township on a daily basis, and return.

**A-2014-2403391. Hampton Township Emergency Medical Services** (P. O. Box 833, Allison Park, PA 15101) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons that require a wheelchair van transport, between points in Allegheny, Beaver, Butler, Lawrence and Westmoreland Counties.

**A-2014-2405144. St. Mark Transportation, LLC** (903 High Street, Akron, PA 17501) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons with special needs or that require a wheelchair van transport and persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County to points in Pennsylvania, and return.

**A-2014-2404518. My Left Foot, LLC** (112 Broad Street, Stroudsburg, PA 18360) for the right to begin to transport, as a common carrier by motor vehicle, persons in limousine service, between points in the Counties of Berks, Bucks, Carbon, Delaware, Lackawanna, Lancaster,

Lebanon, Lehigh, Luzerne, Montgomery, Monroe, Northampton, Pike, Schuylkill, Susquehanna, Wayne and Wyoming.

**A-2014-2407217. Kenneth and Kathryn Findley, Co-Tenants in Entirety** (1175 Holtwood Road, Holtwood, PA 17532) for the 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 the County of Lancaster to points in Pennsylvania, and return.

**A-2014-2407502. Hikmat Omar** (308 Ridgeway Place, Philadelphia, PA 19116) for the right to begin to transport as a common carrier, by motor vehicle, persons in paratransit service between points in the City and County of Philadelphia.

**Applications of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under each application.**

**A-2014-2406358. Harrison Global, LLC** (224 Calvary Street, Waltham, MA 02453) for the right to begin to transport, as a common carrier, by motor vehicle, persons, in limousine service, between points in Pennsylvania; which is to be a transfer of all right authorized under the certificate issued at A-00107814 to Boston Coach Pennsylvania Corp., t/a Boston Coach, subject to the same limitations and conditions. *Attorney:* Margaret A. Morris, Esquire, Cira Center, 13th Floor, 2929 Arch Street, Philadelphia, PA 19104.

**A-2014-2407338. Janitorial Resources, Inc., t/a North Shore Shuttles, LLC** (1912 Brighton Road, Pittsburgh, PA 15212) for the right to begin to transport, as a common carrier, by motor vehicle, persons, in call or demand service, between points in Pennsylvania; which is to be a transfer of all right authorized under the certificate issued at A-00102568, F.3 and A-00102568, F.3AMB to Harry Williams, t/a Eagle Taxi Cab, subject to the same limitations and conditions. *Attorney:* Eustance Ouku, Esquire, 214 Farmington Road, Pittsburgh, PA 15215.

**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-2014-2408103. MG Transport, Inc.** (7000 Holstein Avenue, Philadelphia, PA 19153) 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, between points in the Counties of Delaware, Bucks, Chester, Montgomery and Philadelphia; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

**A-2014-2410269. Yellow Cab Company of Pittsburgh, Inc.** (1825 Liverpool Street, Pittsburgh, PA 15233) a corporation of this Commonwealth, for the additional right to begin to transport, by motor vehicle, persons in the experimental service of Transportation Network Service for passenger trips originating or terminating within Allegheny County. *Attorney:* Ray F. Middleman, 11676 Perry Highway, Suite 3100, Wexford, PA 15090.

**Applications of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under each application.**

**A-2014-2404482. Dano P. Guerrieri, t/a Valley Wide Small Movers** (2345 Ridge Drive, Hellertown, PA 18055) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Northampton and Lehigh Counties.

**A-2014-2407203. Onyx Movers, LLC** (1530 Summit Street, Linwood, PA 19061) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Delaware, Philadelphia, Chester, Montgomery and Bucks Counties.

**Application of the following for approval to begin operating as a broker for transportation of persons as described under the application.**

**Amended A-2014-2400657. Veteran Transportation Management, LLC** (801 Bingham Street, Pittsburgh, PA 15203) a limited liability company of this Commonwealth for a brokerage license, evidencing the Commission's approval of the beginning of the right and privilege to operate as a broker, to arrange for the transportation of persons, between points in Pennsylvania. *Attorney:* William A. Gray, Esquire, Vuono & Gray, LLC, 310 Grant Street, Suite 2310, Pittsburgh, PA 15219-2383.

**Applications of the following for the approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.**

**A-2014-2403453. East End Transportation, Inc.** (15 Siglerville Pike, Milroy, PA 17063) for the discontinuance of service and cancellation of its Certificate of Public Convenience as a common carrier, by motor vehicle, at A-00121481 authorizing the transportation of persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the Counties of Mifflin, Juniata, Centre and Snyder, to points in Pennsylvania, and return.

**A-2014-2406046. Donald D. Henry** (111 Engletown Road, Honey Brook, PA 19344) for the discontinuance of service and cancellation of his Certificate of Public Convenience as a common carrier, by motor vehicle, at A-6410305 authorizing the transportation of persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Chester County west of Route 10, as well as all of Honey Brook Township, to points in Pennsylvania, and return.

**A-2014-2408478. Mark A. Golding, t/a Crankers Antique Limo** (600 Sterling Road, P. O. Box 3, Sterling, Wayne County, PA 18463) for the discontinuance of service and cancellation of its certificate, as a common carrier, by motor vehicle, authorizing the transportation of persons, in limousine service, from points in Wayne, Pike, Monroe, Susquehanna, Luzerne, Wyoming, Lackawanna and Carbon Counties, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-693. Filed for public inspection March 28, 2014, 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 April 14, 2014, 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.

### VEHICLE INSPECTION BUREAU COMPLAINT FORM

*Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. Taxi Express LLC; Doc. No. C-2013-2382942; A-6311745*

#### COMPLAINT

The Pennsylvania Public Utility Commission is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

Taxi Express LLC.  
1018 Kelly Drive  
York, PA 17404

Inspection Information:  
York Bus Station, York PA  
09/11/2013 11:10

Vehicle Information:  
2007 Ford  
PA TX47350

DVCR # 1157

Authorized Officer Performing Inspection: George W. Davenport #26

On the date and at the time described on page one of this Complaint, the following violations were disclosed:

52 Pa. Code § 29.314(e)—Non-illuminated dome light on taxi or dome light not visible from 100 feet front and rear. \$100

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission fine respondent the sum of \$100 for the illegal activity described in this Complaint and order any other remedy as the Commission may deem appropriate.

Respectfully submitted,

David W. Loucks, Chief  
Motor Carrier Enforcement  
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 the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18

Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 12/2/2013

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

#### NOTICE

A. You must file and Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome of the Complaint proceeding. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original shall be mailed to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or by overnight delivery to:

400 North Street, 2nd Floor  
Harrisburg, PA 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor  
Bureau of Investigation and Enforcement  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing the penalty proposed in the Complaint.

C. You may elect not to contest this Complaint by paying the fine proposed in the Complaint by certified check or money order. Payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the Complaint proceeding shall be closed.

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 penalty proposed in the Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth in the Complaint.

F. Alternative formats of this material are available for persons with disabilities by contacting the Compliance Office at (717) 783-3846. Questions on how to respond to this Complaint may also be directed to the Compliance Office.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 14-694. Filed for public inspection March 28, 2014, 9:00 a.m.]

### Telecommunications

**A-2014-2400149. Windstream Pennsylvania, LLC, Windstream D&E, Inc., Windstream Conestoga, Inc., Windstream Buffalo Valley, Inc. and New Cingular Wireless PCS, LLC, d/b/a AT&T Mobility.** Revised petition for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996 between Windstream Pennsylvania, LLC, Windstream D&E, Inc., Windstream Conestoga, Inc., Windstream Buffalo Valley, Inc. and New Cingular Wireless PCS, LLC, d/b/a AT&T Mobility.

Windstream Pennsylvania, LLC, Windstream D&E, Inc., Windstream Conestoga, Inc., Windstream Buffalo Valley, Inc. and New Cingular Wireless PCS, LLC, d/b/a AT&T Mobility, by its counsel, filed on March 10, 2014, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of a revised petition for approval of interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of the petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov), and at the applicant's business address. Copies of the Windstream Pennsylvania, LLC, Windstream D&E, Inc., Windstream Conestoga, Inc., Windstream Buffalo Valley, Inc. and New Cingular Wireless PCS, LLC, d/b/a AT&T Mobility revised petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-695. Filed for public inspection March 28, 2014, 9:00 a.m.]

### Water Service

**A-2014-2410552. Aqua Pennsylvania, Inc.** Application of Aqua Pennsylvania, Inc. for approval to begin to offer, render, furnish or supply water service to the public in an additional portion of Jenks Township, Forest County.

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 April 14, 2014. 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](http://www.puc.state.pa.us) and at the applicant's business address.

*Applicant:* Aqua Pennsylvania, Inc.

*Through and By Counsel:* Thomas T. Niesen, Esquire, Thomas, Long, Niesen and Kennard, 212 Locust Street, P. O. Box 9500, Harrisburg, PA 17108-9500

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-696. Filed for public inspection March 28, 2014, 9:00 a.m.]

### Water Service

**A-2014-2410763. Pennsylvania-American Water Company.** Application of Pennsylvania-American Water Company for approval to offer, render, furnish or supply water service to the public in an additional portion of Lower Heidelberg Township, Berks County.

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 April 14, 2014. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the Applicant's business address.

*Applicant:* Pennsylvania American Water Company

*Through and By Counsel:* Velma A. Redmond, Esquire, Susan Simms Marsh, Esquire, Seth A. Mendelsohn, Esquire, 800 West Hersheypark Drive, Hershey, PA 17033

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-697. Filed for public inspection March 28, 2014, 9:00 a.m.]

## PHILADELPHIA PARKING AUTHORITY

### Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) by the following named applicant at Docket A-14-02-02. The company has applied to transfer the rights held by Kulvir Cab Co. (CPC No. 1000673-01, Medallion P-1589) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Toru, Inc.**, 1614 Porter Street, Philadelphia, PA 19145 registered with the Commonwealth on January 14, 2008.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148 by April 14, 2014. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the

business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 14-698. Filed for public inspection March 28, 2014, 9:00 a.m.]

### Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) by the following named applicant at Docket A-14-02-01. The company has applied to transfer the rights held by Vegma, Inc. (CPC No. 1021433-01, Medallion P-0220) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Toru, Inc.**, 1614 Porter Street, Philadelphia, PA 19145 registered with the Commonwealth on January 14, 2008.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148 by April 14, 2014. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 14-699. Filed for public inspection March 28, 2014, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority will accept sealed bids for Project No. 14-033.1, Mill & Overlay Asphalt Paving at Pier 80, until 2 p.m. on Thursday, May 1, 2014. Information (including mandatory prebid information) can be obtained from the web site [www.philairport.com](http://www.philairport.com) under Procurement or call (215) 426-2600.

JAMES T. McDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 14-700. Filed for public inspection March 28, 2014, 9:00 a.m.]

## PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

### Hearing Scheduled

A hearing has been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees'

Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of Claimant's request concerning the indicated account.

The hearing will be held before a hearing officer at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

May 7, 2014	Donald G. Bailey (Request to Waive Service Adjustment)	1 p.m.
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Persons with a disability who wish to attend the previously listed hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Barb Book, Assistant to the Executive Director at (717) 720-4617 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matter will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

JEFFREY B. CLAY,  
*Executive Director*

[Pa.B. Doc. No. 14-701. Filed for public inspection March 28, 2014, 9:00 a.m.]

## STATE BOARD OF NURSING

### Bureau of Professional and Occupational Affairs v. Donna Yerkes, RN; Doc. No. 1278-51-12

On September 13, 2013, Donna Yerkes, RN, license no. RN207315L, last known of Langhorne, Bucks County, was indefinitely suspended based on her having violated a Consent Agreement requiring her to participate in the Disciplinary Monitoring Unit of the Professional Health Monitoring Program.

Individuals may obtain a copy of the adjudication by writing to Judith Pachter Schulder, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

This final order represents the State Board of Nursing's (Board) final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of the appeals is the previously-named Board counsel.

ANN M. COUGHLIN, MBA, MSN, RN,  
*Chairperson*

[Pa.B. Doc. No. 14-702. Filed for public inspection March 28, 2014, 9:00 a.m.]





