

# PENNSYLVANIA BULLETIN

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

**No. 477, August 2014**

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

## *Pennsylvania Bulletin*

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

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

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

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

### **Adoption, Amendment or Repeal of Regulations**

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

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

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

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

### **Citation to the *Pennsylvania Bulletin***

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

### ***Pennsylvania Code***

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

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

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

### **How to Find Documents**

Search for your area of interest in the *Pennsylvania Code*. The *Pennsylvania Code* is available at [www.pacode.com](http://www.pacode.com).

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

A chronological table of the history of *Pennsylvania Code* sections may be found at [www.legis.state.pa.us/cfdocs/legis/CH/Public/pcde\\_index.cfm](http://www.legis.state.pa.us/cfdocs/legis/CH/Public/pcde_index.cfm).

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

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

### Fiscal Notes

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

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

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## List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2014.

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# THE COURTS

## Title 231—RULES OF CIVIL PROCEDURE

### PART I. GENERAL

[ 231 PA. CODE CH. 200 ]

#### Proposed Amendment of Rule 227.1 Governing Post-Trial Relief; Proposed Recommendation No. 262

The Civil Procedural Rules Committee proposes that Rule of Civil Procedure 227.1 governing post-trial relief be amended as set forth herein. The proposed recommendation is being submitted to the bench and bar for comments and suggestions prior to its submission to the Supreme Court of Pennsylvania.

All communications in reference to the proposed recommendation should be sent no later than October 24, 2014 to:

Karla M. Shultz  
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Civil Procedural Rules Committee  
601 Commonwealth Avenue, Suite 6200  
P. O. Box 62635  
Harrisburg PA 17106-2635  
FAX 717-231-9526  
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#### Annex A

### TITLE 231. RULES OF CIVIL PROCEDURE

#### PART I. GENERAL

#### CHAPTER 200. BUSINESS OF COURTS

#### Rule 227.1. Post-Trial Relief.

\* \* \* \* \*

(c) Post-trial motions shall be filed within ten days after

(1) verdict, discharge of the jury because of inability to agree, or nonsuit in the case of a jury trial; or

(2) notice of nonsuit or the filing of the decision in the case of a trial without jury.

If a party has filed a timely post-trial motion, any other party may file a post-trial motion within ten days after the filing of the first post-trial motion.

**Official Note:** A motion for post-trial relief may be filed following a trial by jury or a trial by a judge without a jury pursuant to Rule 1038. A motion for post-trial relief may not be filed to orders disposing of preliminary objections, motions for judgment on the pleadings or for summary judgment, motions relating to discovery or other proceedings which do not constitute a trial. See *U. S. National Bank in Johnstown v. Johnson*, [ 506 Pa. 622, ] 487 A.2d 809 (Pa. 1985).

\* \* \* \* \*

(h) A motion for post-trial relief shall be filed following a trial upon an appeal from the decision of viewers pursuant to the Eminent Domain Code.

**Official Note:** Subdivision (h) eliminates any distinction with respect to the filing of a motion for post-trial relief between jury and non-jury trials following an appeal from the decision of viewers in eminent domain proceedings.

(i) When an appellate court has remanded a case for further proceedings, a motion for post-trial relief relating to subsequent rulings in the trial court shall not be required unless

(1) the appellate court has specified that the remand is for a complete or partial new trial, or

(2) the trial court indicates in its order resolving the remand issues that a motion for post-trial relief is required pursuant to this rule.

#### Explanatory Comment

In *Newman Development Group of Pottstown, LLC v. Genuardi's Family Markets, Inc. and Safeway, Inc.*, 52 A.3d 1233 (Pa. 2012), the Supreme Court of Pennsylvania examined the provisions of Rule 227.1 to determine whether a party must file a motion for post-trial relief following the resolution by the trial court of matters remanded by an appellate court. While it concluded in that case that a motion for post-trial relief was not required because the remand proceeding, which relied on an existing record, was not a trial, even though the trial court drew a different conclusion from that record to comport with the appellate court's directive, the Court held that Rule 227.1 is silent as to any procedure for post-trial relief when a matter has been remanded for further consideration by the trial court. *Id.* at 1251.

To close this gap, the Civil Procedural Rules Committee is proposing the amendment of Rule 227.1, which would add new subdivision (i). Specifically addressing the remand context, the proposed amendment would not require the filing of a motion for post-trial relief following the resolution of matters remanded by an appellate court except under the following circumstances: (1) the appellate court has specified that the remand is for a complete or partial new trial, or (2) the trial court states in its order resolving the issue remanded that a motion for post-trial relief is required in order to preserve those issues for appellate review.

The proposed amendment is intended to give the practitioner certainty as to when a motion for post-trial relief is required in the remand context, and thus, to prevent waiver of those issues upon further appellate review. It is also intended to facilitate the underlying purpose of the rule, which is to allow the trial court to reconsider its determination and to make any corrections before it is appealed without inundating it with unnecessary motions.

By the Civil Procedural Rules Committee

PETER J. HOFFMAN,  
Chair

[Pa.B. Doc. No. 14-1773. Filed for public inspection August 22, 2014, 9:00 a.m.]

# Title 246—MINOR COURT CIVIL RULES

## PART I. GENERAL

[ 246 PA. CODE CH. 100 ]

**Order Amending Rule 101 of the Rules and Standards with Respect to Offices of Magisterial District Judges; No. 374 Magisterial Doc.**

### Order

*Per Curiam*

*And Now*, this 5th day of August, 2014, *It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 101 of the Pennsylvania Rules and Standards with Respect to Offices of Magisterial District Judges is amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective on September 4, 2014.

### Annex A

## TITLE 246. MINOR COURT CIVIL RULES

### PART I. GENERAL

#### CHAPTER 100. RULES AND STANDARDS WITH RESPECT TO OFFICES OF MAGISTERIAL DISTRICT JUDGES

##### **Rule 101. Establishment of Offices. Minimum Office Standards.**

A. The governing body of the county shall establish an office or offices for each magisterial district judge whose magisterial district is situated in the county at such locations within the county as may be approved by the president judge of the court of common pleas of the judicial district which includes the county. The governing body shall insofar as possible insure that each office meets the following minimum standards:

(1) The principal office should be located in a place convenient to the public and which will allow the business of the office to be conducted with dignity, decorum and dispatch.

(2) Such office shall not be located in or appurtenant to the residence or place of business of the magisterial district judge. It shall have a hearing room and such other rooms as may be necessary, and shall be provided with necessary furniture and equipment.

(3) A magisterial district judge shall be provided with such staff, forms, supplies and equipment as shall be necessary for the proper performance of his **or her** duties. To maintain the dignity of [ **his** ] the office, he **or she** shall be provided with judicial robes.

**(B) The office of a magisterial district judge may be located outside of the boundaries of the magisterial district from which the judge is elected, upon petition of the president judge of the judicial district, provided:**

**(1) The magisterial district in which the office is located adjoins the magisterial district from which the judge is elected;**

**(2) Relocation of the office would not cause inconvenience or confusion to the public or to law enforcement;**

**(3) The president judge certifies that the proposed location is more suitable or affordable than the facilities that are available within the magisterial district from which the judge is elected; and**

**(4) Approval for the relocation has been granted by the Supreme Court.**

**(C) Petitions for approval of a relocation of a magisterial district judge's office outside of the magisterial district from which he or she has been elected shall be forwarded to the Court Administrator of Pennsylvania and shall provide information to determine whether the conditions for approval have been satisfied. If the Court Administrator determines that the requirements are met, the petition will be forwarded to the Supreme Court for consideration.**

### Comment

**Consolidated districts must provide separate courtrooms and facilities for separate staff of the magisterial districts that have been consolidated. Districts must comply with standards published by the Administrative Office of Pennsylvania Courts for magisterial district courtrooms. Petitions for relocation must be published for public comment and hearing before the petition is submitted to the Court Administrator.**

[Pa.B. Doc. No. 14-1774. Filed for public inspection August 22, 2014, 9:00 a.m.]

# Title 255—LOCAL COURT RULES

## SCHUYLKILL COUNTY

### **Amended Criminal Rule of Procedure 571(a) Arraignment; AD 72-14**

#### Order of Court

*And Now*, this 11th day of August, 2014 at 12:00 p.m., Schuylkill County Criminal Rule of Procedure No. 571(a), *Arraignment* is amended for use in the Court of Common Pleas of Schuylkill County, Pennsylvania, Twenty-First Judicial District, Commonwealth of Pennsylvania, effective thirty days after publication in the *Pennsylvania Bulletin*.

The Clerk of Courts of Schuylkill County is Ordered and Directed to do the following:

1) File seven (7) certified copies of this Order and Rules with the Administrative Office of the Pennsylvania Courts.

2) Forward two (2) certified copies of this Order and Rule and a CD-ROM containing the text of the local rules to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3) Forward one (1) certified copy of this Order and Rules with the Pennsylvania Criminal Procedural Rules Committee.

4) Forward one (1) copy to the Schuylkill County Law Library for publication in the *Schuylkill Legal Record*.

5) Copies shall be kept continuously available for public inspection in the Office of the Schuylkill County Clerk of Courts and the Schuylkill County Law Library.

It is further *Ordered* that said rule as it existed prior to the amendment is hereby repealed and annulled on the effective date of said rule as amended, but no right acquired thereunder shall be disturbed.

*By the Court*

WILLIAM E. BALDWIN,  
*President Judge*

**Rule 571. Arraignment.**

(a) Every defendant who shall be held for Court by the Magisterial District Judge, at the conclusion of the preliminary hearing or at the time he waives his preliminary hearing, shall be furnished with a notice of arraignment form by the Magisterial District Judge. The form shall advise defendant of the time periods wherein he may commence discovery and file an omnibus pre-trial motion in Court. He shall further be given notice that he has the right to waive appearing for formal arraignment in the District Attorney's Office.

In the event he desires to waive formal arraignment, he and his attorney, if any, shall execute the form provided for that purpose by the Magisterial District Judge, and said form shall be returned to Court with the transcript of the case by the Magisterial District Judge. The date of arraignment will begin the running of the time for the exercise of defendant's pre-trial rights.

In the event the defendant does not waive his arraignment, the District Attorney, upon filing the information, shall give the defendant notice of arraignment by first class mail, addressed to defendant's last known address of record, arraignment to be held at the District Attorney's Office the following Tuesday morning at 9:30 a.m.

At the time the District Attorney mails the arraignment notices, he shall give the Public Defender a list of those defendants who are scheduled for arraignment. The Public Defender shall assign one of his attorneys to meet with the District Attorney on the day of arraignment to

represent those defendants who are not represented by counsel. Such representation shall be solely for the purpose of arraignment and shall not constitute an entry of appearance.

If a defendant fails to appear for arraignment, the Court, upon motion of the District Attorney, may issue a bench warrant for the defendant.

[Pa.B. Doc. No. 14-1775. Filed for public inspection August 22, 2014, 9:00 a.m.]

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## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Disbarment

Notice is hereby given that Nikia Way Khan, a/k/a Nikia Lynne Way having been disbarred from the practice of law in the State of New York by Order of the Supreme Court of New York, Appellate Division, First Judicial Department, filed June 27, 2013, the Supreme Court of Pennsylvania issued an Order on August 6, 2014, disbaring Nikia Way Khan, a/k/a Nikia Lynne Way from the Bar of this Commonwealth, effective September 5, 2014. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

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

[Pa.B. Doc. No. 14-1776. Filed for public inspection August 22, 2014, 9:00 a.m.]

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# RULES AND REGULATIONS

## Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

### STATE BOARD OF CRANE OPERATORS [ 49 PA. CODE CH. 6 ]

#### Fees

The State Board of Crane Operators (Board) amends § 6.4 (relating to fees) to read as set forth in Annex A. The final-form rulemaking increases the biennial license renewal fees for licensed crane operators from \$100 to \$130. Although the final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin*, it is expected that the increased fees will be implemented for the November 1, 2014, renewal.

#### Statutory Authority

Section 701(a) of the Crane Operator Licensure Act (act) (63 P. S. § 2400.701(a)) requires the Board to increase fees by regulation to meet or exceed projected expenditures if the revenues raised by fees, fines and civil penalties are not sufficient to meet expenditures over a 2-year period.

#### Background and Need for Final-Form Rulemaking

Under section 701 of the act, the Board is required to support its operations from the revenue it generates from fees, fines and civil penalties. In addition, the act provides that the Board must increase fees if the revenue raised by fees, fines and civil penalties is not sufficient to meet expenditures over a 2-year period. The Board raises the majority of its revenue through biennial renewal fees. A small percentage of its revenue comes from application fees and civil penalties. At the May 23, 2012, Board meeting, representatives from the Department of State's Bureau of Finance and Operations (BFO) presented a summary of the Board's revenue and expenses for Fiscal Year (FY) 2010-2011 and FY 2011-2012, and projected revenue and expenses through FY 2014-2015.

At the time, the Board had already incurred significant deficits and the BFO projected that, without an increase to the biennial renewal fees, the Board would continue to incur additional deficits throughout the foreseeable future. Therefore, the Board determined that it was neces-

sary to raise fees to meet or exceed projected expenditures in compliance with section 701(a) of the act. As a result, the Board voted at its October 1, 2012, meeting to increase the biennial renewal fees to \$160.

#### Summary of Comments

The Board published the proposed rulemaking at 43 Pa.B. 2041 (April 13, 2013) with a 30-day public comment period. The Board did not receive public comments on the proposed rulemaking. On May 24, 2013, the Board received comments from the House Professional Licensure Committee (HPLC). The Independent Regulatory Review Commission (IRRC) submitted comments to the Board on June 12, 2013.

The HPLC requested additional information pertaining to the major cost centers of the Board and explaining any significant increases in its expenditures. IRRC indicated that they would review the Board's response to the HPLC's comments as part of their determination of whether the final-form rulemaking is in the public interest.

#### Response

In response, the Board notes that it has been well over a year since the BFO first met with the Board suggesting that a fee increase was necessary. Therefore, after considering the comments, the Board asked the BFO to provide an updated analysis of the Board's fiscal situation based on current data. The BFO provided updated information to the Board which was discussed at the Board's regularly scheduled meeting on February 26, 2014. Two changes in the Board's current financial condition were noted at that meeting. First, the number of active licensees has increased from 2,780 to 3,535 since the increase was proposed in 2013. Second, the Board has been able to reduce expenditures below the projections of a year ago so that the projected deficits have been reduced, although not eliminated. For example, when the Board approved the increase in 2012, the BFO projected a negative fund balance at the end of FY 2011-2012 of approximately \$182,660.46. However, the actual balance at the end of that year came in at \$175,050.67. The combined effect of an increase in renewable licenses and the modest decrease in expenditures has reduced, but not eliminated, the need for a fee increase.

The HPLC requested additional information regarding the major cost centers of the Board and any significant increases in its expenditures. Presently, the major cost centers of the Board are as follows:

Cost Center	Actual Expenses FY 2011-2012	Actual Expenses FY 2012-2013
Board administration	\$60,370.16	\$61,970.08
Legal office	\$32,263.45	\$15,577.31
Enforcement and investigation	\$32,573.06	\$35,280.49

The Board began incurring expenses in FY 2008-2009, at which time the major cost category was the legal office (with expenses of \$11,400.40), because the major activity of the Board was drafting the initial rulemaking implementing the act. Legal office expenses remained the biggest cost for the Board until FY 2010-2011, when Board administration became the largest cost category as the Board began issuing licenses. Legal office costs increased from \$11,000.40 in FY 2008-2009 to a high of \$44,635.54 in FY 2009-2010, and have since moderated to \$15,577.31 in FY 2012-2013. Board administration costs

were minimal in FY 2008-2009 and FY 2009-2010 (\$2,553.55 and \$17,927.02, respectively), but jumped dramatically to \$76,027.40 in FY 2010-2011 when the Board began issuing licenses. Board administration has settled at an average of \$61,000 over the past 2 fiscal years. Costs relating to enforcement and investigation began to be incurred in FY 2009-2010, but did not get to be significant until the past 2 fiscal years (averaging about \$34,000 a year). Because the Board has little history to inform its projections, it is difficult to estimate future expenditures with accuracy. In addition, legal

office, enforcement and investigation, and hearing costs depend largely on how many complaints are filed. To date, the vast majority of complaints filed have related to unlicensed practice. Total expenditures since the Board's inception have increased from \$16,656.54 in FY 2008-2009, to a high of \$146,997.01 in FY 2010-2011 and have since moderated to \$134,139.33 in FY 2012-2013. The BFO currently projects a negative balance in the Board's account of (\$136,475.67) at the end of FY 2013-2014. Although the deficit is decreasing, it is not eliminated, and without a fee increase, the BFO projects a negative balance at the end of each biennial renewal period for the foreseeable future.

As a result of the updated financial information, the Board determined that, although an increase is still necessary to eliminate the existing deficit and cover current expenditures, a more modest \$30 increase is in order at this time. Therefore, the final-form rulemaking has been amended to increase the fee from \$100 to \$130. This fee is capable of producing sufficient biennial revenue to cover projected biennial expenses, eliminate the deficit and place the Board back on firm financial ground.

*Description of Final-Form Rulemaking*

The final-form rulemaking amends § 6.4 to increase the biennial renewal fee for licensed crane operators from \$100 to \$130.

*Fiscal Impact*

The final-form rulemaking increases the biennial renewal fees for licensees of the Board. There are currently approximately 3,535 licensees that will be required to pay more to renew their licenses when they expire in 2014, and thereafter. Small businesses that employ licensees of the Board may be impacted if they choose to pay the biennial renewal fees on behalf of employees. The final-form rulemaking should not have other fiscal impact on the private sector, the general public or political subdivisions of this Commonwealth.

*Paperwork Requirements*

The final-form rulemaking requires the Board to alter some of its forms to reflect the new fees. The final-form rulemaking will not create additional paperwork for the regulated community or for the private sector.

*Sunset Date*

The act requires the Board to monitor its revenue and costs on a fiscal year and biennial basis. Therefore, a sunset date has not been assigned.

*Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on April 2, 2013, the Board submitted a copy of the notice of proposed rulemaking, published at 43 Pa.B. 2041, to IRRC and the Chairpersons of the House Professional Licensure Committee (HPLC) and the SCP/PLC for review and comment.

Under section 5(c) of the Regulatory Review Act, IRRC, the HPLC and the SCP/PLC were provided with copies of the comments received during the public comment period, as well as other documents when requested. In preparing the final-form rulemaking, the Board has considered all comments from IRRC, the HPLC, the SCP/PLC and the public.

Under section 5.1(j.2) of the Regulatory Review Act (71 P. S. § 745.5a(j.2)), on July 9, 2014, the final-form rulemaking was deemed approved by the HPLC and the SCP/PLC. Under section 5.1(e) of the Regulatory Review Act, IRRC met on July 10, 2014, and approved the final-form rulemaking.

*Contact Person*

Further information may be obtained by contacting Christopher K. McNally, Counsel, State Board of Crane Operators, P. O. Box 2649, Harrisburg, PA 17105-2649.

*Findings*

The Board finds that:

(1) Public notice of proposed rulemaking was given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) A public comment period was provided as required by law and no comments were received.

(3) The amendments to the final-form rulemaking do not enlarge the purpose of the proposed rulemaking published at 43 Pa.B. 2041.

(4) This final-form rulemaking is necessary and appropriate for administering and enforcing the authorizing act identified this preamble.

*Order*

The Board, acting under its authorizing statutes, orders that:

(a) The regulations of the Board, 49 Pa. Code Chapter 6, are amended by amending § 6.4 to read as set forth in Annex A.

(b) The Board shall submit this order and Annex A to the Office of General Counsel and the Office of Attorney General as required by law.

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

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

RAYMOND FEIDT,  
*Chairperson*

*(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 44 Pa.B. 5156 (July 26, 2014).)*

**Fiscal Note:** Fiscal Note 16A-7102 remains valid for the final adoption of the subject regulation.

**Annex A**

**TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS**

**PART I. DEPARTMENT OF STATE**

**Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS**

**CHAPTER 6. STATE BOARD OF CRANE OPERATORS**

**GENERAL PROVISIONS**

**§ 6.4. Fees.**

(a) The schedule of fees charged by the Board is as follows:

Initial licensing application fee .....	\$100
Biennial renewal fee .....	\$130
Verification of Licensure.....	\$15
Addition of crane specialty .....	\$70
Application for certifying organization.....	\$1,000
Trainee registration fee .....	\$100

(b) Fees must accompany applications and be made payable to "Commonwealth of Pennsylvania."

[Pa.B. Doc. No. 14-1777. Filed for public inspection August 22, 2014, 9:00 a.m.]

# NOTICES

## DELAWARE RIVER BASIN COMMISSION

### Public Hearing and Business Meeting

The Delaware River Basin Commission (Commission) will hold a public hearing on Tuesday, September 9, 2014. A conference session and business meeting will be held the following day on Wednesday, September 10, 2014. The hearing, conference session and business meeting are open to the public and will take place at the Washington Crossing Historic Park Visitor Center, 1112 River Road, Washington Crossing, PA.

**Public hearing.** The public hearing on September 9, 2014, will begin at 1:30 p.m. Hearing items will include draft dockets for the withdrawals, discharges and other water-related projects listed as follows and for resolutions: (1) directing the Executive Director to prepare Stage 2 total maximum daily loads (TMDLs) for polychlorinated biphenyls (PCBs) for the Delaware River Estuary and Bay and to furnish these to the United States Environmental Protection Agency (EPA) so that the EPA may establish the Stage 2 TMDLs; and (2) authorizing the Executive Director to enter into an agreement with New York University Medical Center for studies on the effects of PCBs and dissolved oxygen on Atlantic Sturgeon. Written comments on draft dockets and resolutions scheduled for hearing on September 9, 2014, will be accepted through the close of the hearing that day. After the hearing on all scheduled matters has been completed, the meeting will include an opportunity for public dialogue.

Draft dockets and resolutions scheduled for hearing are posted on the Commission's web site at [www.drbc.net](http://www.drbc.net) 10 days prior to the hearing date. Additional public records relating to the hearing items may be examined at the Commission's offices. Contact Project Review Section assistant Victoria Lawson at (609) 883-9500, Ext. 216, with any questions concerning these items.

The public is advised to check the Commission's web site periodically prior to the hearing date, as items scheduled for hearing may be postponed if additional time is deemed necessary to complete the Commission's review. In reviewing docket descriptions, the public is also asked to be aware that project details commonly change in the course of the Commission's review, which is ongoing.

The public is advised that during the public hearing on September 9, 2014, as was the case at the Commission's most recent hearing on June 10, 2014, the staff's presentation will be shorter than in the past for the subset of draft dockets (hearing items 1—25) that consist of renewals when a project has undergone no substantive changes. The opportunity for interested parties to comment on or ask questions concerning these dockets will be unchanged and if any member of the public requests additional information about a project during the hearing, staff will be prepared to offer more detail. A detailed description of each project is included in the draft docket, which can be accessed on the Commission web site by means of a hyperlink from this hearing notice.

1. *Knoll, Inc., D-1974-162-4.* An application to renew the approval of the applicant's 0.0715 million gallons per day (mgd) industrial wastewater treatment plant (IWTP)

and its discharge from Outfall No. 001 as well as the discharge of up to 0.0215 mgd of noncontact cooling water (NCCW) from Outfall No. 003 on an emergency basis. The IWTP will continue to discharge treated effluent to Perkiomen Creek at River Mile 92.47—32.3—28.47 (Delaware River—Schuylkill River—Perkiomen Creek) by means of Outfall No. 001, in Upper Hanover Township, Montgomery County, PA.

2. *Upper Merion Township (Frog Run), D-1987-013 CP-2.* An application to renew the approval of the existing 6.88 mgd Upper Merion Municipal Utility Authority wastewater treatment plant (WWTP) and its discharge. The WWTP will continue to discharge treated wastewater effluent to Frog Run at River Mile 92.47—21.6—0.3 (Delaware River—Schuylkill River—Frog Run) by means of Outfall No. 2, in Upper Merion Township, Montgomery County, PA.

3. *Salem City Water and Sewer Department, D-1987-037 CP-3.* An application to renew the approval of the existing 1.4 mgd Salem WWTP and its discharge. No modifications to the WWTP are proposed. The WWTP will continue to discharge to the tidal portion of the Salem River, a tidal tributary of the Delaware River, at River Mile 58.4—1.0 (Delaware River—Salem River) in Water Quality Zone 5, in the City of Salem, Salem County, NJ.

4. *Burlington City, D-1990-016 CP-2.* An application to renew the approval of the existing 2.7 mgd City of Burlington WWTP and its discharge. No modifications to the WWTP are proposed. The WWTP will continue to discharge to Water Quality Zone 2 of the Delaware River at River Mile 117.5 in the City of Burlington, Burlington County, NJ.

5. *Upper Merion Township (Trout Creek), D-1992-051 CP-2.* An application to renew the approval of the existing 6.0 mgd Upper Merion Municipal Utility Authority WWTP and its discharge. The WWTP will continue to discharge treated wastewater effluent to Trout Creek at River Mile 92.47—27.5—0.1 (Delaware River—Schuylkill River—Trout Creek) by means of Outfall No. 2, in Upper Merion Township, Montgomery County, PA.

6. *Exelon (Eddystone IWTP), D-1992-066 CP-2.* An application to renew the approval of the applicant's existing 3.744 mgd Eddystone Generating Station IWTP and its comingled discharge with up to 831.336 mgd of NCCW. Treated industrial effluent will continue to comingle with NCCW and be discharged to River Mile 84.8 (Delaware River) by means of Outfall No. 008, within Water Quality Zone 4, in the Borough of Eddystone, Delaware County, PA.

7. *JFBB Ski Areas, Inc. (Big Boulder), D-1993-053-3.* An application to renew the approval of an existing surface water withdrawal (SWWD) of up to 125 million gallons per month (mgm) for the snowmaking operations at Big Boulder Ski Area resort from an existing surface water intake on Big Boulder Lake. The requested allocation is not an increase from the previous allocation. The surface water intake is located in the Tobyhanna Creek Watershed in Kidder Township, Carbon County, PA, within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters (SPW).

8. *New Hanover Township Authority, D-1999-040 CP-3.* An application to renew the approval of the existing 1.925 mgd New Hanover Township Authority WWTP and its discharge. No modifications to the WWTP are proposed. The WWTP will continue to discharge treated effluent to Swamp Creek, which is a tributary of Perkiomen Creek, which is a tributary of the Schuylkill River, at River Mile 92.47—32.3—12.9—4.8 (Delaware River—Schuylkill River—Perkiomen Creek—Swamp Creek) by means of Outfall No. 001, in New Hanover Township, Montgomery County, PA.

9. *Central Carbon Municipal Authority, D-1999-048 CP-2.* An application to renew the approval of the applicant's existing 4.8 mgd WWTP and its discharge. Treated effluent will continue to be discharged to the Lehigh River at River Mile 183.66—42.3 (Delaware River—Lehigh River) by means of Outfall No. 001, within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as SPW, in Mahoning Township, Carbon County, PA.

10. *South Coventry Township, D-2000-026 CP-2.* An application to renew the approval of an existing groundwater withdrawal (GWD) of up to 3.82 mgm to supply the applicant's public water supply system from existing Wells Nos. SW-1 and SW-2 completed in the Stockton Formation. The requested allocation is not an increase from the previous allocation. The wells are located within the Commission's designated Ground Water Protected Area (GWPA) in the Upper Reach French Creek Watershed in South Coventry Township, Chester County, PA.

11. *Topton Borough, D-2001-041 CP-2.* An application to renew approval of the applicant's 0.3 mgd WWTP and its discharge. Treated effluent will continue to be discharged to Toad Creek at River Mile 183.66—16.4—18.61—3.7 (Delaware River—Lehigh River—Little Lehigh Creek—Toad Creek) by means of Outfall No. 001, within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as SPW, in Longswamp Township, Berks County, PA.

12. *Roxbury Town, D-2002-014 CP-2.* An application to renew the approval of an allocation of up to 13.0 mgm of groundwater from existing Wells Nos. 1 and 2 and a collection of 12 existing spring sources for use in the docket holder's public water system that serves the Roxbury and the Grand George Water Districts with no increase in allocation. The project involves the exportation of up to 0.3 mgd of water, half in the form of raw wastewater and half as groundwater supply, from the Hamlet of Roxbury in the Delaware River Basin to the Hamlet of Grand George in the Mohawk-Hudson River Basin. The project wells are screened in glacial stratified outwash deposits in the East Branch Delaware River Watershed, within the drainage area of the section of the main stem Delaware River known as the Upper Delaware, which the Commission has classified as SPW, in the Town of Roxbury, Delaware County, NY.

13. *Morgan Hill Golf Club, D-2002-024-2.* An application to renew the approval of an existing GWD of up to 7.03 mgm to irrigate the applicant's golf course from existing Well No. IW-1 completed in the Leithsville Dolomite Formation. The requested allocation is not an increase from the previous allocation. The project well is located in the Delaware River Watershed in Williams Township, Northampton County, PA, within the drainage

area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as SPW.

14. *Bedminster Municipal Authority, D-2003-014 CP-2.* An application to renew the approval of the applicant's 0.26 mgd Bedminster WWTP and its discharge. The WWTP will continue to discharge treated effluent to an unknown tributary (UNT) of Deep Run at River Mile 157.0—6.1—3.8—1.1 (Delaware River—Tohickon Creek—Deep Run—UNT) by means of Outfall No. 001, within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as SPW, in Bedminster Township, Bucks County, PA.

15. *Upper Hanover Authority, D-2004-017 CP-3.* An application to renew the approval of the existing 0.098 mgd Upper Hanover Authority Perkiomen WWTP and its discharge. No modifications to the WWTP are proposed. The WWTP will continue to discharge treated effluent to the Perkiomen Creek, which is a tributary to the Schuylkill River, at River Mile 92.5—31.2—26.5 (Delaware River—Schuylkill River—Perkiomen Creek) in Upper Hanover Township, Montgomery County, PA.

16. *Ledgerock Golf Club, D-2004-026-2.* An application to renew the approval of a GWD of up to 8.525 mgm for irrigation of the docket holder's golf course from existing Wells Nos. IW-1 and IW-2 with no increase in allocation. The project wells are completed in the Hammer Creek Formation in the Angelica Creek—Schuylkill River Watershed in Cumru Township, Berks County, PA.

17. *Sapa Extrusions, Inc., D-2005-001-4.* An application to renew the approval of the existing 0.1 mgd Sapa Extrusions IWTP and its discharge. This docket also continues the approval of a total dissolved solids (TDS) determination of 4,000 mg/l (daily maximum) from the IWTP effluent. No modifications of the IWTP are proposed. The IWTP will continue to discharge treated industrial wastewater and noncontact cooling water to the West Branch Schuylkill River, which is a tributary of the Schuylkill River, at River Mile 92.47—115.0—0.5 (Delaware River—Schuylkill River—West Branch Schuylkill River), in Cressona Borough, Schuylkill County, PA.

18. *Borough of Strausstown, D-2005-006 CP-3.* An application to renew the approval of the applicant's 0.065 mgd WWTP and its discharge. The WWTP will continue to discharge treated effluent to Jackson Creek at River Mile 92.47—76.8—15.4—0.8—6.5—0.4 (Delaware River—Schuylkill River—Tulpehocken Creek—Northkill Creek—Little Northkill Creek—Jackson Creek) by means of Outfall No. 001, in Upper Tulpehocken Township, Berks County, PA.

19. *Pennsylvania American Water Company (Coatesville), D-2006-036 CP-2.* An application to renew the approval of the applicant's existing 0.14 mgd Coatesville Water Filtration Plant and its related discharge. Treated effluent will continue to be discharged to Rock Run at River Mile 70.73—1.5—20.0—17.1—2.2 (Delaware River—Christina River—Brandywine Creek—West Branch Brandywine Creek—Rock Run) by means of Outfall No. 001, in West Caln Township, Chester County, PA.

20. *Yukiguni Maitake Manufacturing Corporation of America, D-2008-035-2.* An application to renew the approval to construct the applicant's pilot-scale mushroom growing facility. The facility will include three discharges. Two of the three discharges are to a three-bay infiltration basin system. The third is to an onsite septic tank which

discharges to a leach field. The three-bay infiltration basin system will accept up to 55,000 gallons per day (gpd), of which 51,000 gpd will be from the geothermal system (Outfall No. 005) and the remaining 4,000 gpd will be from process water (Outfall No. 002). The onsite septic tank and leach field will receive up to 1,000 gpd of sanitary wastewater (Outfall No. 001). The applicant's mushroom facility and its related discharges will be constructed within the drainage area of the section of the main stem Delaware River known as the Middle Delaware, which the Commission has classified as SPW, near River Mile 253.64—9.26—12.3 (Delaware River—Neversink River—Basher Kill), in Mamakating Township, Sullivan County, NY.

21. *Exelon (Eddystone SWWD), D-2008-038 CP-2.* An application to reduce the SWWD allocation at the applicant's Eddystone Generating Station from 45,533 mgm to 25,892 mgm as a result of decommissioning power units 1 and 2. The eight pumps located at Intake No. 2 will continue to withdraw surface water from Water Quality Zone 4 of the Delaware River in the Borough of Eddystone, Delaware County, PA.

22. *Axeon Refining, LLC, D-2009-037-2.* An application to renew the approval of the applicant's discharge of up to 5.48 mgd of commingled stormwater, industrial wastewater, condensate, sand filter backflush water or tank drain discharge from six outfalls at the applicant's asphalt refinery. The applicant has also requested approval of a 2,300 mg/l TDS variance from all six outfalls. The asphalt refinery and six outfalls are located in the drainage area of Water Quality Zone 4 of the Delaware River at or near River Mile 89.66, in Paulsboro Boro, Gloucester County, NJ.

23. *Beaver Lake Estates, D-2009-038 CP-2.* An application to renew the approval of the applicant's 0.14 mgd WWTP and its discharge. Treated effluent will continue to be discharged to a UNT of Barnum Brook at River Mile 253.64—25.15—2.0—1.12 (Delaware River—Neversink River—Barnum Brook—UNT) by means of Outfall No. 001, within the drainage area of the section of the main stem Delaware River known as the Middle Delaware, which the Commission has classified as SPW, in the Town of Thompson, Sullivan County, NY.

24. *Village of Buckingham Springs, D-2009-040 CP-2.* An application to renew the approval of the applicant's existing 0.1 mgd WWTP and its discharge. Treated effluent will continue to be discharged to Mill Creek at River Mile 115.63—23.39—4.95 (Delaware River—Neshaminy Creek—Mill Creek), in Buckingham Township, Bucks County, PA.

25. *Pennsylvania American Water Company (Stony Garden), D-2010-025 CP-2.* An application to renew the approval of the applicant's existing 0.167 mgd Stony Garden Water Filtration Plant (WFP) and its discharge, and to approve the construction of two new storage lagoons that will reduce discharge frequency from the WFP. Treated effluent will continue to be discharged to Ross Commons Creek at River Mile 183.66—36.32—20.7—0.06 (Delaware River—Lehigh River—Aquashicola Creek—Ross Commons Creek) by means of Outfall No 001, in Hamilton Township, Monroe County, PA, within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as SPW.

26. *Aqua Pennsylvania, Inc. (Bristol), D-1978-083 CP-2.* An emergency application to approve new Wells Nos. 9 and 10 for inclusion in the applicant's Bristol Water

System (Edgely Well Field). The requested system allocation of up to 95.69 mgm is not an increase from the previously approved allocation. The wells are completed in the unconsolidated sand and gravel aquifer and are located in the Delaware River Watershed in Bristol Township, Bucks County, PA.

27. *Crystal Water Supply Company, Inc., D-1986-022 CP-4.* An application to renew the approval of an existing GWD project to supply up to 9.3 mgm to the docket holder's public water supply system from existing Wells Nos. A and B and new Wells Nos. OB-1 and TW-2. The two new groundwater sources were interconnected to the applicant's distribution system in 2010 due to diminished yields in previously approved wells. The total allocation of groundwater proposed in this docket constitutes a reduction from the total allocation of 11.23 mg/30 days contained in the prior Commission approval. The project wells are located in the Walton Formation in the Shelldrake Stream Watershed, which drains to the Neversink River within the drainage area of the section of the main stem Delaware River known as the Middle Delaware, which the Commission has classified as SPW, in the Town of Thompson, Sullivan County, NY.

28. *Reading City, D-1986-028 CP-3.* An application to approve the upgrade of the 20.5 mgd City of Reading Fritz Island WWTP. The upgrade consists of replacing the existing trickling filter treatment system with four new biological reactors in a step feed configuration with fine bubble aeration, constructing four new clarifiers, performing improvements to the solids handling train (including sludge thickening and dewatering) and appurtenant improvements. The WWTP will continue to discharge treated effluent to the Schuylkill River, at River Mile 92.47—72.8 (Delaware River—Schuylkill River) in the City of Reading, Berks County, PA.

29. *Stanley Black and Decker, D-1987-032-4.* An application for the renewal and approval of the decrease in GWD, treatment and discharge from 15.634 mgm to 14.663 mgm of groundwater from the applicant's existing groundwater remediation system from existing recovery well PW-5 and new recovery well PW-6. The wells are completed in the Buffalo Springs Formation in the Schuylkill River Watershed. Existing recovery wells PS-1—PS-4 will be discontinued from service and replaced by new well PW-6. Water is treated by air stripping before it is discharged by means of an existing stormwater outfall to the Schuylkill River at River Mile 92.47—75.0 (Delaware River—Schuylkill River), in the City of Reading, Berks County, PA.

30. *Fallsburg Consolidated Water District, D-1990-105 CP-3.* An application to approve a total withdrawal of up to 129.4 mgm of groundwater from 12 previously approved wells and new Wells Nos. Woodbourne No. 3, Shelldrake No. 2 and Shelldrake No. 3 to continue to supply water to the applicant's public water distribution system. The requested allocation proposes an increase from the allocation of 90 mg/30 days approved in the previous docket. With the exception of two wells which are bedrock wells completed in the Walton Formation, the project wells are screened in unconsolidated valley fill deposits in the Shelldrake Stream, Neversink River and Mongaup River watersheds, within the drainage areas of sections of the main stem Delaware River known as the Middle and Upper Delaware, which the Commission has classified as SPW, in the Town of Fallsburg, Sullivan County, NY.



31. *Waymart Area Authority, D-2002-032 CP-2.* An application to renew the approval of the existing Waymart Area Authority WWTP and to approve a hydraulic rerate of the WWTP from 0.715 mgd to 0.815 mgd. The proposed modifications associated with the rerate consist of adding a mechanical fine screen, upgrading the existing UV disinfection system and the sludge thickening system and appurtenant improvements. The WWTP will continue to discharge treated effluent to Van Auken Creek, which is a tributary of the Lackawaxen River, at River Mile 277.7—30.0—3.2 (Delaware River—Lackawaxen River—Van Auken Creek), within the drainage area of the section of the main stem Delaware River known as the Upper Delaware, which the Commission has classified as SPW, in Canaan Township, Wayne County, PA.

32. *Buckingham Township, D-2003-013 CP-7.* An application to renew the approval of an existing GWD of up to 43.4 mgm to supply the applicant's public water supply system from existing Wells Nos. F-1—F-9, CS-1—CS-5, BV-1, BV-2, FS-1, FS-2, FG-1, FG-2, L-1 and L-2 in the Stockton, Brunswick and Lockatong formations. The applicant is requesting an increased allocation in Well No. F-8 from 5.487 mgm to 8.928 mgm. The system allocation will remain the same as the previous allocation. The wells are located within the Commission's designated GWPA in the Neshaminy, Pine Creek and Robin Run watersheds in Buckingham Township, Bucks County, PA.

33. *New Jersey Department of Environmental Protection, D-2013-014 CP-1.* An application for approval of a withdrawal of up to 13.1 mgm of groundwater from new Well No. 2 for use in the aquaculture building at the docket holder's fish hatchery. The project well is completed in the Jacksonburg Limestone in the drainage area of Trout Brook, a tributary of the Musconetcong River in the Town of Hackettstown, Warren County, NJ. The project is located within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as SPW. The project will be incorporated into the Commission's Comprehensive Plan. Future activities for the project will be regulated by the New Jersey Department of Environmental Protection in accordance with Section IV.C.4 of the Administrative Agreement between DRBC and NJDEP dated December 18, 2009.

34. *HMSHOST P. J. Camiel Hill Travel Plaza, D-2013-018 CP-1.* An application to approve the applicant's existing 0.05 mgd Peter J. Camiel Service Plaza WWTP and its discharge. Treated effluent will continue to be discharged to a UNT of Marsh Creek above the Marsh Creek Reservoir at River Mile 70.73—1.76—20.3—17.52—0.26 (Delaware River—Christina River—Brandywine Creek—Marsh Creek—UNT) by means of Outfall No. 001, in Wallace Township, Chester County, PA.

*Public meeting.* The public meeting on September 10, 2014, will begin at 12:15 p.m. with an informal Conference Session, consisting of a presentation by staff of the annual progress report on implementation of the Basin

Plan. The business meeting will follow, consisting of: adoption of the minutes of the Commission's June 11, 2014, business meeting; announcements of upcoming meetings and events; a report on hydrologic conditions; reports by the Executive Director and the Commission's General Counsel; and consideration of items for which a hearing has been completed or is not required.

There will be no opportunity for additional public comment at the September 10, 2014, business meeting on items for which a hearing was completed on September 9, 2014, or a previous date. Commission consideration of items for which the public hearing is closed may result in either approval of the item (docket or resolution) as proposed, approval with changes, denial or deferral. When the Commissioners defer an action, they may announce an additional period for written comment on the item, with or without an additional hearing date or they may take additional time to consider the input they have already received without requesting further public input. Deferred items will be considered for action at a public meeting of the Commission on a future date.

*Advance sign-up for oral comment.* Individuals who wish to comment for the record on a hearing item or to address the Commissioners informally during the public dialogue portion of the meeting on September 9, 2014, are asked to sign up in advance by contacting Paula Schmitt of the Commission staff at (609) 883-9500, Ext. 224 or paula.schmitt@drbc.state.nj.us.

*Addresses for written comment.* Written comment on items scheduled for hearing may be delivered by hand at the public hearing or submitted in advance of the hearing date to Commission Secretary, P. O. Box 7360, 25 State Police Drive, West Trenton, NJ 08628, fax (609) 883-9522, paula.schmitt@drbc.state.nj.us. If submitted by e-mail in advance of the hearing date, written comments on a docket should also be sent to William J. Muszynski, Manager, Water Resources Management at william.muszynski@drbc.state.nj.us.

*Accommodations for special needs.* Individuals in need of an accommodation as provided for in the Americans with Disabilities Act who wish to attend the informational meeting or hearing should contact the Commission Secretary directly at (609) 883-9500, Ext. 203 or through the Telecommunications Relay Services (TRS) at 711, to discuss how the Commission can accommodate their needs.

*Updates.* Items scheduled for hearing are occasionally postponed to allow more time for the Commission to consider them. Other meeting items also are subject to change. Check the Commission's web site, closer to the meeting date for changes that may be made after the deadline for filing this notice.

PAMELA M. BUSH,  
Secretary

[Pa.B. Doc. No. 14-1778. Filed for public inspection August 22, 2014, 9:00 a.m.]

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking 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 August 12, 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

#### Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
10-9-2013	Prudential Bancorp, Inc. Philadelphia Philadelphia County  Application for approval to acquire 100% of Prudential Savings Bank, Philadelphia.	Effective
8-6-2014	Farmers & Merchants Bancorp of Western PA, Inc. Kittanning Armstrong County  Approval for Farmers & Merchants Bancorp of Western PA, Inc., Kittanning, to acquire 100% of NexTier, Inc., Butler.	Approved
8-8-2014	Bryn Mawr Bank Corporation Bryn Mawr Montgomery County  Application for Bryn Mawr Bank Corporation to acquire 100% of Continental Bank Holdings, Inc., Plymouth Meeting, and thereby indirectly acquire Continental Bank, Plymouth Meeting.	Approved

#### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
8-8-2014	The Bryn Mawr Trust Company Bryn Mawr Montgomery County  Application for approval to merge Continental Bank, Plymouth Meeting, with and into The Bryn Mawr Trust Company, Bryn Mawr.	Approved

#### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
7-24-2014	ACNB Bank Gettysburg Adams County	850 Norland Avenue Chambersburg Franklin County	Opened
8-4-2014	Jersey Shore State Bank Jersey Shore Lycoming County	1720 East Third Street Williamsport Lycoming County	Opened
8-11-2014	Univest Bank and Trust Co. Souderton Montgomery County	15 Swamp Road Newtown Bucks County	Filed
8-12-2014	1st Summit Bank Johnstown Cambria County	512 West High Street Ebensburg Cambria County	Filed

##### Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
8-5-2014	ESSA Bank & Trust Stroudsburg Monroe County	<i>To:</i> 300 Mulberry Street Scranton Lackawanna County  <i>From:</i> 139 Wyoming Avenue Scranton Lackawanna County	Filed

(Incorrectly listed as a De Novo Branch on Summary # 33)  
(See 44 Pa.B. 5492 (August 16, 2014))

**Branch Consolidations**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
8-6-2014	Clearfield Bank & Trust Company Clearfield Clearfield County	<i>Into:</i> 7571 Huntingdon Plaza Huntingdon Huntingdon County  <i>From:</i> 729 Main Street Saxton Bedford County	Approved
8-6-2014	Clearfield Bank & Trust Company Clearfield Clearfield County	<i>Into:</i> 16 West Shirley Street Mount Union Huntingdon County  <i>From:</i> 8384 Ashman Street Saxton Bedford County	Approved

**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. 14-1779. Filed for public inspection August 22, 2014, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Application of Merissa Richmond for Reinstatement of Teaching Certificates; Doc. No. RE 14-02

#### Notice of Hearing

Under the Educator Discipline Act (act) (24 P. S. §§ 2070.1a—2070.18c), the Professional Standards and Practices Commission (Commission) has initiated hearing procedures to consider the application of Merissa Richmond for reinstatement of her teaching certificates.

On or about April 23, 2014, Merissa Richmond filed an application for reinstatement of her teaching certificates under section 16 of the act (24 P. S. § 2070.16), 1 Pa. Code §§ 35.1 and 35.2 (relating to applications) and 22 Pa. Code § 233.123 (relating to reinstatements). Under section 16 of the act, the Department of Education on July 31, 2014, did not oppose the application.

In accordance with the act, 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) the Commission will appoint a hearing examiner to serve as presiding officer to conduct the proceedings and hearings as might be necessary and to prepare a proposed

report to the Commission containing findings of fact, conclusions of law and a recommended decision on the application.

Interested parties who wish to participate in these hearing procedures must file a notice of intervention or a petition to intervene in accordance with 1 Pa. Code §§ 35.27—35.32 (relating to intervention) within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Persons objecting to the approval of the application may also, within 30 days after publication of this notice in the *Pennsylvania Bulletin*, file a protest in accordance with 1 Pa. Code § 35.23 (relating to protest generally).

Notices and petitions to intervene and protest shall be filed with Carolyn Angelo, Executive Director, Professional Standards and Practices Commission, 333 Market Street, Harrisburg, PA 17126-0333, on or before 4 p.m. on the due date prescribed by this notice. Persons with a disability who wish to attend the hearings and require an auxiliary aid, service or other accommodation to participate, should contact Suzanne Markowicz at (717) 787-6576 to discuss how the Commission may best accommodate their needs.

CAROLYN ANGELO,  
*Executive Director*

[Pa.B. Doc. No. 14-1780. Filed for public inspection August 22, 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**

*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>
PA0035688 (Sewage)	Potter Township Country Club Estates 124 Short Road Centre Hall, PA 16828	Centre County Potter Township	Unnamed Tributary to Cedar Run (9-C)	Y
PA0060062 (Sewage)	Red Rock Job Corps Center Rt 487 N Colley Twp, PA 18628	Sullivan County Colley Township	Mehoopany Creek (4-G)	Y
PA0033251 (Sewage)	Treasure Lake Resort Narrows Creek Road Dubois, PA 15801-9010	Clearfield County Sandy Township	Narrows Creek (17-C)	Y
PA0115291 (Sewage)	Snydertown Borough Sewer System 42 S Market Street Sunbury, PA 17801	Northumberland County Snydertown Borough	Shamokin Creek (6-B)	Y
PA0112534 (Sewage)	The Meadows at Watsontown 100 Seagrave Drive Watsontown, PA 17777	Northumberland County Delaware Township	Delaware Run (10-D)	N

## NOTICES

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<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>
PA0112470 (Sewage)	Upper Augusta Township STP 1454 Mile Post Road Sunbury, PA 17801	Northumberland County Upper Augusta Township	Unnamed Tributary of Susquehanna River (5-E)	Y
PA0111929 (Sewage)	Lawrenceville Borough Authority Wastewater Treatment Plant Cherry Street Lawrenceville, PA 16929	Tioga County Lawrenceville Borough	Tioga River (4-A)	Y
<i>Southwest Regional Office: Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone: 412.442.4000.</i>				
<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>
PA0034614 (Sewage)	Mountain Pines Camping Resort 1662 Indian Creek Valley Road Route 711 Champion, PA 15622	Fayette County Saltlick Township	Indian Creek (19-E)	Y
PA0205575 (Sewage)	Pleasant Valley CC STP Road 2 Box 292 Connellsville, PA 15425	Fayette County Bullskin Township	Mounts Creek (19-D)	Y
PA0205559 (Sewage)	Crystal Waters Personal Care Facility 4639 Route 119 Home, PA 15747	Indiana County Rayne Township	Pine Run 17-E	Y
PA0217832 Sewage	Perrine Bldg 112 Pfeffer Road Export, PA 15632-9412	Westmoreland County Washington Township	Unnamed Tributary to Thorn Run (18-B)	Y
PA0203700 (Sewage)	Bruderhof Communities of PA, Inc. P O Box 260 Farmington, PA 15437	Fayette County Wharton Township	Deadman Run (19-E)	Y
PA0205796 (Sewage)	Wilpen Fire Co. STP 379 Wilpen Road Ligonier, PA 15658	Westmoreland County Ligonier Township	Unnamed Tributary of Hannas Run (18-C)	Y
PA0007196 (Sewage)	Charles Shay STP 12840 Route 286 West Clarksburg, PA 15725	Indiana County Young Township	Unnamed Tributary of Blacklegs Creek (18-C)	Y
PA0205796 (Sewage)	Wilpen Fire Co. STP 379 Wilpen Road Ligonier, PA 15658	Westmoreland County Ligonier Township	Unnamed Tributary of Hannas Run (18-C)	Y
PA0094790 (Sewage)	Pleasant View MHP 112 Pleasant View Park Road South Fork, PA 15956	Cambria County Adams Township	Unnamed Tributary of Sandy Run (18-E)	Y
PA0218782 (Sewage)	Rock Works STP North Mill Street New Salem, PA 15468	Fayette County Menallen Township	Saltlick Run (19-C)	Y
PA0024694 (Sewage)	Beaver Borough STP Beaver Street At River Road Beaver, PA 15009	Beaver County Beaver Borough	Ohio River (20-B)	N
PA0023434 (Sewage)	Koppel Borough WWTP Arthur Street And Third Avenue Koppel, PA 16136	Beaver County Koppel Borough	Beaver River (20-B)	Y

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

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

**PA0026158**, Sewage, SIC Code 4952, **Mon Valley Sewer Authority**, 20 S Washington Street, Donora, PA 15033-1394. Facility Name: Mon Valley Sewer Authority WWTP. This existing facility is located in Carroll Township, **Washington County**.

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

The receiving stream(s), Monongahela River, is located in State Water Plan watershed 19-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 4.96 MGD.

Parameters	Mass (lb/day)		Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.5
CBOD <sub>5</sub>	763	1,160	XXX	25	38	50
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids	916	1,374	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Total Nitrogen	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Ammonia-Nitrogen	Report	Report	XXX	Report	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report Daily Max	XXX

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

- The Authority is allowed to discharge through various Combined Sewer Outfalls (CSOs). The CSOs serve as combined sewer overflows necessitated by storm water entering the sewer system and exceeding the hydraulic capacity of the sewers and/or the treatment plant and are permitted to discharge only for this reason. Dry weather discharges from these outfalls are prohibited. Each discharge shall be monitored for cause, frequency, duration, and quantity of flow.

The EPA Waiver is not in effect.

**PA0030856**, Sewage, SIC Code 8211, **Western Beaver County School District**, 343 Ridgemont Drive, Midland, PA 15059-2219. Facility Name: Western Beaver Jr/Sr High School STP. This existing facility is located in Industry Borough, **Beaver County**.

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

The receiving stream(s), Unnamed Tributary of Wolf Run, is located in State Water Plan watershed 20-B and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.032 MGD.

Parameters	Mass (lb/day)		Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Daily Maximum	
Flow (MGD)	0.032	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	1.4	XXX	3.3
CBOD <sub>5</sub>	XXX	XXX	XXX	25	XXX	50
BOD <sub>5</sub>						
Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX

Parameters	Mass (lb/day)		Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly			Average Monthly	Daily Maximum	
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	2.1	XXX	4.2
Nov 1 - Apr 30	XXX	XXX	XXX	4.4	XXX	8.8
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX

The EPA Waiver is in effect.

**PA0027456**, Sewage, **Greater Greensburg Sewage Authority**, PO Box 248, Greensburg, PA 15601-0248. Facility Name: Greater Greensburg STP. This existing facility is located in Hempfield Township, **Westmoreland County**.

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

The receiving stream(s), Jacks Run, is located in State Water Plan Watershed 19-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 6.75 MGD.

Parameters	Mass (lb/day)		Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD <sub>5</sub>						
May 1 - Oct 31	844	1,295	XXX	15	23	30
Nov 1 - Apr 30	1,407	2,139	XXX	25	38	50
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
		Daily Max				
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
		Daily Max				
Total Suspended Solids	1,689	2,533	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000 Geo Mean	XXX	10,000
Ultraviolet Disinfection						
Transmittance (%)	XXX	XXX	Report	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
					Daily Max	
Ammonia-Nitrogen						
May 1 - Oct 31	124	186	XXX	2.2	3.3	4.4
Nov 1 - Apr 30	236	355	XXX	4.2	6.3	8.4
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
					Daily Max	
Total Aluminum	XXX	XXX	XXX	XXX	Report	XXX
					Daily Max	
Total Iron	XXX	XXX	XXX	XXX	Report	XXX
					Daily Max	
Total Manganese	XXX	XXX	XXX	XXX	Report	XXX
					Daily Max	

OTHER CONDITIONS: Outfalls 002, 004 through 018, 021 through 030, and 032 through 042, which discharge to the receiving waters known as Jacks Run, Zellers Run and Coal Tar Run, serve as combined sewer overflows necessitated by storm water entering the sewer system and exceeding the hydraulic capacity of the sewers and/or the treatment plant. These outfalls are permitted to discharge only for such reason. There are at this time no specific effluent limitations on the outfalls. Each discharge shall be monitored for cause, frequency, duration, and quantity of flow.

Outfalls 051 and 052, which discharge to the receiving waters known as Jacks Run, serve as stormwater discharges from areas in and around the treatment plant. There are at this time no effluent limitations on these outfalls. These stormwater discharges shall meet the requirements in the NPDES permit, Part C—Requirements Applicable to Stormwater Outfalls.

The EPA Waiver is not in effect.

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

**PA0050075**, Sewage, SIC Code 4952, **Aqua Pennsylvania Wastewater, Inc.**, 762 W Lancaster Avenue, Bryn Mawr, PA 19010-3402. Facility Name: Willistown Woods STP. This existing facility is located in Willistown Township, **Chester County**.

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

The receiving stream(s), Unnamed Tributary to Hunters Run, is located in State Water Plan watershed—3G and is classified for High Quality Waters—Trout Stocking and Mi, 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 0.175 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly		
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.05	XXX	0.12
CBOD <sub>5</sub>						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
CBOD <sub>5</sub>						
May 1 - Oct 31	12	XXX	XXX	8.5	XXX	17
Nov 1 - Apr 30	18	XXX	XXX	12	XXX	24
Total Suspended Solids						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	25	XXX	XXX	17	XXX	34
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Ammonia-Nitrogen						
May 1 - Oct 31	1.3	XXX	XXX	0.9	XXX	1.8
Nov 1 - Apr 30	3.6	XXX	XXX	2.5	XXX	5.0
Total Phosphorus	1.5	XXX	XXX	1.0	XXX	2.0

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

- I. Other Requirements
  - A. No Stormwater
  - B. Property Rights
  - C. Sludge Removal
  - D. Act 537
  - E. TRC Minimization
  - F.

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

The EPA Waiver is in effect.

### 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. 0914404**, Sewage, **Bucks County Water & Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976.

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

Description of Action/Activity: Construction and operation of a wastewater pump station.

**WQM Permit No. 4614404**, Sewage, **Family Dining, Inc.** (a.k.a. U.S. Restaurants Properties, Inc.) 1780 Swede Road, Blue Bell, PA 19422.

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

Description of Action/Activity: Installation of two low pressure pump stations and sanitary force main to connect to an existing gravity sanitary sewer on project site.

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

**WQM Permit No. 5414404**, Sewage, **Aqua Pennsylvania Wastewater, Inc.**, 762 West Lancaster Ave, Bryn Mawr, PA 19010-3489.

This proposed facility is located in North Union Township, **Schuylkill County**.



Description of Proposed Activity: to authorize the construction, operation and maintenance of a low pressure sewage collection and conveyance system in Phase I of the Hidden Forest section of Eagle Rock Resort residential community.

**WQM Permit No. 5414403**, Sewage, **Aqua Pennsylvania Wastewater, Inc.**, 762 West Lancaster Ave, Bryn Mawr, PA 19010-3489.

This proposed facility is located in East Union Township, **Schuylkill County**.

Description of Proposed Activity: to authorize the construction, operation and maintenance of a low pressure sewage collection and conveyance system in Phase III of the Hidden Forest section of Eagle Rock Resort residential community.

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

**WQM Permit No. 3614406**, Sewerage, **Twin Springs, LLC**, 1647 Union Grove Road, East Earl, PA 17519. This proposed facility is located in East Earl Township, **Lancaster County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction / operation of a gravity sewer to a pump station for a 13-lot light industrial park as well as connection of existing residential unit.

**WQM Permit No. 0788405, Amendment #2**, Sewerage, **Roaring Spring Municipal Authority**, 616 Spang Street, PO Box 33, Roaring Spring, PA 16673.

This proposed facility is located in Freedom & Taylor Townships, **Dauphin County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction / operation of improvements and additions to the existing sewage treatment plant. Construction / operation of a new pump station to redirect treated effluent to the Frankstown Branch of the Juniata River.

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

**WQM Permit No. 4114202**, CAFO Operation [SIC—0213], **Country View Family Farms, LLC**, Smiling Porker Farm, 2700 Clemens Rd, Hatfield, PA 19440.

This proposed facility is located in Pine Township, **Lycoming County**.

Description of Proposed Action/Activity: The construction of a new swine facility consisting of three production buildings with two covered deep pit manure storage structures.

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

**WQM Permit No. PAG046446**, Sewage, **LCT Energy LP**, 938 Mt Airy Road, Johnstown, PA 15904.

This proposed facility is located in Summit Township, **Somerset County**.

Description of Proposed Action/Activity: Small Flow Treatment Facility for a mine bath house and office.

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI01 461001R-4	Pennsylvania Air National Guard 1120 Fairchild Street Horsham, PA 19044	Montgomery	Horsham Township	Wissahickon Park Creek WWF—MF
PAI01 4614003	51 Washington Street Associates, L.P. 2701 Renaissance Boulevard, Fourth Floor King of Prussia, PA 19406	Montgomery	Conshohocken Borough	Schuylkill River WWF—MF
PAI01 5114015	The Hanover Company 7901 Westpark Drive, Suite 99 McClean, VA 22102	Philadelphia	City of Philadelphia	Delaware River WWF—MF Lower Schuylkill River WWF—MF

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

*Lehigh County Conservation District, Lehigh Ag Center, Suite 102, 4184 Dorney Park Rd., Allentown PA 18104*

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI023914007	George Burke Sharp Corporation 7451 Keebler Way Allentown, PA 18106	Lehigh	Upper Macungie Township	Iron Run (HQ-CWF, MF)

*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>
PAI024014005	Sweet Valley, DG, LLC Mark Bush 361 Summit Boulevard Suite 110 Birmingham, AL 35243	Luzerne	Lake Township	Pikes Creek (HQ-CWF, MF)
PAI024014008	Edward Dunlap 1 UGI Center Wilkes-Barre, PA 18711	Luzerne	Dallas Township, Lehman Township, Jackson Township	Huntsville Creek (CWF, MF) Browns Creek (CWF, MF) East Fork Harvey's Creek (CWF, MF) Harvey's Creek (CWF, MF)

*Wayne County Conserve District, 648 Park Street, Honesdale PA 18431*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI026414004	UGI Utilities, Inc. 1 UGI Center Wilkes-Barre, PA 18711	Wayne	Canaan Township- Wayne County Carbondale Township, Fell Township, Lackawanna County	Van Auken Creek (HQ-TSF, MF) Lackawanna River (HQ-CWF, MF) Racket Brook (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>
PAI033614004	John Smucker 209 Laurel Road East Earl, PA 17519	Lancaster	Brecknock Twp	UNT Black Creek (HQ-WWF)

*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>
PAI041414004	Evergreen Farm Inc 3102 Evergreen Ln Spruce Creek, PA 16683	Centre	Ferguson Township	UNT to Halfmoon Creek HQ-CWF

*Clearfield County Conservation District: 650 Leonard Street, Clearfield, PA 16830, (814) 765-2629*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041713002(1)	Boggs Township PO Box 69 West Decatur PA 16878	Clearfield	Boggs Township	UNT Morgan Run CWF Simeling Run HQ

*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>
PAI045314009	Pennsylvania 3 Sector 2 Limited Partnership d/b/a Verizon Wireless 175 Calkins Rd Rochester NY 14623	Potter	Wharton Township	East Fork Sinnemahoning Creek HQ-CWF

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

Permit No.	Applicant & Address	County	Municipality	Stream Name
PAI052614003	DG Strategic II, LLC. c/o Zaremba Program Development, LLC. 14600 Detroit Ave Suite 1500 Lakewood, OH 44107	Fayette	Wharton Township	UNT to Deadman Run (HQ-CWF)

**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.

**APPLICATIONS**

**NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/ New</i>
M & M Farms Monte Edgin 10368 Chester Furnace Road Shirleysburg, PA 17260	Huntingdon	264 acres for manure application	585.56 AEU's  2.22 AEU's/ac	Swine	N/A	Renewal
Noah W. Kreider & Sons, LLP Mount Pleasant Facility 1461 Lancaster Road Manheim, PA 17545  Site Address: 1486 Mount Pleasant Road Lebanon, PA 17042	Lebanon	80.3	7503	Poultry	NA	Renewal
Garrett Moyer 1200 Red Bank RD Middleburg, PA 17842	Snyder	145.4	772.55	Swine & Dairy	NA	New

**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

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

**Permit No. 0414504 (correction)**, Public Water Supply.

Applicant	<b>Municipal Authority of the Borough of West View</b> 210 Perry Highway Pittsburgh, PA 15229
[Township or Borough]	Baden and Economy Boroughs; and New Sewickley and Marshall Townships
Responsible Official	Joseph A. Dinkel, Director of Operations Municipal Authority of the Borough of West View 210 Perry Highway Pittsburgh, PA 15229
Type of Facility	New water treatment plant
Consulting Engineer	Bankson Engineers, Inc. Suite 200 267 Blue Run Road Cheswick, PA 15024
Application Received Date	May 22, 2014
Description of Action	Construction of the proposed Beaver County Water Treatment Plant which includes a raw water intake facility on the Ohio River, a raw water transmission main, new water treatment plant and finished water transmission main.

### 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

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

**WA-55-173B**, Water Allocations. **Middleburg Municipal Authority**, 13 North Main Street, Middleburg, PA

17842. Middleburg Borough, **Snyder County**. Applicant requests a permit renewal. The original permit was issued in 1964, allowing for a 200,000 gpd withdrawal from Bowersox Run and a 100,000 gpd withdrawal from Erb Run. The requested allocation amounts are the same as Middleburg Municipal Authority's existing permitted withdrawals.

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

**WA4-1014**, Water Allocations. **Municipal Authority of the Borough of West View**, 210 Perry Highway, Pittsburgh, PA 15229, **Allegheny County**. The applicant is requesting the right to withdraw 15,000,000 gallons of water per day from the Ohio River from their proposed Beaver County Water Treatment Plant located in Beaver County.

**WA2-678C**, Water Allocations. **Municipal Authority of the Borough of West View**, 210 Perry Highway, Pittsburgh, PA 15229, Allegheny County. The applicant is requesting the right to withdraw 40,000,000 gallons of water per day from the Ohio River from their Joseph A. Berkley Water Treatment Plant located in **Allegheny County**.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 1

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

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

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

lished 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.*

**Property at 127 South Oak Street, Manheim, PA 17545, Manheim Borough, Lancaster County.** Liberty Environmental, Inc., 480 New Holland Avenue, Suite 8203, Lancaster, PA, on behalf of Fannie Mae-Southwestern Regional Office, International Plaza II, 14221 Dallas Parkway, Suite 1000, Dallas, TX 75254, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with No. 2 fuel oil released during a flooding event. The site will be remediated to the Residential Statewide Health Standard and remain residential. The Notice of Intent to Remediate was published in the *Intelligencer Journal-New Era* on July 18, 2014.

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

**Vantage Energy Appalachia-Porter Street Pad, VEA Porter Street Pad, 390 Valley Farm Road, Franklin Township, Green County.** SE Technologies, LLC., 98 Vanadium Road, Bridgeville, PA 15017 on behalf of Vantage Energy Appalachia, LLC., 116 Inverness Drive East, Suite 107 Englewood, CO 80112 has submitted a Notice of Intent to Remediate to meet non-residential Statewide Health Standard concerning site soils and groundwater contaminated with chlorides and other fluids from drilling operations. Notification of the NIR was published in the *Green County Messenger* on July 25, 2014.

**Windber Development** (former auto junk yard), SR-1033 (Verla Drive) Windber, Paint Township, **Somerset County.** CME Engineering LP, 165 East Union Street, Somerset, PA 15501 has submitted a notice of Intent to Remediate to meet residential Statewide Health Standards for site soils contaminated with leaded gasoline and diesel fuel. Intended future use of the property is a baseball facility and campground. Notice of the NIR was published in the *Daily American* on April 2, 2014.

**Beaver Valley Power Station** (former Shippingport Atomic Power Station), 100 Technology Blvd., Shippingport Borough, **Beaver County.** SE Technologies, LLC., 98 Vanadium Road, Bridgeville, PA 15077 on behalf of First Energy, 100 Technology Blvd., Shippingport, PA

15077 has submitted a Notice of Intent to Remediate to meet the non-residential Statewide Health Standard concerning site soils and groundwater contaminated with petroleum and diesel fuel. Future use of the property is non-residential. Notice of the NIR was published in the *Beaver County Times* on July 15, 2014.

#### **DETERMINATION OF APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS**

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

*South Central Regional Office: Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.*

**General Permit No. WMGM044-SC002. Pequea Mobile Home Salvage, LLC,** 360 Radcliff Road, Willow Street, PA 17584 in Providence Township, **Lancaster County.** This Determination of Applicability under Municipal Waste General Permit No. WMGM044 is for the processing of unpainted and untreated wood waste; gypsum board; brick, block and concrete waste; various organic wastes; non-asbestos containing asphalt shingles; pallets; skids; saw dust; source segregated paper; cardboard and newspaper; plastic waste; scrap metal; unused structural sound building materials; and architectural elements. The processed waste materials are beneficial use as (a) mulch or wood chips for further processing off-site, (b) aggregate material in roadway construction, (c) soil conditioner or soil amendment, (d) alternative fuel, (e) animal bedding, or (f) distributed to wholesale outlets. This application was determined to be administratively complete on August 11, 2014.

Persons interested in reviewing the general permit may contact John Oren, Facilities Manager, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

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

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

*Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915*

**General Permit Application No. WMGR096. Program I.D. WMGR096-NE004. Bethlehem Earth LP,** 491 Old York Road, Jenkintown, PA 19046. A General Permit Determination of Applicability (DOA) for the beneficial use of regulated fill as construction material at the former Bethlehem Steel site in Bethlehem City, **Northampton County.** The application for determination of applicability was approved by the Regional Office on July 28, 2014.

Persons interested in viewing the permit should contact William Tomayko, Environmental Program Manager,

Waste Management Program, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18711-0790 at 570-826-2511. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

Copies of the application, the Department's analysis, all pertinent documents used in the evaluation of the application, and subsequently prepared proposed plan approvals/operating permits are available for public review during normal business hours at the appropriate Department Regional Office. Appointments for scheduling a review must be made by calling the appropriate Department Regional Office. The address and phone number of the Department Regional Office is listed before the application notices.

Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to the Department's Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments, protests and information. Each submission must contain the name, address and telephone number of the person submitting the comments; identification of the proposed Plan Approval/Operating Permit including the permit number; and a concise statement regarding the relevancy of the information or objections to issuance of the permit.

A person wishing to request a hearing may do so during the 30-day comment period. A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper, the *Pennsylvania Bulletin*, or by telephone, when the Department determines this notification is sufficient. Requests for a public hearing and any relevant information should be directed to the appropriate Department Regional Office.

Permits issued to the owners or operators of sources subject to 25 Pa. Code Subchapters D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the EPA for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P. S. §§ 4001—4015), 25 Pa. Code Chapters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the regional office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

### PLAN APPROVALS

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

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

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

**35-00069A: Lackawanna Energy Center LLC** (1 South Wacker Drive, Suite 1900, Chicago, IL 60606) to construct a natural gas-fired combined-cycle power plant to produce a nominal 1,300 MW of electricity in Jessup Borough, **Lackawanna County**.

The project consists of three (3) identical 1 x 1 power blocks. Each combined-cycle process block includes one (1) combustion gas turbine and one (1) heat recovery steam generator with duct burners with all three (3) blocks sharing one (1) steam turbine. Additionally, one (1) 2,000 kW diesel-fired emergency generator, one (1) 315 HP diesel-fired emergency fire water pump, one (1) twenty two (22) cell wet mechanical draft cooling tower, one (1) 155.7 MM BTU natural gas fired boiler, one (1) 12 MMBTU natural gas fuel gas heater, three (3) lube oil storage tanks, and two (2) aqueous ammonia storage tanks are proposed to be constructed and operated. The heat input rating of each combustion gas turbine is 2890 MMBtu/hr (HHV) or less, and the heat input rating of each supplemental duct burner is equal to 387 MMBtu/hr (HHV) or less.

This application is subject to the Prevention of Significant Deterioration (PSD) of Air Quality regulations of 40 CFR 52.21, the Nonattainment New Source Review (NNSR) regulations of 25 Pa. Code §§ 127.201—27.218, and the Best Available Technology (BAT) requirements of 25 Pa. Code §§ 127.1 and 127.12. The facility's total particulate matter (PM) including total PM<sub>10</sub> and total PM<sub>2.5</sub>, nitrogen oxides, carbon monoxide, volatile organic compounds, and greenhouse gas emissions are subject to the PSD requirements. The facility's nitrogen oxides and volatile organic compounds emissions are also subject to the NNSR requirements. The Department has determined that the proposed levels of the air contaminants emissions satisfy best available control technology (BACT) and Lowest Achievable Emission Rate (LAER) requirements as well as the Department's BAT requirements.

The facility is also subject to the following Standards of Performance for New Stationary Sources (NSPS): 40 CFR Part 60 Subpart KKKK—Standards of Performance for Stationary Combustion Turbines codified in 40 CFR 60.4300 through 60.4420 and 40 CFR Part 60 Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines codified in 40 CFR 60.4200 through 60.4219. The proposed project is also subject to the National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines codified 40 CFR 63.6580 through 63.6675 as applicable to the proposed diesel-fired

engines. The Department has determined that this facility satisfies all applicable requirements of these subparts including Maximum Achievable Control Technology (MACT) requirements.

Pursuant to the PSD provisions of 40 CFR 52.21 and 25 Pa. Code § 127.83, Lackawanna Energy Center LLC has performed dispersion modeling. The air quality analysis methodology is consistent with the "Guideline on Air Quality Models" codified in Appendix W to 40 CFR Part 51, associated United States Environmental Protection Agency modeling policy and guidance, and the Department's recommendations. The air quality analysis adequately demonstrates that the proposed emissions due to the project will not cause or significantly contribute to air pollution in violation of the National Ambient Air Quality Standards for carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), particulate matter less than 2.5 micrometers (PM<sub>2.5</sub>), and particulate matter less than 10 micrometers (PM<sub>10</sub>), and the PSD standards for NO<sub>2</sub>, PM<sub>2.5</sub>, and PM<sub>10</sub>. In addition, the analysis adequately demonstrates that the project's proposed emissions, in conjunction with anticipated emissions due to general commercial, residential, industrial, and other growth associated with the project, will not impair visibility, soils, and vegetation. Furthermore, the effect of the project's emissions on air quality related values, including visibility, in Federal Class I areas is adequately addressed.

The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements. Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 35-00069A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone 570-826-2511 within 30 days after publication date.

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

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

**62-017X: United Refining Co.** (15 Bradley Street, Warren, PA 16365) for installation of a 180 mmBtu/hr capacity natural gas & refinery gas-fired boiler, with flue gas recirculation and low-NO<sub>x</sub> burners, at their facility in the City of Warren, **Warren County**. This is a Title V facility.

**25-0690: BASF Corp.** (1729 East Avenue, Erie, PA 16503) for reinstallation/reactivation of their R-10 Weigh Hopper (used to weigh calcined chrome product after processing) at their existing Erie Site in the City of Erie, **Erie County**. This is a State Only Facility.

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

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

*Contact: Sachin Shankar, New Source Review Chief—Telephone: 484-250-5920*

**46-0290: Souderton Heat & Power, LLC** (249 Allentown Road, Souderton, PA 18964) for installation of a 9.235 MW cogeneration unit at a new facility located in Franconia Township, **Montgomery County**. The potential to emit all criteria pollutants, including Volatile Organic Compound (VOC), Nitrogen Oxide (NO<sub>x</sub>), Carbon Monoxide (CO), Particulate Matter (PM), and Hazardous Air Pollutant (HAP) emissions is less than major source thresholds; the facility is classified as a Synthetic Minor Facility. The requirements of 40 CFR Part 60 Subpart JJJJ (NESHAP) and 40 CFR Part 63 Subpart ZZZZ (MACT) apply to the new unit. The plan approval will include monitoring, testing, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**09-0210A: Waste Management of Fairless, LLC** (1000 New Ford Mill Rd, Morrisville, PA 19067) for a new municipal landfill and landfill gas collection system in Falls Township, **Bucks County**. The proposed Fairless Landfill would occupy approximately 200 acres on the USX property complex, adjacent to Waste Management Disposal Services of Pennsylvania's existing GROWS Landfill. The GROWS and Fairless Landfills are considered a single facility for air quality permitting purposes. The aggregated facility is a Title V facility. GROWS operates under TVOP 09-00007. Emissions of volatile organic compounds (VOC) and hazardous air pollutants (HAPs) shall be controlled by both an interim and final landfill gas collection and control system (GCCS). Landfill gas collected by the GCCS will be routed to an off-site user. Use of a total of five flares, including three previously approved for the GROWS Landfill, are proposed to serve as back-up control devices in the event the landfill gas cannot be transmitted to the end users. The final GCCS shall be designed and operated according to the specifications and operational standards of the New Source Standards of Performance (NSPS) for Municipal Solid Waste Landfills 40 CFR Part 60, Subpart WWW. The interim and final GCCS comprise Best Available Technology (BAT) for the source. The facility is also subject to the requirements of National Emissions Standard for Hazardous Air Pollutants for Source Categories (Maximum Achievable Control Technology), Subpart AAAA: Municipal Solid Waste Landfills and will comply with all applicable requirements.

The Fairless Landfill and 2 new flares shall be limited to controlled emissions increases of 24.4 tons/yr of volatile organic compounds (VOC) and 4.7 tons/yr of hazardous air pollutants (HAPs), calculated after closure. Emissions of particulate matter (PM<sub>10</sub>/PM<sub>2.5</sub>) from landfill operations at both GROWS and the Fairless Landfill will remain below 100 tons/yr, as currently permitted for the

GROWS. Emissions of nitrogen oxides (NO<sub>x</sub>), carbon monoxide (CO), and sulfur oxides (SO<sub>x</sub>) shall be limited to 16.1, 40.1 and 16.8 tons/year of each pollutant respectively, from the two new flares. The Plan Approval contains conditions for monitoring and recordkeeping designed to keep the facility operating within all applicable air quality requirements.

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

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

**48-00003B: Keystone Cement Co.** (PO Box A, Routes 329 and 987, Bath, PA 18014) for administrative changes to the previously issued plan approval 48-309-124 for their facility in East Allen Township, **Northampton County**:

Plan Approval 48-00003B is for administrative changes to the current plan approval 48-309-124 which has been issued for the installation of a preheater cement kiln.

The Plan Approval does not change any of the emission limits already established in plan approval 48-309-124. The changes to the plan approval include the removal of conditions already established and enforced under the Waste Management Permit previously issued by the DEP Waste Management Program. Additionally the throughput of Waste Derived Liquid Fuel (WDLF) is being removed as the preheater cement kiln is regulated by 40 CFR 63 Subpart EEE.

All emission limitations for the source and facility established in Plan Approval 48-309-124 remain unchanged and have been incorporated into Plan Approval 48-00003B, to include all recordkeeping, reporting, and testing requirements already established in Plan Approval 48-309-124.

The Plan Approval and Operating permit will contain recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

**48-00001A: Columbia Gas Transmission Corp.** (1700 MacCorkle Avenue, SE, Charleston, WV 25314) for installation and operation of two (2) Solar Taurus 70 natural gas-fired compressor turbines, a natural gas-fired emergency generator, ancillary heating equipment, miscellaneous insignificant storage tanks and removal of all existing combustion equipment except the reciprocating engine-driven compressor at their Easton Compressor Station in Forks Township, **Northampton County**. The existing compressor station is a minor source and will remain a minor source after installation of the proposed new equipment and removal of existing equipment. The source will remain minor for hazardous air pollutant (HAP) emissions and will not be subject to PSD review or NNSR. New equipment will meet Pennsylvania Best Available Technology (BAT) emissions controls and NSPS requirements as applicable. Solar's SoLoNO<sub>x</sub> technology will mitigate emissions of oxides of nitrogen (NO<sub>x</sub>) from the Solar Taurus 70 combustion turbines. Natural gas will be the only fuel for the existing and new equipment; emissions of sulfur dioxide (SO<sub>2</sub>), particulate matter (PM<sub>10</sub>), particulate matter (PM<sub>2.5</sub>) and greenhouse gases (GHG) are inherently low when compared to other commercial fuels. The company will operate the facility and maintain the sources in accordance with the good engineering practices to assure proper operation of sources. The Plan Approval and Operating permit will contain

additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

*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.*

**06-05069W: East Penn Manufacturing Co., Inc.** (P. O. Box 147, Lyon Station, PA 19536) for removing a site level Btu limit from their permit for their Lyon Station battery manufacturing campus in Richmond Township, **Berks County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to the above mentioned 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.

The plan approval application requests removing from the permit the existing site level fuel consumption limit of 1,090,000 million Btu during any consecutive 12-month period. The existing permit has an 80.1 ton/year of NO<sub>x</sub> limit that would allow consumption of 1,647,000 million Btu of natural gas during any consecutive 12-month period. The change would increase the potential emissions from the facility by 27 tpy of NO<sub>x</sub>, 23 tpy of CO, 1 tpy of VOC and 32,699 tpy of GHG.

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 following; 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.

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

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

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

**08-00047A: Milan Energy, LLC** (6051 Wallace Road Extension, Suite 100, Wexford, PA 15090) for construction of five (5) 6,023 bhp (4.4 MW) 4 stroke, lean burn Jenbacher J624 GS natural gas-fired engine/generator sets, each equipped with both catalytic oxidation and selective catalytic reduction (SCR), at the proposed electric generating station in Smithfield Township, **Bradford County**. The facility will also include one (1) 0.575 MMBtu/hour natural gas-fired natural gas line heater;



three (3) storage tanks ranging in size from 2,600 gallons to 6,000 gallons; one (1) desiccant dehydration system; various fugitive emissions.

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

The emissions from each proposed engine included in this project will not exceed the following limits: 0.06 g/bhp-hr and 3.49 TPY NO<sub>x</sub>, 0.119 g/bhp-hr and 6.92 TPY CO, 0.076 g/bhp-hr and 4.42 TPY VOCs, 0.000588 lbs/MMBtu and 0.083 TPY SO<sub>x</sub>, 0.024 g/bhp-hr and 1.40 TPY PM<sub>10</sub>/PM<sub>2.5</sub>, 0.025 g/bhp-hr and 1.49 TPY formaldehyde, 10 ppmvd at 15% O<sub>2</sub> ammonia; no visible emissions equal to or greater than 10% for a period or periods aggregating more than three minutes in any 1 hour and equal to or greater than 30% at any time.

In addition to the emission limitations, the following is a brief description of the types of conditions the Department intends to place in the plan approval in order to ensure compliance with all applicable air quality regulatory requirements: Establish a 95% operational capacity factor not to exceed 41,610 hours per 12 consecutive month period for all five engines combined; Performance testing requirement for all engines to verify compliance with the emissions limitations; Establish a facility-wide leak detection and repair (LDAR) program to account for fugitive emissions; Restrict the engines to natural gas firing only; In addition to performance testing, establish follow-up portable analyzer testing for NO<sub>x</sub> and CO for all engines every 2,500 hours of operation.

The facility is a State Only facility. If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 08-00047A, the applicant will subsequently apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3693.

**08-00049A: Alpaca Energy, LLC** (6051 Wallace Road Extension, Suite 100, Wexford, PA 15090) for construction of five (5) 6,023 bhp (4.4 MW) 4 stroke, lean burn Jenbacher J624 GS natural gas-fired engine/generator sets, each equipped with both catalytic oxidation and selective catalytic reduction (SCR), at the proposed electric generating station located in Canton Township, **Bradford County**. The facility will also include one (1) 0.575 MMBtu/hour natural gas-fired natural gas line

heater; three (3) storage tanks ranging in size from 2,600 gallons to 6,000 gallons; one (1) desiccant dehydration system; various fugitive emissions.

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

The emissions from each proposed engine included in this project will not exceed the following limits: 0.06 g/bhp-hr and 3.49 TPY NO<sub>x</sub>, 0.119 g/bhp-hr and 6.92 TPY CO, 0.076 g/bhp-hr and 4.42 TPY VOCs, 0.000588 lbs/MMBtu and 0.083 TPY SO<sub>x</sub>, 0.024 g/bhp-hr and 1.40 TPY PM<sub>10</sub>/PM<sub>2.5</sub>, 0.025 g/bhp-hr and 1.49 TPY formaldehyde, 10 ppmvd at 15% O<sub>2</sub> ammonia; no visible emissions equal to or greater than 10% for a period or periods aggregating more than three minutes in any 1 hour and equal to or greater than 30% at any time.

In addition to the emission limitations, the following is a brief description of the types of conditions the Department intends to place in the plan approval in order to ensure compliance with all applicable air quality regulatory requirements: Establish a 95% operational capacity factor not to exceed 41,610 hours per 12 consecutive month period for all five engines combined; Performance testing requirement for all engines to verify compliance with the emissions limitations; Establish a facility-wide leak detection and repair (LDAR) program to account for fugitive emissions; Restrict the engines to natural gas firing only; In addition to performance testing, establish follow-up portable analyzer testing for NO<sub>x</sub> and CO for all engines every 2,500 hours of operation.

The facility is a State Only facility. If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 08-00049A, the applicant will subsequently apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3693.

#### OPERATING PERMITS

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

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

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

**62-032J: Ellwood National Steel** (3 Front Street, Irvine, PA 16329), for the construction of two 22 mmbtu/hr annealing furnaces, removing #7 annealing furnace from plan approval 62-032I because it was never constructed, and establishing a limit on the gas consumption for the replacement degasser boiler permitted by GP1-62-032A and the annealing furnaces (Source 103 & 103A) permitted by 62-032D in Brokenstraw Township, **Warren 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 62-032J is for the proposed construction of two 22 mmbtu/hr annealing furnaces, removal of #7 annealing furnace (Source 103B) from plan approval 62-032I because it was never constructed, and establishing a limit on the gas consumption for the replacement degasser boiler (Source 040) permitted by GP1-62-032A and the annealing furnaces (Source 103 & 103A) permitted by 62-032D. This project will result in potential emissions of 0.88 tpy for PM, 0.88 tpy for PM<sub>10</sub>, 0.88 tpy for PM<sub>2.5</sub>, 8.66 tpy for NO<sub>x</sub>, 0.07 tpy for SO<sub>x</sub>, 9.7 tpy for CO, 0.64 tpy for VOC, and 13,514.7 for CO<sub>2</sub>(e) from the 2 new furnaces. It will also result in a new lower potential emissions of 0.319 tpy for PM, 0.319 tpy for PM<sub>10</sub>, 0.319 tpy for PM<sub>2.5</sub>, 5.88 tpy for NO<sub>x</sub>, 0.025 tpy for SO<sub>x</sub>, 3.51 tpy for CO, 0.231 tpy for VOC, and 4,914.5 for CO<sub>2</sub>(e) from Sources 103 & 103A. It will also result in a new lower potential emissions of 0.057 tpy for PM, 0.057 tpy for PM<sub>10</sub>, 0.057 tpy for PM<sub>2.5</sub>, 0.273 tpy for NO<sub>x</sub>, 0.00425 tpy for SO<sub>x</sub>, 0.282 tpy for CO, 0.0054 tpy for VOC, and 877.6 for CO<sub>2</sub>(e) from Source 040. The facility potential emissions for NO<sub>x</sub> will decrease by 4.25 tpy as a result of not installing Furnace #7. 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:

- Source 040:
  - The permittee shall construct qualifying small gas fired combustion units capable of reducing nitrogen oxides (NO<sub>x</sub>) and carbon monoxide (CO) emissions to or below:
    - 30 ppmdv NO<sub>x</sub> at 3% O<sub>2</sub>
    - 300 ppmdv CO at 3% O<sub>2</sub>
  - The natural gas consumption shall not exceed 15 MMCF of natural gas per year (calculated as a 12-month rolling total).
  - These combustion units shall comply with the emission limitations of the New Source Performance Standards prescribed in 40 CFR Part 60, Subpart Dc and the following.
    - The permittee shall install and maintain the necessary meter(s) to determine and to record amount of fuel usage.
    - The permittee shall comply with the recordkeeping and certification requirements in accordance with 40 CFR §§ 60.46c(e), 60.42c(h) and 60.48c(f)(1). Reports shall be submitted on a semi-annual basis unless no excess emissions occurred.
    - The permittee shall maintain daily fuel consumption records in accordance with 40 CFR § 60.48c(g).

- Semi-annual reports shall be submitted by the permittee in accordance with 40 CFR §§ 60.48c(d), 60.48c(e)(11) and 60.48c(j). The initial semi-annual report shall be postmarked by the 30th day of the sixth month following the completion of the initial performance test.

- Pursuant to 40 CFR § 60.4, the permittee shall submit copies of all requests, reports, applications, submittals, and other communications to both EPA and the appropriate Regional Office of the Department.

- The combustion unit and any associated air cleaning devices shall be:

- Operated in such a manner as not to cause air pollution.

- Operated and maintained in a manner consistent with good operating and maintenance practices.

- Operated and maintained in accordance with the manufacturer's specifications.

- The permittee shall, upon the request of the Department, provide fuel analyses, or fuel samples of the fuel used in any combustion unit.

- Source 103 & 103A:

- The NO<sub>x</sub> emissions from the annealing furnaces (Source ID's 103 and 103A) shall not exceed 140 lb/MMCF and 5.88 TPY (based on a 12-month rolling total). [This condition replaces the following condition: The NO<sub>x</sub> emissions from the annealing furnaces shall not exceed 140 lb/MMCF and 9.80 TPY (based on a 12-month rolling total).]

- The CO emissions from the annealing furnaces (Source ID's 103 and 103A) shall not exceed 84 lb/MMCF and 3.53 TPY (based on a 12-month rolling total). [This condition replaces the following condition: The CO emissions from the annealing furnaces shall not exceed 84 lb/MMCF and 5.88 TPY (based on a 12-month rolling total).]

- The SO<sub>x</sub> emissions from the annealing furnaces (Source ID's 103 and 103A) shall not exceed 0.6 lb/MMCF and 0.025 TPY (based on a 12-month rolling total). [This condition replaces the following condition: The SO<sub>x</sub> emissions from the annealing furnaces shall not exceed 0.6 lb/MMCF and 0.04 TPY (based on a 12-month rolling total).]

- The VOC emissions from the annealing furnaces (Source ID's 103 and 103A) shall not exceed 5.5 lb/MMCF and 0.231 TPY (based on a 12-month rolling total). [This condition replaces the following condition: The VOC emissions from the annealing furnaces shall not exceed 5.5 lb/MMCF and 0.39 TPY (based on a 12-month rolling total).]

- The PM<sub>10</sub> emissions from the annealing furnaces (Source ID's 103 and 103A) shall not exceed 7.6 lb/MMCF and 0.319 TPY (based on a 12-month rolling total). [This condition replaces the following condition: The PM<sub>10</sub> emissions from the annealing furnaces shall not exceed 7.6 lb/MMCF and 0.53 TPY (based on a 12-month rolling total).]

- The combined natural gas consumption for the annealing furnaces (Source ID's 103 and 103A) shall not exceed 84 MMCF of natural gas per year (calculated as a 12-month rolling total). [This condition replaces the following: The natural gas consumption from the annealing furnaces shall not exceed 140,000 MCF of natural gas per year (based on a 12 month rolling total).]

- All conditions from the facility operating permit issued on August 1, 2012, remain in effect unless modified in this plan approval.

- Source 103D & 103E:

- The NO<sub>x</sub> emissions shall not exceed 8.66 TPY (calculated as a 12-month rolling total) from Furnaces 103D & 103E combined.

- The CO emissions shall not exceed 9.7 TPY (calculated as a 12-month rolling total) from Furnaces 103D & 103E combined.

- The SO<sub>x</sub> emissions shall not exceed 0.07 TPY (calculated as a 12-month rolling total) from Furnaces 103D & 103E combined.

- The VOC emissions shall not exceed 0.64 TPY (calculated as a 12-month rolling total) from Furnaces 103D & 103E combined.

- The PM emissions shall not exceed 0.88 TPY (calculated as a 12-month rolling total) from Furnaces 103D & 103E combined.

- The PM<sub>10</sub> emissions shall not exceed 0.88 TPY (calculated as a 12-month rolling total) from Furnaces 103D & 103E combined.

- The PM<sub>2.5</sub> emissions shall not exceed 0.88 TPY (calculated as a 12-month rolling total) from Furnaces 103D & 103E combined.

- The natural gas consumption shall not exceed 231 MMCF of natural gas per year (calculated as a 12-month rolling total) from Furnaces 103D & 103E combined.

- All required records shall commence upon source startup, shall be maintained on site for a minimum of five (5) years, and shall be made available to Department personnel upon request.

- The permittee shall maintain daily records of the hours of operation and natural gas usage of this source.

- The permittee shall calculate and maintain monthly records of the emissions from this source to determine compliance with this Plan Approval.

- The permittee shall maintain records of the following from the operational checks:

- Operational check was performed

- The permittee shall record each adjustment conducted under the procedures specified in the Work Practice Standards in a permanently bound log book or other method approved by the Department. This log shall contain, at a minimum, the following information:

- The date of the tuning procedure
- The name of the service company and technicians
- The final operating rate or load
- The final CO and NO<sub>x</sub> emission rates
- The final excess oxygen rate

- The permittee shall conduct a daily operational check of the source.

- The permittee shall install, maintain, and operate low-NO<sub>x</sub> burners in the annealing furnace at all times that the furnace is in operation.

- The annealing furnace, as well as associated low-NO<sub>x</sub> burners, shall be installed, maintained, and operated in accordance with manufacturer's specifications and good air pollution control practices.

- The permittee shall perform an annual adjustment or tune-up on the combustion process. This adjustment shall include, at a minimum, the following:

- Inspection, adjustment, cleaning or replacement of fuel-burning equipment, including the burners and moving parts necessary for proper operation as specified by the manufacturer.

- Inspection of the flame pattern or characteristics and adjustments necessary to minimize total emissions of NO<sub>x</sub>, and to the extent practicable minimize emissions of CO.

- Inspection of the air-to-fuel ratio control system and adjustments necessary to ensure proper calibration and operation as specified by the manufacturer.

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 a.m. to 4 p.m. at the Meadville Regional DEP office (Air Quality). Appointments for scheduling a review must be made by calling the DEP (814) 332-6340.

In accordance with 25 Pa. Code § 127.44(f)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval [62-032J] 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—127.431 for state only operating permits or §§ 127.521—127.524 for Title V operating permits.

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**Intent to Issue Operating Permits 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, PA19428*

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

**46-00231: Judson A. Smith Co.** (857-863 Sweinhart Road, Boyertown, PA 19512) for the renewal of a Natural Minor Operating Permit in Douglass Township, **Montgomery County**. The initial operating permit was issued on April 9, 2009, and was effective May 01, 2009. Judson A. Smith Company fabricates metal tubing components used for the medical, auto, aerospace, and electronic industries. The primary sources of air emissions from the facility are Cold Cleaning Machines (Source ID 103), Two (2) Emergency Generators (Source ID 104), and an UltraKool Vapor Degreaser (CTP1812) (Source ID 105). Requirements from 25 Pa. Code § 129.63 and 40 CFR Part 63, Subpart T, have been incorporated as appropriate for the various degreasers. The emergency generators are subject to 40 CFR Part 63, Subpart ZZZZ, for which applicable conditions have been incorporated into the operating permit. Potential emissions from the facility are less than the following emission rates: 16.0 tpy for VOCs, 6.0 tpy for HAP, 6.0 tpy for PM, 3.0 tpy for NO<sub>x</sub>, and 2.0 tpy for SO<sub>x</sub> and CO. The permit contains monitoring, recordkeeping, reporting, and work practice standards designed to keep the facility operating within all applicable air quality requirements.

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

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

**35-00030: General Dynamics Land Systems—Eynon Plant** (175 East Street, Archbald, PA 18403) for military armored vehicle, tank, and tank component manufacturing in Archbald Borough, **Lackawanna County**. The sources consist of two (2) natural gas fired boilers and paint booths. The sources are controlled by particulate arrestors. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. This is a renewal of the State-Only Synthetic Minor operating permit. The State-Only operating permit includes applicable state and federal requirements, work practice standards, testing, monitoring, recordkeeping and reporting requirements.

**39-00093: ICO Polymers North America, Inc.** (6355 Farm Bureau Road, Allentown, PA 18106) for Plastics Products manufacturing in Upper Macungie Township, **Lehigh County**. The sources consist of Air Mills and Silos. The sources are controlled by fabric collectors. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. This is a renewal of the State-Only Natural Minor operating permit. The State-Only operating permit includes applicable state and federal requirements, work practice standards, testing, monitoring, recordkeeping and reporting requirements.

**39-00033: Lutron Electronics Company, Inc.** (7200 Suter Road, Coopersburg, PA 18036) for electrical equipment and supplies manufacturing in Lower Macungie Township, **Lehigh County**. The sources consist of a spray paint booth, two (2) wave solder fluxers and clean-up operations. The spray booth is controlled by filters. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. This is a renewal of the State-Only Natural Minor operating permit. The State-Only operating permit includes applicable state and federal requirements, work practice standards, testing, monitoring, recordkeeping and reporting requirements.

**48-00061: Haines and Kibblehouse, Inc.** (PO Box 196, Lucon Road, Skippack PA 19474) for the operation of an asphalt production plant in Lower Mt. Bethel Township, **Northampton County**. The sources at the facility consist of the batch asphalt plant, feed bins and conveyors with the particulate emissions being controlled by a cyclone, baghouse, and a wet suppression system. This is a renewal of a State-Only operating permit. The State-Only operating permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

**35-00015: Valmet, Inc.** (PO Box 155, 987 Griffin Pond Road, Clarks Summit, PA 18411) for the operation of a rubber product manufacturing facility in South Abington Township, **Lackawanna County**. The sources at the facility are shot blast, vulcanization process, grinding, mixing and extruding, as addition to related processing equipment. The particulate emissions are controlled by dust collectors. This is a renewal of a State-Only operating permit. The State-Only operating permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

*Southcentral Region: Air Quality Program, 909 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.*

**06-05102: Sunsweet Growers, Inc.** (105 South Buttonwood Street, Fleetwood, PA 19522) for their hot-filled bottle plant in the Borough of Fleetwood, **Berks County**. This is a renewal of their State-only Operating Permit issued in 2010.

In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and intends to issue an Air Quality Operating Permit for the abovementioned facility.

The subject facility's actual emissions for the timeframe 3/1/12 through 2/28/13 are estimated to be: 0.3 tpy of PM<sub>10</sub>, 3.7 tpy CO, 4.4 tpy NO<sub>x</sub>, 0.0 tpy SO<sub>x</sub>, 0.2 tpy VOC, and 0.0 tpy of combined HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units & 40 CFR 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

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 following; 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.

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

**01-05021: Knouse Foods Cooperative, Inc.** (53 East Hanover Street, Biglerville, PA 17307) for their Gardners fruit processing facility in Tyrone 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: 1.6 tons of PM per year; 18 tons of CO per year; 22 tons of NO<sub>x</sub> per year; 0.1 ton of SO<sub>x</sub> per year; 1.2 tons of VOCs per year; and 0.4 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; 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 following; name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A 30-day comment period, from the date of publication of this notice in the *Pennsylvania Bulletin*, will exist for the submission of comments or protests. Gary Helsel, Acting New Source Review Chief, may be contacted at 814-949-7935, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

**67-05069: Pennsy Supply Inc.—Thomasville Quarry** (550 S Biesecker Rd., Thomasville, PA 17364) for operation of a limestone crushing plant in Jackson Township, **York 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 facility potential emissions are 22.3 tons per year of CO, 12 tons per year of NO<sub>x</sub>, 17.2 tons per year of PM, 12.3 tons per year of SO<sub>x</sub>, and 1.4 ton per year of VOC. 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 000—Standard of Performance for Nonmetallic Mineral Processing Plants.

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 following; name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

Gary Helsel, Acting New Source Review Chief, may be contacted at 814-949-7935, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

**01-03017: Premier Magnesia, LLC** (1305 Center Mills Road, Aspers, PA 17304) for their mineral ores milling facility in Menallen 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 facility actual emissions are less than 5 tons per year of particulate matter. 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.

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 following; name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

Gary Helsel, Acting New Source Review Chief, may be contacted at 814-949-7935, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

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

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

**04-00600: Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201), Reissuance of Natural Minor Operating Permit for the operation of a coal preparation plant, known as the Beaver Valley Mine Coal Preparation Plant, located in Greene Township, **Beaver County**.

This permit reissuance replaces Condition #006 of Section C, which requires that coal processed maintain moisture content of at least 6% with added language to Condition #001 of Source ID 103, Section D requiring water sprays to be installed and used on an as needed basis at transfer points. The proposed change will not result in an increase in emissions from the facility.

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

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

**33-00162: Coolspring Sand & Gravel Co., Inc.** (PO Box 243, Dubois, PA 15801-0243) for the renewal of the natural minor operating permit to operate a sand and gravel processing facility (washing / screening) in Oliver Township, **Jefferson County**. The facility's emitting sources included, 1) Processing plant and, 2) Three Diesel Engines (3). The emissions of pollutants from the facility are less than Title V threshold limits. Thus, the facility is considered a natural minor. The three Diesel engines are subject to 40 CFR Part 63, Subpart ZZZZ. The engines are rated at 68 hp, 96.5 hp, and 101 hp, respectively. The engines are subject to the work practice requirements of oil changes and air filter / belts / hoses maintenance checks. All applicable conditions of Subpart ZZZZ have been included in the source level of the permit. The total plant wide particulate matter emissions pre-control are 9.1 Tons per year. Post Control the particulate emissions are 6.5 TPY (based on a 30% reduction through the use of water spray). Total uncontrolled emissions from the diesel engines are: PM<sub>10</sub>—1.3 TPY; CO—1.7 TPY; SO<sub>x</sub>—0.3 TPY; and, NO<sub>x</sub>—7.4 TPY.

**37-00321: New Castle Recycling** (215 Gardner Ave, New Castle, PA 16101-3926) to issue a renewal State Only Operating Permit for the scrap metal cutting operations in the City of New Castle, **Lawrence County**. The facility is a Natural Minor. The primary sources at the facility include scrap cutting of large objects under a metal hood that is controlled by a baghouse and yard cutting for smaller carbon steel scrap (with minimal amounts of nickel and chrome) and aluminum. Particulate emissions from the exhaust of the baghouse are estimated at 0.029 TPY.

## PLAN APPROVALS

**Receipt of Plan Approval Applications and Intent to Issue Plan Approvals, and Intent to Issue Amended Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter B And Subchapter F. These actions may include the administrative amendments of an associated operating permit.**

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

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

**48-00103A: ASGCO Manufacturing Inc.** (301 Gordan Street, Allentown, PA 18102) for installation of a plasma cutting table with a new dust collector in Plainfield Township, **Northampton County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to ASGCO Manufacturing Inc. (301 Gordan Street, Allentown, PA 18102) for the facility located in Plainfield Township, Northampton County. This Plan Approval No. 48-00103A will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 48-00103A is for the installation of a plasma cutting table with a new dust collector. Particulate emissions will not exceed 0.02 grain/dscf. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. The company shall be subject to and comply with 25 Pa. Code § 123.41 for Visible emissions. Emissions will be controlled by the use of baghouse. These limits will meet BAT requirements for this source. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 48-00103A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, Phone 570-826-2511 within 30 days after publication date.

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

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

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

### *Coal Applications Returned*

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

**43850105. Grove City Materials, LP** (161 Plain Grove Road, Slippery Rock, PA 16057) Revision to add 5.0 acres to the surface mining permit in Pine & Mercer Townships, **Mercer & Butler Counties**. Receiving streams: Unnamed tributaries to Swamp Run. Application received: October 11, 2013. Application returned: August 5, 2014.

### *Coal Applications Received*

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

**65091301 and NPDES No. PA0235873. C&D Coal Company, LLC**, (200 Chestnut Ridge Rd., Latrobe, PA 15650). To revise the permit for the Kingston-West Mine in Derry Township, **Westmoreland County** to add acreage to the subsidence control plan permit area. Subsidence Control Plan Acres Proposed 372.4. No additional discharge. The application was considered administratively complete on August 5, 2014. Application received May 15, 2014.

**30831303 and NPDES No. PA0013511. Cumberland Coal Resources, LP**, (158 Portal Road, PO Box 1020, Waynesburg, PA 15370). To revise the permit for the Cumberland Mine in Center Township, **Greene County** to install one Gob-Ventilation Borehole (#60-6). Surface Acres Proposed 0.74. No additional discharges. The application was considered administratively complete on August 7, 2014. Application received March 13, 2014.

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

**65090101 and NPDES Permit No. PA0251593. Amerikohl Mining, Inc.** (1384 State Route 711, Stahlstown, PA 15687). Renewal application for reclamation only to an existing bituminous surface mine, located in Rostraver Township, **Westmoreland County**, affecting 166.4 acres. Receiving streams: unnamed tributaries to Monongahela River and Monongahela River, classified for the following use: WWF. The potable water supply intake within 10 miles downstream from the point of discharge: West Penn Power/Mitchell Power Station. Renewal application received: August 7, 2014.

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

**17030115 and NPDES PA0243612. Corey L. Shawver DBA Hilltop Coal Company** (12 Dutchtown Road, Houtzdale, PA 16651). Permit renewal of an existing bituminous surface mine located in Bigler Township, **Clearfield County** affecting 212.6 acres. Receiving stream(s): Unnamed Tributary to Japling Run, Japling Run, and Unnamed Tributaries to Muddy Run classified for the following use(s): Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: August 6, 2014.

**17030113 and NPDES PA0243591. Rob Holland Enterprises** (52 Holland Lane, Curwensville, PA 16833). Permit renewal of an existing bituminous surface mine located in Lawrence Township, **Clearfield County** affecting 47.9 acres. Receiving stream(s): Unnamed Tributary to Montgomery Creek classified as the following use(s): Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received August 6, 2014.

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

**Permit No. 54850104R5. Bell Corp.**, (PO Box 311, Tuscarora, PA 17982), renewal of an existing anthracite surface mine operation in Schuylkill Township, **Schuylkill County** affecting 102.5 acres, receiving stream: Schuylkill River, classified for the following uses: cold water and migratory fishes. Application received: July 23, 2014.

**Permit No. 54850104C. Bell Corp.**, (PO Box 311, Tuscarora, PA 17982), correction of an existing anthracite surface mine operation in Schuylkill Township, **Schuylkill County** to update the post-mining land use from forestland to unmanaged natural habitat affecting 102.5 acres, receiving stream: Schuylkill River, classified for the

following uses: cold water and migratory fishes. Application received: July 23, 2014.

*Noncoal Applications Received*

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

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

\* The parameter is applicable at all times.

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

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

**41130801. Joshua D. Leidhecker** (1380 Radio Club Road, Montoursville, PA 17754). Transfer of an existing small noncoal (shale) mining permit from Robert W. Leidhecker located in Fairfield Township, **Lycoming County** affecting 2.0 acres. Receiving stream(s): Bennetts Run. Application received: November 1, 2013. Permit issued: July 31, 2014.

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

**Permit No. 47140301 and NPDES Permit No. PA0225495. Hanson Aggregates PA, LLC**, (7660 Imperial Way, Allentown, PA 18195), commencement, operation and restoration of a quarry operation in Liberty and Limestone Townships, **Montour County** (replacing 6275SM2 & 47950301) affecting 452.91 acres, receiving streams: unnamed tributary to Chillisquaque Creek and Chillisquaque Creek, classified for the following use: warm water fishes. Application received: July 18, 2014.

**Permit No. 58030814. Thomas J. Shields**, (1371 Baptist Hill Road, Hallstead, PA 18822), Stage I & II release of a quarry operation in Liberty Township, **Susquehanna County** affecting 3.0 acres, on property owned by Thomas J. Shields. Application received: July 23, 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. PA0248894 (Mining Permit No. 4072SM22), Penn Coal Land, Inc.**, P. O. Box 68 Boswell, PA 15531, renewal of an NPDES permit for treatment of a post mining discharge in Somerset Township, **Somerset County**, affecting 90 acres. Receiving stream(s): unnamed tributary to Kimberly Run, classified for the following use(s): Cold Water Fishes. This receiving stream is included in the Coxes Creek TMDL. Application received: August 20, 2010.

The outfall(s) listed below discharge to an unnamed tributary of Kimberly Run:

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

The proposed interim effluent limits for the above listed outfall(s) will be effective until 18 month after the permit issuance:

<i>Outfalls: 001 (All Weather Conditions) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
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 proposed final effluent limits for the above listed outfall(s) will be effective after 18 months have passed since the permit issuance:

<i>Outfalls: 001 (All Weather Conditions)</i> <i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
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

#### Compliance Schedule

(1) The Department has determined that the water quality based effluent limitations (WQBEL) identified in Section A for outfall 001 are necessary in order to protect the water quality of the receiving stream (unnamed tributary to Kimberly Run) and to fulfill the present requirements of the Coxes Creek TMDL.

(2) Whereas the final WQBEL set out in Section A for outfall 001 are significantly more stringent than past effluent limits for those outfalls, and whereas the final effluent limits assigned in Section A for manganese cannot be met without modifications to the existing treatment facilities, the permittee shall comply with the interim effluent limits set forth in Section A during the compliance period and shall comply with the following paragraphs. The permittee shall:

a. Within the first six months following permit issuance, conduct an evaluation of the existing treatment facilities for Outfall 001 and determine what modifications are required to meet the effluent limitations set out in Section A. By the end of six months following permit reissuance, the permittee shall submit a report to the Department evaluating the treatment options and identifying the facility modifications required to meet the WQBEL set in Section A.

b. As part of the report described in paragraph (a), the permittee shall also submit a Treatment Plan to the Department for approval including specifications of the facility modifications, proposed schedule for construction, and demonstration that construction will be performed as soon as possible. In addition, the permittee shall submit complete applications for all permits or permit amendments necessary to install and operate the modifications to the Department for review. Following approval of the Treatment Plan and issuance of all necessary permits for the facility modifications, construction of the revised treatment systems shall commence no later than one year after reissuance of this NPDES permit. Construction and start-up of the facility modifications shall be completed, and attainment of the WQBEL set in Section A for Outfall 001 shall be achieved, by no later than eighteen months after reissuance (renewal) of this NPDES permit.

(3) The permittee shall implement the treatment facility modifications necessary to achieve the WQBEL of Section A according to the following compliance schedule:

- |    |  |   |
|----|--|---|
| a. | Submit a report describing its evaluation of treatment facility modification which will assure compliance with the effluent limitations assigned in Section A.   | As soon as possible, but no later than within six months of permit reissuance.    |
| b. | Submit a treatment plan and complete applications for all permits necessary for the treatment equipment to the Department for approval.  | As soon as possible, but no later than within six months of permit reissuance     |
| c. | Commence construction of system modifications required to meet the WQBELS in Part A.   | As soon as possible, but no later than within one year of permit reissuance.      |
| d. | Complete treatment plant modifications/additions. Compliance with final limits.  | As soon as possible, but no later than within 18 months of permit reissuance.     |
| e. | Submit progress reports. Reports shall include updates, attainment, or any progress made toward milestones, summary of results of any supplemental sampling, and a discussion of compliance or non-compliance with interim and final requirements. | Every 6 months after permit reissuance until completion of the compliance period. |

(4) a. Pursuant to 40 CFR § 122.62, the permittee may make request to the Department for approval of a modification of the time period for completing step (d) of the compliance schedule in the table above (completion of construction and start-up of the treatment facility modifications within eighteen months of NPDES permit reissuance). The permittee's request for approval of a modification must demonstrate that the respective compliance schedule step cannot be completed within the prescribed time period. The permittee shall also provide an alternative time frame for completion of construction and start-up of the treatment technology; the alternative must be based on completing construction as soon as possible. The permittee's economic inability to comply with any of the obligations of this Compliance Schedule shall not be grounds for any extension of time.

b. The permittee shall submit a request for modification of the compliance schedule pursuant to this paragraph in writing to the Department within 10 working days of the date the permittee becomes aware or reasonably should have become aware of the event impeding performance. The written submission shall include all necessary documentation specifying the reasons for the delay, the expected duration of the delay, and the efforts which have been made and are being made by the permittee to mitigate the effects of the event and to minimize the length of the delay. The initial written submission may be supplemented within ten working days of its submission.

c. The Department will decide whether to grant all or part of the extension requested on the basis of all documentation submitted by the permittee and any other information available to the Department and will notify the permittee if

writing of its decision. In any subsequent litigation, Penn Coal Land, Inc. shall have the burden of proving that the Department's refusal to grant the requested extension was an abuse of discretion based upon the information then available.

**NPDES No. PA0248860 (Mining Permit No. 4075SM12), Penn Coal Land Inc.,** P. O. Box 68 Boswell, PA 15531, renewal of an NPDES permit for treatment of a post mining discharge in Summit Township, **Somerset County**, affecting 114.5 acres. Receiving stream(s): unnamed tributary to Casselman River, classified for the following use(s): Cold Water Fishes. This receiving stream is included in the Casselman River TMDL. Application received: August 20, 2010.

The outfall(s) listed below discharge to unnamed tributary to Casselman River:

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

The proposed interim effluent limits for the above listed outfall(s) will be effective until 18 months from the issuance date of the permit:

<i>Outfalls: 001 &amp; 002 (All Weather Conditions)</i> <i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
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 proposed interim effluent limits for the above listed outfall(s) will be effective after 18 months have passed from the issuance date of the permit:

<i>Outfalls: 001 &amp; 002 (All Weather Conditions)</i> <i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	0.75	1.5	1.8
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

**Compliance Schedule**

(1) The Department has determined that the water quality based effluent limitations (WQBEL) identified in Part A for outfalls 001 and 002 are necessary for aluminum to fulfill the present requirements of the Casselman River TMDL.

(2) Whereas the final WQBEL set out in Part A for outfalls 001 and 002 are significantly more stringent than past effluent limits for those outfalls, and whereas the final effluent limits assigned in Part A cannot be met without modifications to the existing treatment facilities, the permittee shall comply with the interim effluent limits set forth in Part A during the compliance period and shall comply with the following paragraphs. The permittee shall:

a. Within the first six months following permit issuance, conduct an evaluation of the existing treatment facilities for Outfalls 001 and 002 and determine what modifications are required for each facility to meet the effluent limitations set out in Part A. Within six months following permit reissuance, the permittee shall submit a report to the Department evaluating the treatment options and identifying the facility modifications required to meet the WQBEL set in Part A.

b. As part of the report described in paragraph (a), the permittee shall also submit a Treatment Plan to the Department for approval including specifications of the facility modifications, proposed schedule for construction, and demonstration that construction will be performed as soon as possible. In addition, the permittee shall submit complete applications for all permits or permit amendments necessary to install and operate the modifications to the Department for review. Following approval of the Treatment Plan and issuance of all necessary permits for the facility modifications, construction of the revised treatment systems shall commence no later than twelve months after reissuance of this NPDES permit. Construction and start-up of the facility modifications shall be completed, and attainment of the WQBEL set in part A for Outfalls 001 and 002 shall be achieved, by no later than eighteen months after reissuance (renewal) of this NPDES permit.

(3) The permittee shall implement the treatment facility modifications necessary to achieve the WQBEL of Part A according to the following compliance schedule:

- |    |   |  |
|----|---|--|
| a. | Submit a report describing its evaluation of treatment facility modification which will assure compliance with the effluent limitations assigned in Part A. | As soon as possible, but no later than within six months of permit reissuance. |
| b. | Submit a treatment plan and complete applications for all permits necessary for the treatment equipment to the Department for approval.                     | As soon as possible, but no later than within six months of permit reissuance  |
| c. | Commence construction of system modifications required to meet the WQBELS in Part A.  | As soon as possible, but no later than within 12 months of permit reissuance.  |

- |    |   |   |
|----|---|---|
| d. | Complete treatment plant modifications /additions. Compliance with final limits.  | As soon as possible, but no later than within 18 months of permit reissuance.     |
| e. | Submit progress reports. Reports shall include updates, attainment, or any progress made toward milestones, summary of results of any supplemental sampling and a discussion of compliance or non-compliance with interim and final requirements. | Every 6 months after permit reissuance until completion of the compliance period. |

(4) a. Pursuant to 40 CFR § 122.62, the permittee may make request to the Department for approval of a modification of the time period for completing step (d) of the compliance schedule in the table above (completion of construction and start-up of the treatment facility modifications within eighteen months of NPDES permit reissuance). The permittee's request for approval of a modification must demonstrate that the respective compliance schedule step cannot be completed within the prescribed time period. The permittee shall also provide an alternative time frame for completion of construction and start-up of the treatment technology; the alternative must be based on completing construction as soon as possible. The permittee's economic inability to comply with any of the obligations of this Compliance Schedule shall not be grounds for any extension of time.

b. The permittee shall submit a request for modification of the compliance schedule pursuant to this paragraph in writing to the Department within 10 working days of the date the permittee becomes aware or reasonably should have become aware of the event impeding performance. The written submission shall include all necessary documentation specifying the reasons for the delay, the expected duration of the delay, and the efforts which have been made and are being made by the permittee to mitigate the effects of the event and to minimize the length of the delay. The initial written submission may be supplemented within ten working days of its submission.

c. The Department will decide whether to grant all or part of the extension requested on the basis of all documentation submitted by the permittee and any other information available to the Department and will notify the permittee if writing of its decision. In any subsequent litigation, Penn Pocahontas Coal Company shall have the burden of proving that the Department's refusal to grant the requested extension was an abuse of discretion based upon the information then available.

**NPDES No. PA0248878 (Mining Permit No. 4072SM2), Penn Coal Land Inc.,** P. O. Box 68 Boswell, PA 15531, renewal of an NPDES permit for treatment of a post mining discharge in Elk Lick Township, **Somerset County**, affecting 117.5 acres. Receiving stream(s): unnamed tributary to Meadow Run, classified for the following use(s): Cold Water Fishes. This receiving stream is included in the Casselman River TMDL. Application received: August 20, 2010.

The outfall(s) listed below discharge to unnamed tributary to Meadow Run

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

The proposed interim effluent limits for the above listed outfall(s) will be effective until 18 months from the issuance date of the permit:

<i>Outfalls: 002 (All Weather Conditions)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
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 proposed interim effluent limits for the above listed outfall(s) will be effective after 18 months have passed from the issuance date of the permit:

<i>Outfalls: 002 (All Weather Conditions)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	1.9	3.8	4.8
Manganese (mg/l)	1.2	2.5	3.2
Aluminum (mg/l)	0.75	1.2	1.2
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			

#### Compliance Schedule

(1) The Department has determined that the water quality based effluent limitations (WQBEL) identified in Part A for outfall 002 is necessary to fulfill the present requirements of the Casselman River TMDL.

(2) Whereas the final WQBEL set out in Part A for outfall 002 are significantly more stringent than past effluent limits for this outfall, and whereas the final effluent limits assigned in Part A cannot be met without modifications to the existing treatment facilities, the permittee shall comply with the interim effluent limits set forth in Part A during the compliance period and shall comply with the following paragraphs. The permittee shall:

a. Within the six months following permit issuance, conduct an evaluation of the existing treatment facilities for Outfall 002 and determine what modifications are required for each facility to meet the effluent limitations set out in

Part A. By the end of the first six months following permit reissuance, the permittee shall submit a report to the Department evaluating the treatment options and identifying the facility modifications required to meet the WQBEL set in Part A.

b. As part of the report described in paragraph (a), the permittee shall also submit a Treatment Plan to the Department for approval including specifications of the facility modifications, proposed schedule for construction, and demonstration that construction will be performed as soon as possible. In addition, the permittee shall submit complete applications for all permits or permit amendments necessary to install and operate the modifications to the Department for review. Following approval of the Treatment Plan and issuance of all necessary permits for the facility modifications, construction of the revised treatment systems shall commence no later than one year after reissuance of this NPDES permit. Construction and start-up of the facility modifications shall be completed, and attainment of the WQBEL set in part A for Outfall 002 shall be achieved, by no later than eighteen months after reissuance (renewal) of this NPDES permit.

(3) The permittee shall implement the treatment facility modifications necessary to achieve the WQBEL of Part A according to the following compliance schedule:

- |    |   |   |
|----|---|---|
| a. | Submit a report describing its evaluation of treatment facility modification which will assure compliance with the effluent limitations assigned in Part A.   | As soon as possible, but no later than within six months of permit reissuance.    |
| b. | Submit a treatment plan and complete applications for all permits necessary for the treatment equipment to the Department for approval.   | As soon as possible, but no later than within six months of permit reissuance     |
| c. | Commence construction of system modifications required to meet the WQBELS in Part A.  | As soon as possible, but no later than within 12 months of permit reissuance.     |
| d. | Complete treatment plant modifications /additions. Compliance with final limits.  | As soon as possible, but no later than within 18 months of permit reissuance.     |
| e. | Submit progress reports. Reports shall include updates, attainment, or any progress made toward milestones, summary of results of any supplemental sampling and a discussion of compliance or non-compliance with interim and final requirements. | Every 6 months after permit reissuance until completion of the compliance period. |

(4) a. Pursuant to 40 CFR § 122.62, the permittee may make request to the Department for approval of a modification of the time period for completing step (d) of the compliance schedule in the table above (completion of construction and start-up of the treatment facility modifications within eighteen months of NPDES permit reissuance). The permittee's request for approval of a modification must demonstrate that the respective compliance schedule step cannot be completed within the prescribed time period. The permittee shall also provide an alternative time frame for completion of construction and start-up of the treatment technology; the alternative must be based on completing construction as soon as possible. The permittee's economic inability to comply with any of the obligations of this Compliance Schedule shall not be grounds for any extension of time.

b. The permittee shall submit a request for modification of the compliance schedule pursuant to this paragraph in writing to the Department within 10 working days of the date the permittee becomes aware or reasonably should have become aware of the event impeding performance. The written submission shall include all necessary documentation specifying the reasons for the delay, the expected duration of the delay, and the efforts which have been made and are being made by the permittee to mitigate the effects of the event and to minimize the length of the delay. The initial written submission may be supplemented within ten working days of its submission.

The Department will decide whether to grant all or part of the extension requested on the basis of all documentation submitted by the permittee and any other information available to the Department and will notify the permittee if writing of its decision. In any subsequent litigation, Penn Coal Lands, Inc. shall have the burden of proving that the Department's refusal to grant the requested extension was an abuse of discretion based upon the information then available.

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

**NPDES No. PA0252409 (Mining permit no. 03130101), Amerikohl Mining, Inc.,** 202 Sunset Drive, Butler, PA 16001, new NPDES permit for a bituminous surface Madison Township, **Armstrong County**, affecting 186.0 acres. Receiving stream: unnamed tributaries Mahoning Creek to Mahoning Creek, classified for the following use: CWF. Application received: March 10, 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(s) listed below discharge to unnamed tributary 3 to Mahoning Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>TYPE</i>
TP-01	Y	Treatment Facility

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

<i>Outfalls:</i> <i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	1.5	3.0	3.8
Total Suspended Solids (mg/l)	35	70	90
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The stormwater outfall(s) listed below discharge to Unnamed Tributary 3 to Mahoning Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>TYPE</i>
SP-A	Y	Sedimentation Pond

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

<i>Outfalls: SP-A</i> <i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	1.5	3.0	3.8
Total Suspended Solids (mg/l)	35	70	90
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The proposed effluent limits for the above listed outfall(s) are as follows: for precipitation events less than or equal to a 10 year/24 hour storm event

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

The treated wastewater outfall(s) listed below discharge to Unnamed Tributary 2 to Mahoning Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>TYPE</i>
TP-02	Y	Treatment Facility
TP-03	Y	Treatment Facility

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

<i>Outfalls: TP-02, TP-03</i> <i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	2.4	4.8	6.0
Manganese (mg/l)	1.6	3.2	4.0
Aluminum (mg/l)	1.2	2.4	3.0
Total Suspended Solids (mg/l)	35	70	90
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The stormwater outfall(s) listed below discharge to Unnamed Tributary 2 to Mahoning Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>TYPE</i>
SP-B	Y	Sedimentation Pond
SP-C	Y	Sedimentation Pond

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

<i>Outfalls: SP-B, SP-C</i> <i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	2.4	4.8	6.0
Manganese (mg/l)	1.6	3.2	4.0
Aluminum (mg/l)	1.2	2.4	3.0
Total Suspended Solids (mg/l)	35	70	90
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The proposed effluent limits for the above listed outfall(s) are as follows: for precipitation events less than or equal to a 10 year/24 hour storm event

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

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

**NPDES No. PA0242322 (Permit No. 24030102). AMFIRE Mining Company, LLC** (One Energy Place, Suite 2800, Latrobe, PA 15650) Renewal of an existing NPDES permit for a bituminous surface mine in Fox Township, **Elk County**, affecting 172.5 acres. Receiving streams: Mill Run, classified for the following uses: CWF. TMDL: Bennett Branch Sinnemahoning Creek Watershed. Application received: June 23, 2014.

This proposed mine site also contains or is hydrologically connected to substandard discharges for which there is no responsible party. Pursuant to 25 Pa. Code Section 87.201, effluent limits for those discharges will be based upon the existing baseline pollution load, or the standards found at 25 Pa. Code Section 87.102(a) Group A, whichever is least stringent.

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

The outfall(s) listed below discharge to Mill Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TP1	N
TP2	N
TP3	N
TP4	N
TP5	N
TP7	N

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3	6	7
Manganese (mg/l)		2	4	5
Aluminum (mg/l)		2	4	5
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35	70	90

<sup>1</sup> The parameter is applicable at all times.

The outfall(s) listed below discharge to Mill Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
S1	N
S2	N
S3	N
S4	N
S5	N
S7	N
S8	N
S9	N

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)				7.0
Alkalinity greater than acidity <sup>1</sup>				
Total Settleable Solids (ml/l)				0.5

## 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

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

**E08-485. Pennsylvania Department of Transportation, Engineering District 3-0**, 715 Jordan Ave, Montoursville, PA 17754. SR 0467, Section 003 Bridge Replacement in Rome Township, Bradford County, ACOE Baltimore District (Rome, PA Quadrangle; Latitude: 41°49'49"; Longitude -76°20'59").

PA DOT Engineering District 3-0 proposes to replace a two span concrete adjacent box beam bridge with a two span concrete spread box beam bridge. The existing bridge has a span of 80.5 Ft., a skew of 90 degrees, an underclearance of 10.5 Ft., a low chord of 781.45 Ft. and a hydraulic opening of 1,238.8 Ft<sup>2</sup>. The proposed bridge has a span of 83.5 Ft., a skew of 90 degrees, an underclearance of 7.67 Ft., a low chord of 780.65 Ft. and a hydraulic opening of 1,238.9 Ft<sup>2</sup>. The project will not impact any jurisdictional wetlands. Wysox Creek is classified as a Cold Water Fishery by Title 25, Chapter 93 Water Quality Standards. This project will not require mitigation.

**E08-486. Pennsylvania Department of Transportation, Engineering District 3-0**, 715 Jordan Ave, Montoursville, PA 17754. SR 0467, Section 007 Bridge Replacement in Pike Township, Bradford County, ACOE Baltimore District (Le Raysville, PA Quadrangle; Latitude: 41°49'23"; Longitude -76°11'01").

PA DOT Engineering District 3-0 proposes to replace a single span concrete T-beam bridge with a single span concrete box culvert. The existing bridge has a span of 19.8 Ft., a skew of 90 degrees, an underclearance of 4.56 Ft., a low chord of 1,160.22 Ft. and a hydraulic opening of 90.3 Ft<sup>2</sup>. The proposed 24 Ft X 8 Ft box culvert has a span of 24 Ft., a skew of 90 degrees, an underclearance of 6.0 Ft., a low chord of 1,160.04 Ft. and a hydraulic opening of 144 Ft<sup>2</sup>. The proposed box culvert will be located approximately 25 Ft. south of the existing structure to better align it with the stream. The proposed box culvert will be depressed approximately two feet to aid in aquatic passage. The project will include approximately 95 Ft. of R-8 Rip Rap stream bank stabilization on the upstream side of the structure and approximately 35 Ft. of R-8 Rip Rap scout protection on the outlet. The Rip Rap scour protection on the outlet will help correct an existing scour hole and mitigate the effects of increased velocities. The project will temporarily impact 0.01 acre and permanently impact 0.02 acre of jurisdictional wetlands. The wetland impact is considered *Deminimus* and does not require mitigation. Rockwell Creek is classified as a Warm Water Fishery by Title 25, Chapter 93 Water Quality Standards. This project will not require mitigation.

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

**E42-360, Mercer County Engineer's Office**. Race Street Bridge Replacement, in Greenville Borough, Mercer County, ACOE Pittsburgh District (Greenville West, PA Quadrangle N: 41°, 24', 25"; W: 80°, 23', 30").

To remove the existing structure and to construct and maintain a precast dual reinforced concrete arch bridge having dual clear spans of 60 feet and a minimum underclearance of 16.5 feet on a 90° skew across Little Shenango Creek on North Race Street. A temporary pedestrian bridge will be constructed upstream of the existing bridge during construction. A temporary central pier may be required for the temporary pedestrian bridge. An underground sanitary pipe on the downstream side of the bridge may be required to be relocated.

#### ENVIRONMENTAL ASSESSMENTS

*Northwest Region: Watershed Management Program Manager, 230 Chestnut Street, Meadville, PA16335-3481*

**EA42-050, Allegheny National Forest**. Kinzua Valley Trail—Red Bridge to Markham Run, in Hamilton Township, McKean County, ACOE Pittsburgh District (Cornplanter Bridge and Westline, PA Quadrangles N: 41°, 46', 20"; W: 78°, 51', 33"). To develop a 2.5 mile recreational trail from Red Bridge to Markham Run along Kinzua Creek in the Allegheny National Forest and a new trail head parking area. The project proposes improvements to 1.6 mile of existing abandoned railroad grade and creation of 0.6 mile of new trail to connect to existing facilities. Impacts resulting from this project include 26 LF permanent impact to Little Meade Run and UNT Kinzua Creek and 1.2 acre of permanent wetland impact. Proposed mitigation involves setting the culvert and grade elevations through the existing wetlands so the water surface elevation on the upslope side of the trail will be increased. It is anticipated that approximately 10.6 acres will be permanently flooded/saturated, much of which will result in the creation of new wetland area and enhancement of existing wetlands.



## ACTIONS

## THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

## FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and NOIs for coverage under General Permits. This notice of final action is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.101) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

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

Sections I—VI contain actions regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains notices for parties who have submitted NOIs for Coverage under General NPDES Permits. The approval for coverage under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions in each General Permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions in the respective permit. The permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

## I. NPDES Renewal Permit Actions

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

<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>
PA0248312 (CAFO)	Willow Behrer Farms, LLC Willow Behrer Farm 3288 Behrer Lane Spruce Creek, PA 16683	Huntingdon County Franklin Township	UNT Spruce Creek / 11-A	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0233668 (Sewage)	William R. Davison SFTF 462 Bullit Run Road Howard, PA 16841	Centre County Howard Township	Bullit Run (9-C)	Y

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

<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>
PA0030856 (Sewage)	Western Beaver Jr/Sr High School STP 343 Ridgmont Drive Industry, PA 15052-1602	Beaver County Industry Borough	Unnamed Tributary of Wolf Run (20-B)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0222844 (Industrial Waste)	Ellwood Industrial Facilities Oxygen Generation Plant 700 Moravia Street New Castle, PA 16101	Lawrence County New Castle City	Shenango River (20-A)	Y
PA0222984 (Sewage)	Spartansburg Borough STP Grade Road Spartansburg, PA 16434	Crawford County Spartansburg Borough	East Branch Oil Creek (16-E)	Y

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

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

**NPDES Permit No. PA0039004**, Sewage, **Upper Gwynedd-Towamencin Municipal Authority**, 2225 Kriebel Road, Lansdale, PA 19446.

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

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge treated sewage from a facility known as Upper Gwynedd Towamencin STP to Unnamed Tributary to Towamencin Creek in Watershed 3-E.

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

**NPDES Permit No. PA0027243**, Sewage, **North Huntingdon Township Municipal Authority**, 11265 Center Highway, North Huntingdon, PA 15642.

This existing facility is located in North Huntingdon Township, **Westmoreland County**.

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

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

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

**WQM Permit No. 2889426 A-1**, Sewerage, **Whitetail Mountain Operations Corp**, 13805 Blairs Valley Road, Mercersburg, PA 17236.

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

Description of Proposed Action/Activity: Amendment approving the modification of a self-monitoring requirement revision including a grab sample taken for BOD and TSS twice a month. A grab sample will be taken for fecal coliform every time effluent is pumped to the storage lagoon. All other conditions and sampling requirements from the previous permit amendment will remain the same.

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

**WQM Permit No. 5684404**, Sewage, SIC Code 4952, **Somerset Borough Municipal Authority Somerset County**, PO Box 71, Somerset, PA 15501-0071.

This existing facility is located in Somerset Township, **Somerset County**.

Description of Proposed Action/Activity: Modifications to the equalization lagoon.

**WQM Permit No. 6381412-A2**, Sewage, **PA American Water Co.**, 800 West Hershey Park Drive, Hershey, PA 17033.

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

Description of Proposed Action/Activity: Installation of a wet weather storage tank.

**WQM Permit No. 1197405**, Sewage, **Daniel H. Glashauser**, 2607 Oak Avenue, Altoona, PA 16601.

This existing facility is located in Gallitzin Township, **Cambria County**.

Description of Proposed Action/Activity: Transfer of the WQM permit to new owner.

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

**WQM Permit No. WQG01101401**, Sewage, **Raymond Crocker**, 103 Grossman Lane Number 2, Slippery Rock, PA 16057.

This proposed facility is located in Cherry Township, **Butler County**.

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

**WQM Permit No. WQG01621404**, Sewage, **Mary Mangione**, PO Box 604, Sheffield, PA 16347.

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

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

**WQM Permit No. WQG01251408**, Sewage, **Dennis A. Baumann**, 11756 Wilson Road, North East, PA 16428.

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

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

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#### IV. NPDES Stormwater Discharges from MS4 Permit Actions

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAI132223	Hellertown Borough, 685 Main Street, Hellertown, PA 18055-1745	Northampton	Hellertown Borough	Saucon Creek and Silver Creek / CWF, MF, HQ-CWF and MF
PAI132212	East Allen Township, 5344 North Bath Boulevard, Northampton, PA 18067	Northampton	East Allen Township	Unnamed Tributary to Catasauqua Creek and Unnamed Tributary to Monocacy Creek / CWF, MF, HQ-CWF and MF

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

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*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 5114011(1)	Liberty Property Trust Eight Penn Center, Suite 1100 1628 John F. Kennedy Boulevard Philadelphia, PA 19103	Philadelphia	City of Philadelphia	Delaware River WWF—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>
PAI034414003	Kish View Farms 4733 East Main Street Belleville, PA 17004	Mifflin	Union Township	Kishacoquillas Creek (HQ-CWF, MF)

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAI041814004	PA Dept of Conservation & Natural Resources 15187 Renovo Rd Renovo PA 17764	Clinton	Gallagher Twp	Lick Run EV

*Northumberland County Conservation District: RR 3, Box 238-C, Sunbury, PA 17801, (570) 286-7114, X 4*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAI044912001	Aqua PA Inc 204 E Sunbury St Shamokin PA 17872	Northumberland	Coal & Mount Carmel Townships	Trout Run CWF, MF S B Roaring Creek HQ-CWF, MF

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

Butler County Conservation District, 122 McCune Drive, Butler PA 16001-6501

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI061012003(1)	Penn United Technologies Inc 799 North Pike Road Cabot PA 16023	Butler	Jefferson Township	Unt Sarver Run HQ-TSF

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

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

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

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Small Flow Treatment Facilities
PAG-5	General Permit for Discharges From 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:

Municipality & County	Permit No.	Applicant Name & Address	Receiving Water/Use	Contact Office & Phone No.
Northampton Township Bucks County	PAG0200 0914030	Gabriel Building Group 2200 Michener Street # 1 Philadelphia, PA 19115	Ironworks Creek TSF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Radnor Township Delaware County	PAG0200 2312018R	Eastern University 1300 Eagle Road Saint Davids, PA 19087	Gulph Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Thornbury Township Delaware County	PAG0200 2314020	J. Ward Guilday 230 W. Rose Valley Road Wallingford, PA 19086	Chester Creek TSF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

<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>
City of Philadelphia Philadelphia County	PAG0201 511406	The Children's Hospital of Philadelphia, LP 34th and Civic Center Boulevard Philadelphia, PA 19104	Delaware River WWF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 511414	The Children's Hospital of Philadelphia, LP 34th and Civic Center Boulevard Philadelphia, PA 19104	Schuylkill River WWF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 511422	American Revolution Center 123 Chestnut Street Philadelphia, PA 19106	Delaware Direct Watershed WWF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 511423	Park Towne Place Associates, LP 1819 John F. Kennedy Boulevard, Suite 330 Philadelphia, PA 19103	Schuylkill River CWF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 511413	Moreland Development, LLC 111 Presidential Boulevard Bala Cynwyd, PA 19004	Delaware River WWF	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>
Jenkins Township Luzerne County	PAG02004007026R(2)	Mericle 112 Armstrong, LLC 100 Baltimore Drive Wilkes-Barre, PA 18702	Gardner Creek (CWF, MF) Mill Creek (CWF, MF) Lampblack Creek (CWF, MF) UNT to Susquehanna River (CWF, MF)	Luzerne Conservation District 570-674-7991
Bethlehem Township Northampton County	PAG02004812004R	Tom Gough KRE Bethlehem LP 520 U.S. Highway 22 P. O. Box 6872 Bridgewater, NJ 08807-0872	UNT to the Lehigh River (HQ-CWF, MF)	Northampton County Conservation District 610-746-1971
Lower Saucon Township Northampton County	PAG02004806030R	Nicholas Ciccone NIMARIS Construction, L.P. P. O. Box 68 Bath, PA 18014	Silver Creek (CWF, MF) Saucon Creek (CWF, MF)	Northampton County Conservation District 610-746-1971
Mahanoy Township Schuylkill County	PAG02005414005	Blessed Teresa of Calcutta Parish 614 West Mahanoy Ave. Mahanoy City, PA 17948	Mahanoy Creek (WWF, MF)	Schuylkill County Conservation District 570-622-3742
Tunkhannock Township Wyoming County	PAG02006614005	Matt Andrews 205 West Tioga Street Tunkhannock, PA 18657	Tunkhannock Creek (CWF, MF)	Wyoming County Conservation District 570-836-2589

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

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Manchester Township York County	PAG02006714036 Issued	S & S Equipment Company 25 Marianne Drive York, PA 17406	UNT to Codorus Creek / WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Franklin Township York County	PAG02006714003 Issued	Lobar, Inc. 1 Old Mill Road Dillsburg, PA 17019	North Branch Bermudian Creek / WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Hopewell Township York County	PAG02006714030 Issued	Wolf Family Associates PO Box 339 Stewartstown, PA 17363	Ebaughs Creek / CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Fairview Township York County	PAG02006714010 Issued	Fairview Township 599 Lewisberry Road New Cumberland, PA 17070	UNT to Yellow Breeches Creek / CWF, MF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Dover Township York County	PAG02006707067R Issued	MGM Enterprises, Inc. 1 Waterford Professional Center York, PA 17402	Little Conewago Creek / TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
New Freedom Borough York County	PAG02006714027 Issued	Freedom Crossing, LLC C/O SDR Development Inc. 3722 Birchmere Court Owings Mills, MD 21117	Bee Tree Run / CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Millcreek Township Lebanon County	PAG02003814018 Issued	Nelson Sensenig 24 Chapel Road Newmanstown, PA 17073	UNT to Millcreek/TSF; Millcreek/TSF	Lebanon County Conservation District 2120 Cornwall Road, Suite 5 Lebanon, PA 17042 717.272.3908, ext. 4
North Cornwall Township Lebanon County	PAG02003814024 Issued	H. William Weik, Jr. 170 North Pointe Boulevard Lancaster, PA 17601	Snitz Creek/TSF	Lebanon County Conservation District 2120 Cornwall Road, Suite 5 Lebanon, PA 17042 717.272.3908, ext. 4

## NOTICES

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<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>
South Annville and North Annville Townships Lebanon County	PAG02003814021 Issued	Larry Campbell PO Box 340 Annville, PA 17003	UNT to Quittapahilla/TSF	Lebanon County Conservation District 2120 Cornwall Road, Suite 5 Lebanon, PA 17042 717.272.3908, ext. 4
Maidencreek Township Berks County	PAG02000614036 Issued	Rodolfo Folino & Sons 68 South Hampton Drive Wyomissing Hills, PA 19610	Willow Creek/ CWF, MF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-0520 610.372.4657
Greenwich Township Berks County	PAG02000614030 Issued	Marco Folino 100 Anna Avenue Blandon, PA 19510	UNT to Mill Creek/TSF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-0520 610.372.4657
Berwick Township Adams County	PAG02000114017 Issued	Cambrian Hills LP 160 Ram Drive Hanover, PA 17331	UNT to South Branch Conewago Creek/WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717.334.0636

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

<i>Facility Location: 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>
Centre County Boggs Township	PAG02001414010	Bald Eagle Area High School 751 S Eagle Valley Rd Wingate PA 16823	Bald Eagle Creek TSF	Centre County Conservation District 414 Holmes Avenue, Suite 4 Bellefonte, PA 16823 (814) 355-6817
Northumberland County Ralpho Township	PAG02004914005	Aqua Pennsylvania Inc 1 Aqua Way White Haven PA 18661	Shamokin Creek WWF, MF	Northumberland County Conservation District 441 Plum Creek Rd Sunbury, PA 17801 Phone: (570) 286-7114 ext. 4
Union County Kelly Township	PAG02000614010	Arthur J Keister Jr 150 Silvermoon Ln Lewisburg PA 17837	UNT to Susquehanna River WWF	Union County Conservation District Union County Government Center 155 N 15th St Lewisburg PA 17837 (570) 524-3860

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

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
West Mifflin Borough Allegheny County	PAG20005000203022-1R	Anthony Merante 4740 Streets Run Road Pittsburgh, PA 15236	Streets Run (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
McCandless Township Allegheny County	PAG02000212028R	Duncan Avenue Associates, LP PO Box 297 Wexford, PA 15090	Pine Creek (TSF) and Little Pine Creek (TSF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Baldwin Borough Allegheny County	PAG02000212029R	Ray Jones 1342 Cathell Road Pittsburgh, PA 15236	UNT to Streets Run (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Moon Township Allegheny County	PAG02000212031-1	Robert Morris University 300 Grant Drive Moon Township, PA 15108	Narrows Run (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Marshall Township Allegheny County	PAG02000212043R	Eighty-Four Associates, LP 722 Pine Valley Drive Pittsburgh, PA 15239	Brush Creek (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Richland Township Allegheny County	PAG02000212061-1	Chatham University Woodland Road Pittsburgh, PA 15232	UNT to Breakneck Creek (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Findlay Township Allegheny County	PAG02000213038-2	Allegheny County Airport Authority PO Box 12370 Pittsburgh, PA 15370	North Fork of Montour Run (TSF) and Enlow Run (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Indiana Township Allegheny County	PAG02000214008	Indiana Township 3710 Saxonburg Blvd Pittsburgh, PA 15238	Deer Creek (CWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645



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<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
South Fayette & Collier Townships Allegheny County	PAG02000214045	Municipal Authority of South Fayette Township 900 Presto Sygan Road Bridgeville, PA 15017	UNT to Thoms Run (TSF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Wilkinsburg Borough Allegheny County	PAG02000214048	Security Systems of America 500 Ardmore Blvd Pittsburgh, PA 15221	Nine Mile Run (TSF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Whitehall Borough Allegheny County	PAG02000214049	Caste Real Estate Company, LP 2585 Washington Road Building 100 Suite 130 Pittsburgh, PA 15241	UNT to Saw Mill Run (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Marshall Township Allegheny County	PAG02000214051	Apphville, LLC. 1350 Old Pond Road Bridgeville, PA 15017	UNT to Brush Creek (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Municipality of Bethel Park, Whitehall & Castle Shannon Boroughs Allegheny County	PAG02000214053	PA American Water Company 560 Horning Road Bethel Park, PA 15236	Sawmill Run (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
West Deer & Indiana Townships Allegheny County	PAG02000214055	Deer Creek Drainage Basin Authority PO Box 148 Russellton, PA 15076	Cedar Run (CWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
City of Pittsburgh Allegheny County	PAG02000214060	Station Square Associates, LP 50 Public Square Suite 1000B Cleveland, OH 44113	Monongahela River (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Moon Township Allegheny County	PAG02000214063	US Air Force Reserves 911 Airlift Wing PIA Air Reserve Station 2475 Defense Avenue Coraopolis, PA 15108	McClaren's Run (TSF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
City of Pittsburgh Allegheny County	PAG02000214064	Rugby Realty Company, Inc. 707 Grand Street Pittsburgh, PA 15219	Chartiers Creek (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Pine Township Allegheny County	PAG02000214067	The Brooktree Group, LLC. 6000 Brooktree Road Suite 100 Wexford, PA 15090	UNT to Wexford Run (CWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
City of Pittsburgh Allegheny County	PAG02000214077	Urban Redevelopment Authority of Pittsburgh 200 Ross Street Pittsburgh, PA 15219	Monongahela River (WWF-N)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645

*Northwest Regional Office—Waterways and Wetlands, 230 Chestnut Street, Meadville PA 16335*

<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>
Saxonburg Borough Butler County	PAG02001014007(1)	Saxonburg DPP IX LLC 9010 Overlook Blvd Brentwood TN 37027	Thorn Creek CWF	Butler County Conservation District 724-284-5270
Clarion Borough Clarion County	PAG02001614004	Clarion University of PA 840 Woods Street Clarion PA 16214	Trout Run CWF	Clarion County Conservation District 814-297-7813
Vernon Township Crawford County	PAG02002013004	French Creek Recreational Trails Inc Attn: Dave Shaffer PO Box 592 Meadville PA 16335	French Creek WWF	Crawford County Conservation District 814-763-5269
Cambridge Springs Borough Crawford County	PAG02002014001	Lord Corporation 124 Grant Street Cambridge Springs PA 16403	Unt French Creek WWF	Crawford County Conservation District 814-763-5269
City of Erie Erie County	PAG02002513020(1)	Erie Western PA Port Authority One Holland Street Erie PA 16507	Lake Erie	Erie County Conservation District 814-825-6403
Borough of Mercer; Findley and East Lackawannock Townships	PAG02004314004	Neshannock Creek Watershed Joint Municipal Authority 269 McClelland Road Mercer PA 16137	Munnell Run, Beaver Run & Unt Neshannock Creek	Mercer County Conservation District 724-662-2242
Newport Townships Luzerne County	PAG02-1140-14-002	PA DEP Bureau of Abandoned Mine Reclamation 2 Public Square Fifth Floor Wilkes-Barre, PA 18701-0790	Susquehanna River (CWF)	PA DEP Bureau of Abandoned Mine Reclamation 2 Public Square Fifth Floor Wilkes-Barre, PA 18701-0790 (570) 826-2371

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General Permit Type—PAG-03

Facility Location:  
Municipality &  
County

Permit No.

Applicant Name &  
Address

Receiving  
Water / Use

Contact Office &  
Phone No.

Salem Township Luzerne County	PAR212217	Castek Inc. 23 River Road Berwick, PA 18603	Susquehanna River—5-D WWF/MF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Tremont Borough Schuylkill County	PAR202232	Dayton Superior Corporation 1125 Byers Road Miamisburg, OH 45342	Good Spring Creek—7-D CWF/MF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
York County Penn Township	PAR123510	Snyder's-Lance Inc. 1350 York Street Hanover, PA 17331	UNT to Oil Creek / WWF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Lebanon County North Annville Township	PAR603539	Weber Brothers Auto Inc. 795 North Mill Street Lebanon, PA 17046	UNT to Quittapahilla Creek / TSF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Lancaster County East Cocalico Township	PAR213553	High Concrete Group LLC 1853 William Penn Way PO Box 10008 Lancaster, PA 17605-0008 <hr/> High Concrete Group— Denver Facility 125 Denver Road Denver, PA 17517	Stony Run / WWF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Lancaster County West Donegal Township	PAR233542	Aquatic Co. 40 Industrial Road Elizabethtown, PA 17022	Conewago Creek / TSF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Berks County Reading City	PAR803587	United Parcel Service Inc. 1821 S 19th Street Harrisburg, PA 17104 <hr/> UPS—Reading 410 Reading Crest Avenue Reading, PA 19601	Schuylkill River / WWF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Wampum Borough Lawrence County	PAR218317	Universal Refractories, Inc. 915 Clyde Street Wampum, PA 16157	Eckles Run and an Unnamed Tributary to the Beaver River 20-B	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-04**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>
Rochester Township Beaver County	PAG046445	Nick Zarnich 440 Pittsburgh Road Rochester, PA 15074	McKinley Run 20-B	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Cherry Township Butler County	PAG041161	Raymond Crocker 103 Grossman Lane Number 2, Slippery Rock, PA 16057	South Branch Slippery Rock Creek 20-C	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
Glade Township Warren County	PAG041167	Mary Mangione PO Box 604 Sheffield, PA 16347	Unnamed Tributary to the Conewango Creek 16-B	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
Greenfield Township Erie County	PAG041168	Dennis A. Baumann 11756 Wilson Road, North East, PA 16428	Unnamed Tributary to the Townley Run 16-A	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-8 (SSN)**Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Franklin County / Quincy & Washington Township	PAG-08 PAG-07 & WMGR099	Synagro 1605 Dooley Road PO Box B Whiteford, MD 21160	Kenneth Hess Farm	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

*General Permit Type—PAG-10**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>
Richhill Township Greene County	PAG106175 A-1	Texas Eastern Transmission LP 890 Winter Street Suite 300 Waltham, MA 02451	Kent Run, Polen Run and Whitethorn Run—20-E All are TSF	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000

NOTICES

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*General Permit Type—PAG-12*

<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>
Franklin County Greene Township	PAG123773	Clinton Burkholder Burk-Lea Farms 3125 Grand Point Road Chambersburg, PA 17202	UNT of Conococheague Creek / CWF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Lebanon County Jackson Township	PAG123550	Weiler Farms Partnership Weiler Farms 1 350 East Mill Avenue Myerstown, PA 17067	Tulpehocken Creek / TSF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Lebanon County Union Township	PAG123688	Weiler Farms Partnership Weiler Farms 3 239 Ridge Road Jonestown, PA 17038	Trout Run / CWF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Adams County Freedom Township	PAG123786	Mason Dixon Farms Inc. Mason Dixon Farm 1750 Mason Dixon Road Gettysburg, PA 17325	Marsh Creek / CWF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

*General Permit Type—MS4 PAG-13*

<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>
Springdale Borough Allegheny County	PAG136163	Springdale Borough Allegheny County 325 School Street PO Box 153 Springdale, PA 15144	Allegheny River, Tawney Run and Riddle Run 18-A	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Ben Avon Borough Allegheny County	PAG136292	Ben Avon Borough 7101 Church Avenue Ben Avon, PA 15202-1881	Ohio River, Spruce Run and Unnamed Tributary to Ohio River 20-G	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Trafford Borough Westmoreland County	PAG136198	Trafford Borough PO Box 196 4th & Duquesne Avenue Trafford, PA 15085	Brush Creek and Turtle Creek 19-A	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Sutersville Borough Westmoreland County	PAG136315	Sutersville Borough 320 Municipal Avenue Sutersville, PA 15083	Youghiogheny River 19-D	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Aspinwall Borough Allegheny County	PAG136259	Aspinwall Borough 217 Commercial Avenue Pittsburgh, PA 15215	Unnamed Tributary to Allegheny River 18-A	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000

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

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

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

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

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

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

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Daniel Forry 1015 Prospect Rd Columbia, PA 17512	Lancaster	382	661.39	Swine/Goats	NA	A
Mike Cassel 259 Auction Rd Manheim, PA 17545	Lancaster	256.5	475.42	Dairy/Swine/ Poultry	NA	A
David H. Martin 420 Nottingham Rd. Nottingham, PA 19362	Lancaster	202.7	596.41	Swine/Pullets	HQ	A

**PUBLIC WATER SUPPLY PERMITS**

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

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

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

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

**SAFE DRINKING WATER**

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

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

**Operations Permit # 0914513** issued to: **Cherry Mobile Home Park**, 1655 East Oakhurst Drive, Bethlehem, PA 18015 [(PWSID)] Richland Township, **Bucks County** on August 8, 2014 for the operation of a Chlorine Contact, a Hydropneumatic Tank, Piping, and 4-Log Certification approved under construction permit # 09145052

**Operations Permit # 4614515** issued to: **Aqua Pennsylvania, Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010 [(PWSID)] Lower Moreland Township, **Mont-**

**gomery County** on August 4, 2014 for the operation of ammonia and Sodium Hypochlorite Feed Equipment at Southampton Booster Station approved under construction permit #4614507.

**Operations Permit # 2314509** issued to: **Pathways PA**, 310 Amosland Road, Holmes, PA 19043 [(PWSID)] Chester Heights Borough, **Delaware County** on August 6, 2014 for the operation of Pathways PA Chlorine Injection System, Chlorine Contact Tanks, and Certification of 4-Log Treatment of Viruses at Entry Point 101. approved under construction permit #2313507.

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

**Permit No. 4514502MA**, Public Water Supply.

Applicant	<b>CBK Lodge, LP</b> 529 Camelback Rd. Tannersville, Pa 18372
[Borough or Township]	Pocono Township
County	<b>Monroe</b>
Type of Facility	PWS
Consulting Engineer	Nathen Oiler, PE RKR Hess, A Division of UTRS, Inc. 112 N. Courtland St. East Stroudsburg, Pa 18301
Permit to Construct Issued	7/29/2014

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

**Permit No. 0614506, Minor Amendment**, Public Water Supply.

Applicant	<b>Berkleigh Heights, Inc.</b>
Municipality	Richmond Township
County	<b>Berks</b>
Responsible Official	Celestina T. Keller, President 1329 Richmond Road Fleetwood, PA 19522
Type of Facility	Installation of three cartridge filters in series at both existing treatment facilities. Removal of existing VOC treatment at both Entry Points (EP). Replacement of three failing contact tanks (one at Ep 101 and two at EP 102).
Consulting Engineer	Bruce W. Haigh, P.E. Whittemore and Haigh Engineering, Inc. 504 Rose Petal Lane Mount Joy, PA 17552
Permit to Construct Issued	8/6/2014

**Operation Permit No. 3614509 MA** issued to: **Elizabethtown Area Water Authority** (PWS ID No. 7360124), Mount Joy Township, **Lancaster County** on 8/1/2013 for facilities approved under Construction Permit No. 3614509 MA.

**Operation Permit No. 3060133** issued to: **Aqua Pennsylvania, Inc.** (PWS ID No. 3060133), Centre Township, **Berks County** on 7/30/2014 for facilities approved under Construction Permit No. 0613507 MA.

**Operation Permit No. 0112507 MA** issued to: **East Berlin Area Joint Authority** (PWS ID No. 7010003), East Berlin Borough, **Adams County** on 7/28/2014 for facilities approved under Construction Permit No. 0112507 MA.

**Operation Permit No. 3061018** issued to: **S&B Realty Holding Company, LLC** (PWS ID No. 3061018), Sinking Spring Borough, **Berks County** on 7/29/2014 for facilities at Sunoco Food Shop submitted under Application No. 3061018.

**Comprehensive Operation Permit No. 701353** issued to: **Bermudian Springs School District** (PWS ID No. 7010353), Huntington Township, **Adams County** on 8/4/2014 for the operation of facilities approved under Construction Permit No. 0113503.

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

**Operations Permit** issued to: **Indiana County Municipal Services Authority**, 602 Kolter Drive, Indiana PA 15701, (PWSID #5320007) Cherry Tree Borough, **Indiana County** on August 5, 2014 for the operation of facilities approved under Construction Permit # 3213502.

**Operations Permit** issued to: **Indiana County Municipal Services Authority**, 602 Kolter Drive, Indiana PA 15701, (PWSID #5320007) Susquehanna and Green Townships, **Cambria and Indiana Counties** on August 5, 2014 for the operation of facilities approved under Construction Permit # 3213511MA.

**Operations Permit** issued to: **Indiana County Municipal Services Authority**, 602 Kolter Drive, Indiana PA 15701, (PWSID #5320109) White Township, **Indiana County** on August 5, 2014 for the operation of facilities approved under Construction Permit # 3213513.

**Operations Permit** issued to: **Indiana County Municipal Services Authority**, 602 Kolter Drive, Indiana PA 15701, (PWSID #5320042) Pine Township, **Indiana County** on August 5, 2014 for the operation of facilities approved under Construction Permit # 3213508MA.

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

<b>Permit No. 2514501</b>	Public Water Supply
Applicant	<b>Municipal Authority of the Borough of Union City</b>
Township or Borough	Union Township
County	<b>Erie</b>
Type of Facility	Public Water Supply
Consulting Engineer	August E. Maas, P.E. Hill Engineering, Inc. 8 Gibson Street North East, PA 16428
Permit to Construct Issued	August 1, 2014

#### SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

*Plan Location:*

<i>Township</i>	<i>Township Address</i>	<i>County</i>
West Bradford	1385 Campus Drive Downingtown, PA 19335	Chester

On July 29, 2014, the Southeast Regional Office approved a revision to the West Bradford Township Official Sewage Facilities Plan for the Smith Farm Subdivision. The project is located on the south side of Broad Run Road, north of Chestnut Lane, in West Bradford Township, Chester County. The revision provides for adequate sewage facilities planning to permit the development of 127 dwellings. One new single-family dwelling will be constructed on Lot 1. One new single-family dwelling will be constructed on Lot 2. Lot 3 will be conveyed to an adjacent property. Lot 4 will contain existing buildings that support the current farming and cattle operations. Lot 5 will be subdivided into 125 lots, each of which will contain a single-family dwelling. Lots 6A and 6B will remain non-building, agricultural lots.

The project will be connected to the Utilities, Inc. of Pennsylvania collection system and will generate 33,862.5 gallons of sewage per day to be treated at the Utilities, Inc. of Pennsylvania Broad Run Wastewater Treatment Facility.

The approval is conditioned upon the sludge holding tank, which is proposed to be constructed at the Broad Run Wastewater Treatment Facility, being operational prior to the occupancy of any of the proposed dwellings.

Complete copies of this Plan are available for review, upon request, at the Department of Environmental Protection, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401.

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

*Plan Location:* Bloomsburg Town, Columbia County

<i>Town</i>	<i>Town Address</i>	<i>County</i>
Bloomsburg Town	301 East Second Street, Bloomsburg, PA 17815	Columbia

*Plan Description:* The approved plan calls for minor sewer line modifications and relocations as part of the larger Bloomsburg Flood Protection Project. Sewer lines will be modified in six different locations along the proposed flood control structure in the western part of the Town to prevent intrusion of floodwaters into the flood-protected area via the sanitary sewer system. Sewage flow will not increase as part of this project. The total project cost is estimated to be \$1,897,500.00 and will be funded through grants from the Pennsylvania Department of Community and Economic Development and the United States Economic Development Administration along with private funding from Autoneum North America, Inc. The Department has not identified any major environmental impacts from this plan.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 2

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

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

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

The Department has received the following plans and reports:

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

**Lehigh Valley Industrial Park—Lot 10**, 1720 Spillman Drive, Bethlehem, PA 18015, City of Bethlehem, **Northampton County**, Jim Koval HDR Engineering., has submitted a Final Report on behalf of his client, Lehigh Valley Industrial Park, 1720 Spillman Drive, Suite 150, Bethlehem, PA 18015, concerning the remediation of antimony, arsenic, selenium and lead from soil due to historical operations at the site. The applicant proposes to remediate the site to meet the Site Specific Standard for soil. The intended use of the site will be for non-residential purposes. A summary of the Final Report was published in *The Morning Call* on October 26, 2013.

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

**Tanger Hardware**, 222 High Street, Hanover, PA 17331, Hanover Borough, **York County**. ECS Mid-Atlantic, LLC, 56 Grumbacher Road, Suite D, York, PA 17406, on behalf of Hanover Ridge Avenue Corporation, 701 Plum Tree Lane, Hanover, PA 17331, submitted a Final Report concerning remediation of site soils and groundwater contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Non-Residential Statewide Health Standard.



**Nittany Heights (former Collins Property)**, 331 West Main Street, Middletown, PA 17057, Lower Swatara Township, **Dauphin County**. EPSYS LLC, 1414 North Cameron Street, Harrisburg, PA 17103, and Century Engineering, 200 Airport Road, New Cumberland, PA 17070, on behalf of Lawrence Street Partners, LP, 3029 North Front Street, Harrisburg, PA 17110, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

**Barrick & Stewart Milk Hauling Diesel Fuel Release**, 4260 and 4290 Big Spring Road, New Germantown, PA 17071, Toboyne Township, **Perry County**. Crawford Environmental Services, 100 East Benjamin Franklin Highway, Birdsboro, PA 19508, on behalf of Barrick & Stewart Milk Hauling, 501 South Cedar Lane, Greencastle, PA 17225; Steve Berry, 4260 Big Spring Road, New Germantown, PA 17071; and Tom and Joann Brill, 4290 Big Spring Road, New Germantown, PA 17071, submitted a Final Report concerning remediation of site soils contaminated with diesel fuel released in a vehicle accident. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

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

**Woodland Mobile Home Park**, 10287 Circle West, Lot 79, Vernon Township, **Crawford County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412, on behalf of Northwestern Rural Electric Cooperative, 22534 State Route 86, Cambridge Springs, PA 16403, submitted a Final Report concerning the remediation of site soil contaminated with Arsenic, Aluminum, Cadmium, Chromium, Iron, Lead, Manganese, Selenium, Silver, Mercury, Benzene, Toluene, Ethylbenzene, Xylenes. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Erie County Convention Center Authority Bayfront Site (Fmr. GAF Materials Corp.)**, 218 West Bayfront Parkway, City of Erie, **Erie County**. AMEC Environment & Infrastructure, Inc., 800 North Bell Avenue, Pittsburgh, PA 15106, on behalf of Erie County Convention Center Authority, 809 French Street, Erie, PA 16501, submitted a Final Report concerning the remediation of site soil and site groundwater contaminated with target compound list VOCs and SVOCs and target analyte list metals. The report is intended to document remediation of the site to meet the Site-Specific Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 3

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

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to

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

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the 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*

**Andritz, Inc.**, 18 South Market Street, Building 81, Muncy Borough, **Lycoming County**. TRC Environmental Corporation, 1601 Market Street, Suite 2555, Philadelphia, PA 19103, on behalf of Andritz, Inc., 35 Sherman Street, Muncy, Pa 17756, submitted a Final Report concerning the remediation of site soils contaminated with Fuel Oil No. 2. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on August 5, 2014.

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

**Heritage Hills Resort Equipment Storage Area**, 2800 Mount Rose Avenue, York, PA 17402, York Township, **York County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Heritage Hills Associates, 2700 Mount Rose Avenue, York, PA 17402, submitted a Final Report concerning remediation of site soils contaminated with diesel fuel. The Final

Report demonstrated attainment of the Residential State-wide Health Standard, and was approved by the Department on August 6, 2014.

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

**Gallaher No. 1—54**, State Route 8, Summerhill Township, **Crawford County**. Environmental Coordination Services & Recycling, 3237 U.S. Highway 19, Cochran, PA 16314, on behalf of Range Resources, Appalachia, LLC, 100 Throckmorton Street, Suite 1200, Fort Worth, TX 76102 submitted a Final Report concerning the remediation of site soil contaminated with Benzene, Toluene, Ethylbenzene, Xylenes (Total), and TPH. The Report was disapproved by the Department on June 9, 2014.

#### DETERMINATION OF APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS

**Determination of Applicability 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 Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste**

*South Central Regional Office: Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.*

**General Permit No. WMGM027-SC003. AJ Stove and Pellet, LLC**, 3840 Williamson Road, Greencastle, PA 17225, Antrim Township, **Franklin County**. This Determination of Applicability under Municipal Waste General Permit No. WMGM027 is for the processing by grinding, shredding, screening, and blending of the various organic wastes for beneficial use as an alternate fuel material. This permit was issued on August 6, 2014.

Persons interested in reviewing the general permit may contact John Oren, Facilities Manager, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706. 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.**

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

**Permit ID No. 101686. Reserve Park Recycling and Transfer, Inc.**, 408 Hoffman Road, Pittsburgh PA 15212-1121. Permit reissue of Solid Waste Management Permit ID No. 101686 from Marine Rigging, LTD to Reserve Park Recycling and Transfer, Inc. for a 10-year term for operation of the Reserve Park Transfer Station, a construction and demolition waste transfer facility located in Reserve Township, **Allegheny County** was issued in the Regional Office on August 12, 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*

**GP7-46-0044: Gemalto, Inc.** (101 Park Drive, Montgomeryville, PA 18936) on August 7, 2014, authorized to operate 7-color Heidelberg printing press in Montgomery Township, **Montgomery County**.

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

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

**GP11-58-003: Bluestone Pipeline Co. of PA, LLC** (1429 Oliver Road, New Milford, PA 18834) on July 31, 2014, to operate three (3) temporary generators at their site in Thompson and Harmony Townships, **Susquehanna County**.

**GP5-58-023: Talisman Energy USA, Inc.** (50 Pennwood Place, Warrendale, PA 15086) on August 01, 2014, the general operating permit GP5 issued for the operation of natural gas compressor station & dehydration plant at the facility in Apolaccon Township, **Susquehanna County**.

**GP1-48-003: Sands Bethlehem Gaming, LLC** (77 Sands Boulevard, Bethlehem, PA 18015) on August 6, 2014, for the renewal of operation of three boilers at their site in Bethlehem, **Northampton County**.

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

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

**GP14-49-332A: Cronrath-Grenoble Funeral Home** (121 South Main Street, Muncy, PA 17756) on August 4, 2014, to authorize the construction and operation of the B & L Cremation Systems, Inc. model N-20 human cremation unit pursuant to the General Plan Approval and General Operating Permit for Human or Animal Crematories (BAQ-GPA/GP-14) located in Watsontown Borough, **Northumberland County**.

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

*Contact: M. Gorog & B. Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226*

**GP5-32-00435: Mountain Gathering, LLC** (810 Houston Street, Suite 2000, Fort Worth, TX 76102) on August 7, 2014, received authorization under GP-5 for construction and/or operation of sources and controls associated with a natural gas production facility at its Spurlin Compressor Station located in Center Township, **Indiana County**.

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

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

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

**39-00011A: Lafarge North America, Inc.** (5160 Main Street, Whitehall, PA 18052) on July 29, 2014, for conversion of their No. 2 raw mill baghouse from reverse air to pulse jet cleaning at their Whitehall Plant in Whitehall Township, **Lehigh County**.

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

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

**41-00084B: Panda Patriot, LLC** (4100 Spring Valley Road, Suite 1001, Dallas, TX 75244) on August 7, 2014, issue a plan approval to incorporate emission reduction credits (ERCs) for the proposed Panda Patriot Generation Plant in Clinton Township, **Lycoming County**. The plan approval offsets the potential to emit (PTE) of NO<sub>x</sub> from the proposed facility and a portion of the PTE of VOC and makes the transferred ERCs federally enforceable prior to their expiration date. All applicable State regulatory requirements pertaining to ERCs have been included in the plan approval.

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

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

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

**23-0108D: Barry Callebaut U.S.A, LLC.** (903 Industrial Highway, Eddystone, PA 19022) on August 6, 2014, to operate a regenerative thermal oxidizer in Eddystone Borough, **Delaware County**.

**23-0119: Sunoco Partners Marketing & Terminal** (100 Green Street, Marcus Hook, PA 19061) on August 5, 2014, to operate (2) two cryogenic storage tanks in Marcus Hook Borough, **Delaware County**.

**46-0040A: National Label Co** (2025 Joshua Road, Lafayette Hill, PA 19444) on August 7, 2014, to operate an eight (8) station rotogravure printing press in Whitmarsh Township, **Montgomery County**.

**15-002G: QG, LLC.** (4581 Lower Valley Road, Atglen, PA 19310) on August 6, 2014, to operate a rotogravure press 8 in West Sadsbury Township, **Chester County**.

*Southcentral Region: Air Quality Program, 909 Elmerston 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.*

**01-05039A: Tucker Surface Finishing Center, Inc.** (224 East King Street, East Berlin, PA 17316) on August 6, 2014, to construct and temporarily operate six conveyor

painting lines, two enclosed truck booths, a preparation booth, and facility pretreatment wash operations at the surface coating facility located in East Berlin Borough, **Adams County**. The plan approval was extended.

**28-05002C: US Army Letterkenny Army Depot** (AMLD-EN, Chambersburg, PA 17201-4150) on August 8, 2013, to construct and temporarily operate two new surface coating booths at their military facility in Letterkenny Township, **Franklin 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*

**59-00027A: UGI Storage Co.** (1 Meridian Blvd., Suite 2C01, Wyomissing, PA 19610) on July 29, 2014, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from August 16, 2014 to February 12, 2015, at their facility in Farmington Township, **Tioga County**. The plan approval has been extended.

**41-00082A: PPL Renewable Energy LLC** (2 North Ninth Street, GENPL2, Allentown, PA 18101) on August 6, 2014, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from August 11, 2014 to February 8, 2015, at their facility in Brady Township, **Lycoming County**. The plan approval has been extended.

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

*Contact: M. Gorog & B. Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226*

**32-00059B: GenOn Northeast Management Company** (121 Champion Way, Suite 200, Canonsburg, PA 15317) on August 6, 2014, to extend the period of temporary operation of the coal processing plant authorized under plan approval PA-32-00059B, until February 15, 2015, at the Conemaugh Power Plant located in West Wheatfield Township, **Indiana County**.

**32-00059E: GenOn Northeast Management Company** (121 Champion Way, Suite 200, Canonsburg, PA 15317) on August 6, 2014, to extend the period of temporary operation of the Unit 2 limestone/SO<sub>3</sub> sorbent storage silos controlled by bin vent filters authorized under PA-32-00059E, until March 3, 2015, at the Conemaugh Power Plant located in West Wheatfield Township, **Indiana County**. Installation of SCR systems capable of controlling Unit 1 and 2 remains authorized under this plan approval.

**56-00257B: PA Department of Corrections** (P. O. Box 631, 5706 Glades Pike, Somerset, PA 15501) on August 6, 2014, to extend the period of temporary operation of the cogeneration facility including two natural gas-fired boilers, one dual fuel boiler, one landfill gas-fired turbine, and two landfill gas-fired engines authorized under plan approval PA-56-00257B, until February 8, 2015, at SCI Laurel Highlands located in Somerset Township, **Somerset County**.

**04-00084C: Anchor Hocking, LLC** (400 Ninth Street, Monaca, PA 15061) on August 6, 2014, to allow continued temporary operation at the Monaca Plant located in

Monaca Borough, **Beaver County**. This Plan Approval authorizes an increase in the glass furnace production rate. The new expiration date is February 20, 2015.

**65-00857B: Saint-Gobain Ceramics** (4702 Route 982, Latrobe, PA 15650) on August 6, 2014, to extend the period of temporary operation of the Roller Hearth Kiln for 180-days at the Latrobe Plant in Derry Township, **Westmoreland County**. The new expiration date is March 11, 2015.

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

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

**62-017V: United Refining Co.** (P. O. Box 780, Warren, PA 16365) on July 31, 2014, issued a plan approval extension for the construction and operation of an additional 80 mmBtu/hr boiler at their existing facility in the City of Warren, **Warren County**.

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

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

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

**67-05009: York Plant Holding, LLC** (651 Memory Lane, York, PA 17402-0492) on August 5, 2014, for their turbine-based electrical generation facility in Springetts-bury Township, **York County**. The Title V permit was renewed.

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

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

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

**46-00118: Ursinus College** (601 Main Street, Collegeville, PA 19426) on August 7, 2014, for a non-Title V, State Only, Synthetic Minor operating permit in Collegeville Borough, **Montgomery County**. This action is a second renewal of the State Only Operating Permit. The permit was initially issued on 8/3/2004 and was subsequently renewed on 7/30/2009. The permit is for the operation of a No. 2 fuel oil-fired Heat Plant boiler with a rated heat input capacity of 12 MMBtu/hr, a dual fuel-fired (e.g., No. 2 fuel oil and natural gas) Heat Plant boiler with a rated heat input capacity of 12 MMBtu/hr, forty-eight (48) No. 2 fuel oil and natural gas-fired, miscellaneous boilers each with a rated heat input capacity less than 0.7 MMBtu/hr, and sixteen (16) natural gas-fired emergency generators. The renewed permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**09-00117: Heucotech, LTD**, (99 Newbold Road, Fairless Hills, Pennsylvania 19030) on August 8, 2014, for a primary manufacturing of organic and inorganic pigments, natural minor facility at 99 Newbold Road, Fairless Hills, Pennsylvania 19030, Falls Township, **Bucks County**. This action is a renewal of the facility's State Only Operating Permit originally issued on March 18,

2009. The renewal does not allow any new changes other than updating of the source inventory and changes of minor significance, as well as updating the applicable federal and state regulations. The permit includes monitoring, recordkeeping and reporting requirements designed to keep the plant operating within all applicable air quality requirements.

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

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

**EQT Gathering, LLC** (625 Liberty Avenue, Suite 1700, Pittsburgh, PA 15222-3114) on August 5, 2014, for the Tioga Compressor Station in Duncan Township, **Tioga County**. The State Only operating permit contains requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations.

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

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

**04-00009: Beaver Falls Tubular Products, LLC** (6051 Wallace Road Ext, Suite 200, Wexford PA 15090) on August 8, 2014 a State Only Operating Permit (SOOP) renewal to Beaver Falls Tubular Products, LLC to authorize the continued operation of their Beaver Falls iron and steel pipe and tube manufacturing plant located in Beaver Falls Municipality, **Beaver County**.

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**De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.**

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*Southcentral Region: Air Quality Program, 909 Elmer-ton 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.*

**06-03010: Brenntag Northeast, Inc.** (81 West Huller Lane, Reading, PA 19605) Pursuant to 25 Pa. Code § 127.449(i), this *PA Bulletin* Notice is for the de minimis emissions increase of 0.05 TPY VOC resulting from the installation of an additional filling station in their Huller Lane facility located in Ontelaunee Township, **Berks County**. This is the first de minimis emissions increase at the facility during the term of the current operating permit.

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

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

**04-00086: FirstEnergy Nuclear Generation Corp.** (76 South Main Street, Akron, OH 44308) Installation of 80 hp diesel fired emergency generator engine, on or about August 15, 2014, using the de minimis provisions of 25 Pa. Code § 127.449. Based on engine operation of no more than 500 hours per year, emissions will increase no more than 0.19 tons NO<sub>x</sub>, 0.01 tons PM<sub>10</sub>, 0.04 tons CO, 0.0054 tons SO<sub>2</sub> and 0.0097 tons VOCs on an annual basis, at the Beaver Valley Power Plant located in Shippingport Boro, **Beaver County**.

## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

### *Coal Permits Issued*

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

**11841603 and NPDES No. PA0235377 and GP12-11841603-R14. AMFIRE Mining Company, LLC**, (One Energy Place, Latrobe, PA 15650). To renew the permit for the Portage Plant in Portage Township, **Cambria County** and related NPDES permit. Includes renewal of Air Quality GPA/GP-12 Authorization. Approval is authorized under General Permit BAQ-GAP/GP12 and is required to meet all applicable limitations, terms, and conditions of authorization GP12-11841603-R14. No additional discharges. The application was considered administratively complete on July 5, 2012. Application received January 20, 2012. Permit issued August 6, 2014.

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

**17663047. River Hill Coal Company, Inc.** (P. O. Box 141, Kylertown, PA 16847). Permit renewal for reclamation only of a bituminous surface mine and coal refuse disposal in Karthaus Township, **Clearfield County** affecting 260.4 acres. Receiving streams(s): Unnamed Tributaries to Saltlick Run and Saltlick Run. There are no potable water supply intakes within 10 miles downstream. Application received: July 31, 2014. Permit issued: August 6, 2014.

**17840123. River Hill Coal Company, Inc.** (P. O. Box 141, Kylertown, PA 16847). Permit renewal for reclamation only of a bituminous surface mine and tippel refuse disposal in Karthaus Township, **Clearfield County** affecting 233.6 acres. Receiving streams(s): Unnamed Tributaries to Saltlick Run and Saltlick Run. There are no potable water supply intakes within 10 miles downstream. Application received: July 31, 2014. Permit issued: August 6, 2014.

**17930127. River Hill Coal Company, Inc.** (P. O. Box 141, Kylertown, PA 16847). Permit renewal for reclamation only of a bituminous surface mine in Woodward Township, **Clearfield County** affecting 186.2 acres. Receiving stream(s): Unnamed Tributary to Moshannon Creek, Unnamed Tributary to Whiteside Run, Whiteside Run and Moshannon Creek. There are no potable water supply intakes within 10 miles downstream. Application received: July 31, 2014. Permit issued: August 6, 2014.

**17703032. River Hill Coal Company, Inc.** (P. O. Box 141, Kylertown, PA 16847). Permit renewal for reclamation only of a bituminous surface mine in Woodward Township, **Clearfield County** affecting 116.3 acres. Receiving stream(s): Moshannon Creek. There are no potable water supply intakes within 10 miles downstream. Application received: July 31, 2014. Permit issued: August 6, 2014.

**17030118. River Hill Coal Company, Inc.** (P. O. Box 141, Kylertown, PA 16847). Permit renewal for reclamation only of a bituminous surface mine and auger in Bigler Township, **Clearfield County** affecting 75.4 acres. Receiving stream(s): Unnamed Tributary to Clearfield Creek. There are no potable water supply intakes within 10 miles downstream. Application received: July 31, 2014. Permit issued: August 6, 2014.

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

**40840203R6. Blaschak Coal Corp.**, (PO Box 12, Mahanoy City, PA 17948), renewal of an existing anthracite coal refuse reprocessing and surface mine operation in Hazle Township, **Luzerne County** affecting 80.0 acres, receiving stream: Nescopeck Creek. Application received: October 1, 2013. Renewal issued: August 7, 2014.

**Permit No. 40840203GP104R. Blaschak Coal Corp.**, (PO Box 12, Mahanoy City, PA 17948), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 40840203 in Hazle Township, **Luzerne County**, receiving stream: Nescopeck Creek. Application received: October 1, 2013. Renewal issued: August 7, 2014.

### *Noncoal Permits Issued*

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

**33050802. Homer Schaffer** (112 Kentucky Avenue, Punxsutawney, PA 15767) Final bond release for a small noncoal mining operation in Henderson Township, **Jefferson County**. Restoration of 4.6 acres completed. Receiving streams: Unnamed tributary to Stump Creek. Application received: May 23, 2014. Final bond release approved: July 23, 2014.

**25130303. Raymond D. Showman & Sons, Inc.** (12851 Sharp Road, Edinboro, PA 16412) Commencement, operation and restoration of a large industrial minerals mine in LeBoeuf Township, **Erie County** affecting 150.0 acres. Receiving streams: French Creek. Application received: October 29, 2013. Permit Issued: August 6, 2014.

**25130303-GP-104. Raymond D. Showman & Sons, Inc.** (12851 Sharp Road, Edinboro, PA 16412) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 25130303 in LeBoeuf Township, **Erie County**. Receiving streams: French Creek. Application received: October 29, 2013. Permit Issued: August 6, 2014.

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

**Permit No. 64142801 and NPDES Permit No. PA0225401. Litts & Sons Stone Co., Inc.**, (19 Primrose Drive, Springbrook Township, PA 18444), commencement, operation and restoration of a quarry operation in Sterling Township, **Wayne County** affecting 5.0 acres, receiving stream: Butternut Creek. Application received: December 12, 2013. Permit issued: August 6, 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*

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

**42144001. Autumn Ridge Energy, LLC** (P. O. Box 175, Burbank, OH 44241) Blasting activity permit to build a road for their own use in Corydon Township, **McKean County**. This blasting activity permit will expire on July 1, 2015. Permit Issued: August 4, 2014.

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

**08144110. Meshoppen Blasting Inc.** (Frantz Road, P. O. Box 127, Meshoppen, PA 18630). Blasting for well pad and access road located in Wilmot Township, **Bradford County** with an expiration date of October 31, 2014. Permit issued: August 4, 2014.

**14144102. Douglas Explosives Inc.** (P. O. Box 77, Philipsburg, PA 16866-0077). Blasting for commercial development located in Potter Township, **Centre County** with an expiration date of December 30, 2014. Permit issued: August 4, 2014.

**57144109. M & J Explosives LLC** (P. O. Box 1248, Carlisle, PA 17013). Blasting for well pad located in Elkland Township, **Sullivan County** with an expiration date of August 4, 2015. Permit issued: August 6, 2014.

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

**Permit No. 23414103. Rock Work, Inc.,** (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Brandywine Mills in Concord and Chadds Ford Townships, **Delaware County** with an expiration date of August 1, 2015. Permit issued: August 8, 2014.

**Permit No. 36144142. Maine Drilling & Blasting, Inc.,** (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Stonehenge Reserve in Manheim Township, **Lancaster County** with an expiration date of August 6, 2015. Permit issued: August 8, 2014.

**Permit No. 36144143. Maine Drilling & Blasting, Inc.,** (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Weatherburn Commons East Meadows in Manheim Township, **Lancaster County** with an expiration date of August 5, 2015. Permit issued: August 8, 2014.

**Permit No. 38144110. Maine Drilling & Blasting, Inc.,** (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Stratford Meadows in South Lebanon Township, **Lebanon County** with an expiration date of August 2, 2015. Permit issued: August 8, 2014.

**Permit No. 40144108. Explosive Services, Inc.,** (7 Pine Street, Bethany, PA 18431), construction blasting for Scranton Craftsman in Dupont Borough and Pittston Township, **Luzerne County** with an expiration date of August 2, 2015. Permit issued: August 8, 2014.

**Permit No. 58144155. Meshoppen Blasting, Inc.,** (P. O. Box 127, Meshoppen, PA 18630), construction blasting for SWN NR 03 Colwell West pad & access road in

New Milford Township, **Susquehanna County** with an expiration date of November 30, 2014. Permit issued: August 8, 2014.

**Permit No. 58144156. Meshoppen Blasting, Inc.,** (P. O. Box 127, Meshoppen, PA 18630), construction blasting for SNW NR 17 Coleman Pad in Oakland Township, **Susquehanna County** with an expiration date of November 30, 2014. Permit issued: August 8, 2014.

**Permit No. 58144157. Meshoppen Blasting, Inc.,** (P. O. Box 127, Meshoppen, PA 18630), construction blasting for SWN NR 20 pad & access road in New Milford Township, **Susquehanna County** with an expiration date of November 30, 2014. Permit issued: August 8, 2014.

**Permit No. 58144158. Meshoppen Blasting, Inc.,** (P. O. Box 127, Meshoppen, PA 18630), construction blasting for RU 72 Folkvard Pad in Jackson Township, **Susquehanna County** with an expiration date of November 30, 2014. Permit issued: August 8, 2014.

**Permit No. 66144106. DW Drilling & Blasting,** (9990 Coconut Road, Bonita Springs, FL 34135), construction blasting for Garrison Pad & lease road in Washington Township, **Wyoming County** with an expiration date of August 1, 2015. Permit issued: August 8, 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**

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

**E06-696: Adin Z. and Andrea K. Horning**, 1399 Schubert Road, Bethel, PA 19507 in Bethel Township, Berks County, ACOE Baltimore District

To fill in a 3,750 square foot offline pond due to safety concerns located adjacent to Schubert Road (Bethel PA Quadrangle, Latitude: 40° 29' 23.2", Longitude: -76° 15' 50.0") in Bethel Township, Berks County. The permit was issued on August 4, 2014.

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

**E41-655. Schwartz-Cioffi Family Trust**, 1447 El Vago Street, La Canada, CA 91011-1750. Schwartz-Cioffi Family Trust Streamside Property in Plunketts Creek Township, Lycoming County, ACOE Baltimore District (Jersey Shore, PA Quadrangle Lat: 41° 22' 36.5"; Long: -76° 49' 48.7").

To reconstruct and maintain a new structure in Plunketts Creek Township—Lycoming County, which is located within the floodway/floodplain of Loyalsock Creek. The scope of the repairs is to construct the house on elevated concrete piers with a steel frame foundation.

The proposed modifications will not permanently impact wetlands, cultural or archaeological resources, national/state/local parks, forests recreational areas, land-

marks wildlife refuge or historical sites. Loyalsock Creek is classified with an existing use of Exception Value (EV).

**E59-521. McDonald's USA, LLC**, 801 Lakeview Drive, Suite 302, Blue Bell, PA 19422-1961. McDonald's Restaurant in Wellsboro Borough, Tioga County, ACOE Baltimore District (Jersey Shore, PA Quadrangle Lat: 41° 45' 3.69"; Long: -77° 17' 48.6").

To reconstruct and maintain a new structure in Wellsboro Borough—Tioga County, which is located within the floodway/floodplain of Morris Creek. The scope is to demolish an existing 5,357 SF restaurant and construct a new 4,318 SF restaurant.

The proposed modifications will not permanently impact wetlands, cultural or archaeological resources, national/state/local parks, forests recreational areas, landmarks wildlife refuge or historical sites. Morris Creek is classified with a designated use of Cold Water Fishery (CWF).

*Southwest Region: Oil and Gas Management Program Manager 400 Waterfront Drive, Pittsburgh PA, 15222*

**E63-07-007: Rice Poseidon Midstream, LLC**, 171 Hillpointe Dr Ste 301 Canonsburg, PA 15317, Somerset Township, Washington County, ACOE Pittsburgh District.

**Rice Poseidon Midstream, LLC** will install the Jaybird Pipeline that will begin at the Back Nine Pond/Swagler Loop (40° 6' 39.1", -80° 3' 5.98") and will terminate at the Zorro to EQT pipeline (40° 5' 42.87", -80° 2' 25.73"). The project is located within the Ellsworth USGS 7 1/2 Minute Quadrangle Map, in Somerset Township, Washington County, and in Subbasin 19C (Middle Monongahela River Watershed). The project will include installation of a 1.37-mi long 24-inch diameter steel natural gas pipeline and an 18-inch diameter HDPE waterline. The project is a Joint Permit Application due to the crossing of a wetland which is greater than 10 acres on National Wetland Inventory maps. This wetland was field verified to be 7.925 acres in size. The project will result in one (1) wetland crossing and one (1) watercourse crossing, resulting in a total of 917 ft<sup>2</sup> of permanent wetland impact and 20 linear feet of permanent stream impact.

Each of the following crossings will be crossed by horizontal directional drilling by the two (2) pipes mentioned above:

<i>Wetland Crossing</i>	<i>Latitude / Longitude</i>	<i>Area of Impact</i>	
Wetland 01 Palustrine Emergent (PEM), Palustrine Scrub-Shrub (PSS), Palustrine Forested (PFO)	40° 6' 12.01", -80° 2' 48.03"	Temporary:	0 acres
		Permanent:	917 ft <sup>2</sup> (0.02 ac)
<i>Stream Crossings</i>	<i>Latitude / Longitude</i>	<i>Area of Impact</i>	
Perennial Stream 03 (#24054 South Branch Pigeon Creek) (WWF)	40° 6' 11.04", -80° 2' 45.30"	Temporary:	0 ln. ft.
		Permanent:	20 ln. ft. (0.002 ac)

**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 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 notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

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

ESCGP-2 #ESX14-073-0021—Pulaski-Varano Well Pad  
Applicant Hilcorp Energy Company  
Contact Stephanie McMurray  
Address 1201 Louisiana Street, Suite 1400  
City Houston State TX Zip Code 77002  
County Lawrence Township(s) Pulaski(s)  
Receiving Stream(s) and Classification(s) UNT Deer Creek (WWF) Deer Creek (WWF)

ESCGP-2 #ESX14-047-0007—Toby Valley Project  
Applicant EQT Production Company  
Contact Todd Klaner  
Address 455 Racetrack Rd, Suite 101  
City Washington State PA Zip Code 15301  
County Elk Township(s) Fox(s)  
Receiving Stream(s) and Classification(s) UNT 50403 to Little Toby Creek (CWF), McCauley Run (CWF)

ESCGP-2 #ESX13-019-0067A—Royal Compressor Station, Major Modification  
Applicant MarkWest Liberty Bluestone, LLC.  
Contact Mr. Richard Lowry  
Address 4600 J. Barry Court, Suite 500  
City Canonsburg State PA Zip Code 15317  
County Butler Township(s) Forward(s)  
Receiving Stream(s) and Classification(s) UNTs to Breakneck Creek, WWF & UNTs to Connoquenessing Creek, WWF/Slippery Rock Creek.

ESCGP-2 #ESX14-019-0046—W70 Well Pad  
Applicant PennEnergy Resources, LLC  
Contact Mr. Robert Crissinger  
Address 1000 Commerce Drive; Park Place One, Suite 100  
City Pittsburgh State PA Zip Code 15275  
County Butler Township(s) Jefferson(s)  
Receiving Stream(s) and Classification(s) UNTs to Davis Run / Slippery Rock Creek Watershed

ESCGP-2 #ESG14-083-0009—Clermont East Compressor Station  
Applicant NFG Midstream Clermont, LLC  
Contact Duane Wassum  
Address 6363 Main Street  
City Williamsville State NY Zip Code 14221  
County Mckean Township(s) Sergeant(s)  
Receiving Stream(s) and Classification(s) UNT to Dead Man's Lick, Dead Man's Lick, UNT to S. Fork W. Branch Potato Creek, UNT to Elk Fork. CWF

ESCGP-2 #ESX14-073-0020—Pulaski Carlisle Central Facility Pad  
Applicant Hilcorp Energy Company  
Contact Ms. Stephanie McMurray  
Address 1201 Louisiana Street, Suite 1400

City Houston State TX Zip Code 77002  
County Lawrence Township(s) Pulaski(s)  
Receiving Stream(s) and Classification(s) Deer Creek  
ESCGP-2 #ESG14-019-0038—Cypher to Bergbigler Gas Pipeline

Applicant Mountain Gathering Inc.  
Contact Dewey Chalos  
Address 810 Houston Street  
City Fort Worth State TX Zip Code 76102  
County Butler Township(s) Clearfield(s)  
Receiving Stream(s) and Classification(s) UNT to Little Buffalo Run/Buffalo Creek

ESCGP-2 #ESX14-073-0019—Chrastina Pipeline  
Applicant Hilcorp Energy Co.  
Contact Stephanie McMurray  
Address 1201 Louisiana St, Suite 1400  
City Houston State TX Zip Code 77002  
County Lawrence Township(s) Pulaski(s)  
Receiving Stream(s) and Classification(s) Shenango River, UNT to Shenango River WWF

ESCGP-2 #ESX14-019-0045—Bintrim Well Pad  
Applicant R.E. Gas Development, LLC  
Contact Michael T. Endler  
Address 600 Cranberry Woods Drive  
City Cranberry Township State PA Zip Code 16066  
County Butler Township(s) Lancaster(s)  
Receiving Stream(s) and Classification(s) UNTs to Crab Run & UNT to Yellow Creek—CWF, Crab Run & Yellow Creek—CWF

ESCGP-2 #ESX14-085-0021 - Jefferson Zigo Well Pad  
Applicant Hilcorp Energy Co.  
Contact Stephanie McMurray  
Address 1201 Louisiana St, Suite 1400  
City Houston State TX Zip Code 77002  
County Mercer Township(s) Jefferson(s)  
Receiving Stream(s) and Classification(s) UNT to Munnell Run & Lackawannock Creek—TSF, Beaver River

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

ESCGP-2 # ESX29-115-14-0061  
Applicant Name Cabot Oil & Gas Corp  
Contact Person Kenneth Marcum  
Address Five Penn Center West, Suite 401  
City, State, Zip Pittsburgh, PA 15276  
County Susquehanna County  
Township(s) Bridgewater Township  
Receiving Stream(s) and Classification(s) UNTs to Meshoppen Creek (CWF/MF)

ESCGP-2 # ESX29-115-14-0065  
Applicant Name Southwestern Energy Production Company  
Contact Person Dave Sweeley  
Address 917 State Route 92 North  
City, State, Zip Tunkhannock, PA 18657  
County Susquehanna County  
Township(s) Jackson Township  
Receiving Stream(s) and Classification(s) Drinker Creek (CWF/MF) and UNT thereto

ESCGP-2 # ESX11-033-0011 (02)  
Applicant Name Carrizo Marcellus, LLC  
Contact Person Gary Byron  
Address P. O. Box 231  
City, State, Zip Drifting, PA 16834  
County Clearfield County  
Township(s) Gulich Township  
Receiving Stream(s) and Classification(s) Whiteside Run (CWF)



ESCGP-2 # ESX29-015-14-0009  
 Applicant Name Appalachia Midstream Services, LLC  
 Contact Person Randy DeLaune  
 Address 100 IST Center  
 City, State, Zip Horseheads, NY 14845  
 County Bradford and Susquehanna Counties  
 Township(s) Tuscarora and Auburn Townships  
 Receiving Stream(s) and Classification(s) Trib 29606 to  
 Wyalusing Creek, Carter Creek, Tribs 29351 and 29354  
 to Little Meshoppen Creek and UNTs to Aforemen-  
 tioned Streams (CWF-WWF); Secondary: Susquehanna  
 River

ESCGP-2 # ESX29-023-0008  
 Applicant Name Seneca Resources Corporation  
 Contact Person Doug Kepler  
 Address 5800 Corporate Drive, Suite 300  
 City, State, Zip Pittsburgh, PA 15237  
 County Cameron County  
 Township(s) Shippen Township  
 Receiving Stream(s) and Classification(s) Left Branch  
 Cooks Run (EV), Havens Run (CWF); Watersheds: Left  
 Branch Cooks Run, Havens Run;  
 Secondary: Cooks Run, Havens Run

ESCGP-2 # EX11-015-0139 (01)  
 Applicant Name Talisman Energy USA, Inc.  
 Contact Person Lance Ridall  
 Address 337 Daniel Zenker Drive  
 City, State, Zip Horseheads, NY 14845  
 County Bradford County  
 Township(s) Columbia Township  
 Receiving Stream(s) and Classification(s) Wolfe Creek,  
 North Branch Sugar Creek, UNT to North Branch  
 Sugar Creek (All TSF/MF);  
 Secondary: North Branch Sugar Creek (TSF/MF)

ESCGP-2 # ESX29-081-14-0031  
 Applicant Name Seneca Resources Corporation  
 Contact Person Doug Kepler  
 Address 5800 Corporate Drive, Suite 300  
 City, State, Zip Pittsburgh, PA 15237  
 County Lycoming County  
 Township(s) Eldred Township  
 Receiving Stream(s) and Classification(s) 2 UNTs to Mill  
 Creek/Antes-Lycoming Creeks (WWF); Lycoming Creek  
 (EV)

ESCGP-2 # ESG29-081-14-0023  
 Applicant Name Atlas Resources, LLC  
 Contact Person Carla Suszkowski  
 Address Park Place Corp Cntr One, 1000 Commerce Dr,  
 4th Fl  
 City, State, Zip Pittsburgh, PA 15275  
 County Lycoming County  
 Township(s) Gamble Township  
 Receiving Stream(s) and Classification(s) Murray Run—  
 EV/Loyalsock Creek Watershed; Wallis Run (EV)

ESCGP-2 # ESG29-015-14-0047  
 Applicant Name Chief Oil & Gas, LC  
 Contact Person Jeffrey Deegan  
 Address 6051 Wallace Road Ext., Suite 300  
 City, State, Zip Wexford, PA 15090  
 County Bradford County  
 Township(s) Overton Township  
 Receiving Stream(s) and Classification(s) UNT Cabin  
 Run/Schrader Creek (EV/MF), UNT Elk Creek (EV/  
 MF);  
 Secondary: Towanda and Loyalsock Creeks

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## SPECIAL NOTICE

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### Water Quality Certification under Section 401 of the Federal Clean Water Act for the York Haven Power Company, LLC—York Haven Hydroelectric Project PA DEP File No. EA 67-023 FERC Docket No. P-1888-030

On August 19, 2014 the Commonwealth of Pennsylvania (Commonwealth) Department of Environmental Protection (Department, DEP or PADEP), issued Section 401 Water Quality Certification to York Haven Power Company, LLC (YHPC) for the York Haven Hydroelectric Project (YHHP). The DEP, by this notice, certifies that the construction, operation and maintenance of the YHHP complies with the applicable provisions of sections 301—303, 306, 307 and 316 of the Federal Clean Water Act (33 U.S.C.A. §§ 1311—1313, 1316, 1317, and 1326) and with appropriate requirements of state law. The Department further certifies that the operation and maintenance of the YHHP complies with applicable Commonwealth water quality standards and that the operation and maintenance of the YHHP does not violate applicable Commonwealth water quality standards provided that the operation and maintenance of the YHHP complies with the conditions proposed for this certification, including the criteria and conditions set forth below:

#### Compensatory Mitigation

1. YHPC will mitigate the impact to aquatic species by constructing a nature-like fishway (“NLF”) at the eastern end of the main dam apex, connecting to the southwestern tip of Three Mile Island, in Londonderry Township, Dauphin County. The NLF will facilitate movement of resident and migratory aquatic species over the dam and re-establish upstream/downstream river connectivity by creating a series of steps that will distribute the change in water surface and riverbed elevations caused by the dam over approximately 450 feet of the Susquehanna River. Subsequent to construction of the NLF, YHPC will monitor the performance of the NLF. Maintenance of the NLF to its approved design configuration shall be conducted for the duration of the operation of YHHP as an electric generation facility.

2. YHPC will provide a minimum of twenty-five thousand dollars (\$25,000.00) per year for the continuation of their debris management program for debris removal projects within the Lower Susquehanna River watershed. This program will continue for the duration of this certification.

3. YHPC will also achieve certain fish passage targets for migratory fish and eels passing through the project area, and will take corrective action if the fish passage targets are not achieved.

4. YHPC will achieve minimum stream flow criteria to convey flows past the project.

5. The water quality certification will be revised in 2030, as appropriate, to address demonstrated project impacts and subject to the provisions of this certification, to establish requirements consistent with Section 401 of the Clean Water Act, 33 U.S.C Section 1341.

Any person aggrieved by this action may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, 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 Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of 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 any right of appeal beyond that permitted by applicable statutes and decisional law.

If you want to challenge this action, your appeal must reach the board within 30 days. You do not need a lawyer to file an appeal with the board.

Important legal rights are at stake, however, so you should show this document to a lawyer at once. If you cannot afford a lawyer, you may qualify for free pro bono representation. Call the secretary to the board (717.787.3483) for more information.

[Pa.B. Doc. No. 14-1781. Filed for public inspection August 22, 2014, 9:00 a.m.]

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### Availability of Technical Guidance

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

#### *Ordering Paper Copies of Department Technical Guidance*

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

#### *Changes to Technical Guidance Documents*

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

#### *Draft Technical Guidance Document—Substantive Revision*

**DEP ID:** 383-2300-002. **Title:** Training Provider Manual for the Pennsylvania Water and Wastewater System Operator Training Program. **Description:** This guidance provides instructions to private training providers on how to apply to become an approved provider (sponsor) of water and wastewater training in this Commonwealth and how to obtain approval of training courses taught to Commonwealth water and wastewater operators. The manual describes sponsor responsibilities, course guide-

lines and other elements of the Commonwealth water and wastewater training approval process. Substantive revisions were made to the guidance to update application forms and instructions to reflect the electronic training approval system. The course guidelines (Section 9) contain the most significant revisions, which are intended to clarify and strengthen adult learning concepts and to include guidelines for synchronous web-based courses.

**Written Comments:** Interested persons may submit written comments by Monday, September 22, 2014. Comments submitted by facsimile will not be accepted. Comments, including comments submitted by e-mail must include the originator's name and address. Written comments should be submitted to Bill McNamara, Department of Environmental Protection, Bureau of Safe Drinking Water, Division of Training, Technical and Financial Services, Rachel Carson State Office Building, 10th Floor, P. O. Box 8467, Harrisburg, PA 17105-8467, [wmcnamara@pa.gov](mailto:wmcnamara@pa.gov).

**Contact:** Questions regarding this action should be directed to Bill McNamara at (717) 705-6350 or [wmcnamara@pa.gov](mailto:wmcnamara@pa.gov).

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

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-1782. Filed for public inspection August 22, 2014, 9:00 a.m.]

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### Nutrient Credit Trading Program; Certification and Inter-Basin Trading Requests

The Department of Environmental Protection (Department) provides notice of the following requests that have been submitted under the Nutrient Credit Trading Program (Trading Program). See 25 Pa. Code § 96.8 (relating to use of offsets and tradable credits from pollution reduction activities in the Chesapeake Bay Watershed), published at 40 Pa.B. 5790 (October 9, 2010).

#### *Credit Certification Requests*

The following requests are being reviewed by the Department. The Department will accept written comments on these proposed pollutant reduction activities for 30 days.

#### *Applicant*

Valley Joint Sewer Authority. (Bradford County) (NPDES Permit No. PA-0043681)

#### *Pollutant Reduction Activity Description*

This certification request is for nutrient reduction credits to be generated from the pollutant reduction activity of the township's installed wastewater treatment process.

#### *Inter-Basin Trading Request*

The Department has received a request under the Trading Program for use of credits generated in a river basin other than the river basin in which the credit user is located. See 25 Pa. Code § 96.8, published at 40 Pa.B. 5790.

*Applicant*

St. Thomas Township  
Authority (Franklin  
County) (NPDES  
Permit No. PA0081001)

*Inter-Basin Trade  
Description*

This request is to allow St.  
Thomas Township Authority  
to purchase credits from the  
Susquehanna Basin. St.  
Thomas wishes to purchase  
credits from New Oxford  
Municipal Authority.

*Written Comments*

Interested persons must submit written comments on these requests by Monday, September 22, 2014. The Department will accept comments submitted by e-mail, but comments submitted by facsimile will not be accepted. A return name and address must be included in each e-mail transmission. Written comments should be submitted to Jay Braund, Department of Environmental Protection, Bureau of Point and Non-Point Source Management, Rachel Carson State Office Building, P. O. Box 8774, Harrisburg, PA 17105-8774, jbraund@pa.gov.

For further information on these certification requests or the Trading Program, contact Jay Braund at (717) 772-5636 or jbraund@pa.gov or visit the Department's web site at www.dep.state.pa.us (Keyword: "Nutrient Trading").

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-1783. Filed for public inspection August 22, 2014, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### Lease Office Space to the Commonwealth Cumberland County

Proposals are invited to provide the Department of General Services with 14,068 usable square feet of office space for the Department of Public Welfare and Department of Health in Cumberland County. For more information on SFP No. 94587, which is due on Tuesday, October 7, 2014, visit www.dgs.state.pa.us or contact Tereasa Forbes at (717) 783-0829 or tforbes@pa.gov.

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 14-1784. Filed for public inspection August 22, 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 exceptions to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

The Manor at St. Luke Village  
1711 East Broad Street  
Hazleton, PA 18201  
FAC ID # 195202

Manorcare Health Services—West Reading North  
425 Buttonwood Street  
West Reading, PA 19611  
FAC ID # 902202

The Pavilion at St. Luke Village  
1000 Stacie Drive  
Hazleton, PA 18201  
FAC ID # 455202

Pleasant Ridge Manor—East  
4728 Lake Pleasant Road  
Erie, PA 16504  
FAC ID # 050902

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the address or phone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-1785. Filed for public inspection August 22, 2014, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Application for Lease of Right-of-Way

Under 67 Pa. Code § 495.4(d) (relating to application procedure), an application to lease highway right-of-way has been submitted to the Department of Transportation by GIA Realty, LP, seeking to lease highway right-of-way located along SR 0008 at 1 Higgins Street, Etna Borough, Allegheny County, containing 1,637.5 ± square feet or 0.03759 ± acre, for the purpose of customer parking.

Interested persons are invited to submit, within 30 days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions or objections regarding the approval of this application to H. Daniel Cessna, PE, District Executive, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017.

Questions regarding this application or the proposed use may be directed to Jeff Powell, District Property Manager, 45 Thoms Run Road, Bridgeville, PA 15017, (412) 429-4835.

BARRY J. SCHOCH, PE,  
*Secretary*

[Pa.B. Doc. No. 14-1786. Filed for public inspection August 22, 2014, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

### Arcelormittal Pristine Resources, LLC v. DEP; EHB Doc. No. 2014-105-R

Arcelormittal Pristine Resources, LLC has appealed the issuance by the Department of Environmental Protection of an NPDES permit to Arcelormittal Pristine Resources, LLC for a facility in Clinton Township, Butler County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,  
*Chairperson*

[Pa.B. Doc. No. 14-1787. Filed for public inspection August 22, 2014, 9:00 a.m.]

### Cumberland Township v. DEP; EHB Doc. No. 2014- 109-R

Cumberland Township has appealed the issuance by the Department of Environmental Protection of an NPDES permit to Cumberland Township for its facility in Cumberland Township, Greene County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,  
*Chairperson*

[Pa.B. Doc. No. 14-1788. Filed for public inspection August 22, 2014, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or a copy can be obtained from the web site at [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

<i>Final Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
#125-168	Pennsylvania Gaming Control Board Gaming Junket Enterprises, Accounting and Internal Controls, Compulsive and Problem Gambling, Self-Exclusion, Underage Gaming, Equipment, Blackjack	8/13/14	9/18/14

JOHN F. MIZNER, Esq.,  
*Chairperson*

[Pa.B. Doc. No. 14-1789. Filed for public inspection August 22, 2014, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Appeal of American Interstate Insurance Company; Pennsylvania Compensation Rating Bureau; Doc. No. CL14-08-001

A prehearing telephone conference initiated by this office is scheduled for October 1, 2014, at 10 a.m. Each party shall provide a telephone number to be used for the

telephone conference to the Hearings Administrator on or before September 29, 2014. A date for a hearing shall be determined, if necessary, at the prehearing conference.

Motions preliminary to those at hearing, protests, petitions to intervene, notices of appearance or notices of intervention, if any, must be filed with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102 on or before September 15, 2014.

Answers to petitions to intervene, if any, shall be filed on or before September 29, 2014.

A written request for continuance of the scheduled prehearing telephone conference and hearing, for good cause will be considered by the Presiding Officer. Prior to requesting a continuance, a party must contact the opposing party. Continuance requests must indicate whether the opposing party objects to a continuance.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-1790. Filed for public inspection August 22, 2014, 9:00 a.m.]

### **Geisinger Quality Options PPO (GSHP-129664956); Individual Grandfathered Policies; Rate Filing**

Geisinger Quality Options PPO submitted a rate filing to increase the premium rates for its Individual Grandfathered Health Plans. The filing proposes a rate increase of 18.3% and will affect approximately 1,687 members. The proposed rate increase will generate approximately \$827,000 of additional annual revenue and will be effective January 1, 2015.

Unless formal administrative action is taken prior to October 21, 2014, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find . . ." click on the link "PA Bulletin."

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Cherri Sanders-Jones, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [csandersjo@pa.gov](mailto:csandersjo@pa.gov) within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-1791. Filed for public inspection August 22, 2014, 9:00 a.m.]

### **Review Procedure Hearings; Cancellation or Refusal of Insurance**

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) (Act 68) in connection with the termination of the insureds' automobile insurance policies. The hearings will be held in accordance with the requirements of Act 68; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held in the Insurance Department's regional office in Philadelphia, PA. Failure by an appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in Strawbridge and Clothier, Justice Hearing Room 4030, 801 Market Street, Philadelphia, PA 19107.

Appeal of Laverne Comer; file no. 14-115-163522; Victoria Fire and Casualty Company; Doc. No. P14-08-005; September 19, 2014, 10 a.m.

Appeal of Mark E. Smith; file no. 14-116-167051; State Farm Mutual Automobile Insurance Company; Doc. No. P14-08-004; September 19, 2014, 11 a.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-1792. Filed for public inspection August 22, 2014, 9:00 a.m.]

### **Review Procedure Hearings under the Unfair Insurance Practices Act**

The following insureds have requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (act) (40 P. S. § 1171.8) in connection with their companies' termination of the insureds' homeowners policies. The hearings will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held in the Insurance Department's regional offices in Harrisburg and Philadelphia, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Joyce Goodman; file no. 14-130-169163; Encompass Insurance Company of America; Doc. No. P14-08-012; October 2, 2014, 10 a.m.

The following hearing will be held in Strawbridge and Clothier, Justice Hearing Room 4030, 801 Market Street, Philadelphia, PA 19107.

Appeal of Norman and Elisha Gee; file no. 14-115-168518; State Farm Fire and Casualty Insurance Company; Doc. No. P14-08-010; September 19, 2014, 1 p.m.

Parties may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-1793. Filed for public inspection August 22, 2014, 9:00 a.m.]

## MILK MARKETING BOARD

### Hearing and Presubmission Schedule; Milk Marketing Area No. 4

Under the Milk Marketing Law (31 P. S. §§ 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Area No. 4 on October 1, 2014, at 10 a.m. in Room 202, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning cost replacement in Milk Marketing Area No. 4. Evidence will be limited to the following: annualized processing, packaging and delivery costs; updated costs for containers, ingredients and Class II products; updated labor, utility and insurance costs based on comparisons between costs per point for the first halves of calendar years 2013 and 2014; skim and butterfat contents of products regulated by the Board; adjustment for shrinkage, sales of bulk products and cream processing costs; monthly adjustments to in-store handling costs; and a reasonable rate of return to milk dealers and stores. In accordance with OGO A-937, evidence and testimony will be considered regarding the heating fuel adjuster in Area 4. In accordance with OGO A-939, evidence and testimony will be considered regarding the diesel fuel cost adjuster in Area 4.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Other persons who wish to present evidence may be included on the Board's list of parties by: (1) having their attorney file with the Board on or before 3 p.m. on September 5, 2014, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance); or (2) if unrepresented by counsel, filing with the Board on or before 3 p.m. on September 5, 2014, notification of their desire to be included as a party. Parties should indicate in their notices of appearance if alternate means of service, that is, e-mail or fax, are acceptable. Notices of appearance filed electronically should be directed to [deberly@pa.gov](mailto:deberly@pa.gov).

The parties shall observe the following requirements for advance filing of witness information and exhibits:

1. By 2 p.m. on September 11, 2014, Board staff shall file with the Board, in person or by mail, one original and four single-sided copies and ensure receipt by all other parties of one copy of:

a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise. For expert witnesses there shall also be filed a statement of the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 2 p.m. on September 18, 2014, each responding party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

3. By 2 p.m. on September 25, 2014, each party shall file and serve as set forth in paragraph 1 information concerning surrebuttal witnesses and copies of surrebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents or records in other proceedings before the Board or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 1 p.m. on September 22, 2014.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

TIM MOYER,  
*Secretary*

[Pa.B. Doc. No. 14-1794. Filed for public inspection August 22, 2014, 9:00 a.m.]

### Hearing and Presubmission Schedule; Milk Marketing Area No. 5

Under the Milk Marketing Law (31 P. S. §§ 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Area No. 5 on October 1, 2014, at 10:30 a.m. in Room 202, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning cost replacement in Milk Marketing Area No. 5. Evidence will be limited to the following: annualized processing, packaging and delivery costs; updated costs for containers, ingredients and Class II products; updated labor, utility and insurance costs based on comparisons between costs per point for the first halves of calendar years 2013 and 2014; skim and butterfat contents of products regulated by the Board; adjustment for shrinkage, sales of bulk products and cream processing costs; monthly adjustments to in-store handling costs; and a reasonable rate of return to milk dealers and stores. In accordance with OGO A-937, evidence and testimony will be considered regarding the heating fuel adjuster in Area 5. In accordance with OGO A-939, evidence and testimony will be considered regarding the diesel fuel cost adjuster in Area 5.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Other persons who wish to present evidence may be included on the Board's list of parties by: (1) having their attorney file with the Board on or before 3 p.m. on September 5, 2014, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance); or (2) if unrepresented by counsel, filing with the Board on or before 3 p.m. on September 5, 2014, notification of their desire to be included as a party. Parties should indicate in their notices of appearance if alternate means of service, that is, e-mail or fax, are acceptable. Notices of appearance filed electronically should be directed to [deberly@pa.gov](mailto:deberly@pa.gov).

The parties shall observe the following requirements for advance filing of witness information and exhibits:

1. By 2 p.m. on September 11, 2014, Board staff shall file with the Board, in person or by mail, one original and four single-sided copies and ensure receipt by all other parties of one copy of:

a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise. For expert witnesses there shall also be filed a statement of the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 2 p.m. on September 18, 2014, each responding party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

3. By 2 p.m. on September 25, 2014, each party shall file and serve as set forth in paragraph 1 information concerning surrebuttal witnesses and copies of surrebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents or records in other

proceedings before the Board or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 1 p.m. on September 22, 2014.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

TIM MOYER,  
*Secretary*

[Pa.B. Doc. No. 14-1795. Filed for public inspection August 22, 2014, 9:00 a.m.]

### Hearing and Presubmission Schedule; Milk Marketing Area No. 6

Under the Milk Marketing Law (31 P. S. §§ 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Area No. 6 on October 1, 2014, at 11 a.m. in Room 202, Department of Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning cost replacement in Milk Marketing Area No. 6. Evidence will be limited to the following: annualized processing, packaging and delivery costs; updated costs for containers, ingredients and Class II products; updated labor, utility and insurance costs based on comparisons between costs per point for the first halves of calendar years 2013 and 2014; skim and butterfat contents of products regulated by the Board; adjustment for shrinkage, sales of bulk products and cream processing costs; monthly adjustments to in-store handling costs; and a reasonable rate of return to milk dealers and stores. In accordance with OGO A-937, evidence and testimony will be considered regarding the heating fuel adjuster in Area 6. In accordance with OGO A-939, evidence and testimony will be considered regarding the diesel fuel cost adjuster in Area 6.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Other persons who wish to present evidence may be included on the Board's list of parties by: (1) having their attorney file with the Board on or before 3 p.m. on September 5, 2014, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance); or (2) if unrepresented by counsel, filing with the Board on or before 3 p.m. on September 5, 2014, notification of their desire to be included as a party. Parties should indicate in their notices of appearance if alternate means of service, that is, e-mail or fax, are acceptable. Notices of appearance filed electronically should be directed to [deberly@pa.gov](mailto:deberly@pa.gov).

The parties shall observe the following requirements for advance filing of witness information and exhibits:

1. By 2 p.m. on September 11, 2014, Board staff shall file with the Board, in person or by mail, one original and four single-sided copies and ensure receipt by all other parties of one copy of:

a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise. For expert witnesses there shall also be filed a statement of the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 2 p.m. on September 18, 2014, each responding party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

3. By 2 p.m. on September 25, 2014, each party shall file and serve as set forth in paragraph 1 information concerning surrebuttal witnesses and copies of surrebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents or records in other proceedings before the Board or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 1 p.m. on September 22, 2014.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

TIM MOYER,  
*Secretary*

[Pa.B. Doc. No. 14-1796. Filed for public inspection August 22, 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 September 9, 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-2014-2422473. New First Class Trans, Inc.** (1444 Hamilton Street, Allentown, Lehigh County, PA 18102) 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 Counties of Berks, Bucks, Carbon, Lehigh, Monroe, Northampton and Schuylkill, to points in Pennsylvania, and return; (*Attorney:* David P. Temple, Esquire, 1760 Market Street, Suite 1100, Philadelphia, PA 19103).

**A-2014-2426793. Ram & Sita Company, t/a S Day & Night Travelers** (16392 Route 15 North, Allenwood, PA 17810) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in Pennsylvania, to points in Pennsylvania. (*Attorney:* Preston L. Davis, Esquire, P. O. Box 319, Milton, PA 17847).

**A-2014-2428633. Country Roads Transportation, LLC** (262 Park Road, Herndon, Northumberland County, PA 17830) for the right to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the Counties of Dauphin and Northumberland, to points in Pennsylvania, and return; (*Attorney:* Richard G. Scheib, Esquire, Scheib Law Offices, 11 Reitz Boulevard, Suite 102, Lewisburg, PA 17837-9293).

**A-2014-2429251. Richard L. Goebel** (160 Miller Road, Willow Street, Lancaster County, PA 17584) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County, to points in Pennsylvania, and return.

**Application 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 the application.***

**A-2014-2425000. David W. Nileski II, t/a Tunnel Town Truck Services** (814 Wilson Street, Gallitzin, Cambria County, PA 16641) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, from points in Cambria County, to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1797. Filed for public inspection August 22, 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 September 8, 2014, and must be made with the Secretary, Pennsylvania Public Utility Commis-



sion, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

*Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. Foredul Trans Inc.;*  
Doc. No. C-2014-2413918

### COMPLAINT

Now Comes the Bureau of Investigation and Enforcement (“I&E”) of the Pennsylvania Public Utility Commission (“Commission”), by its counsel, and files this Complaint against Foredul Trans Inc. (“Respondent”), pursuant to Section 701 of the Public Utility Code, 66 Pa.C.S. § 701. In support of its Complaint, I&E respectfully represents the following:

#### Parties and Jurisdiction

1. The Pennsylvania Public Utility Commission, with a mailing address of P. O. Box 3265, Harrisburg, PA 17105-3265, is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth pursuant to the Public Utility Code, 66 Pa.C.S. §§ 101, et seq.

2. Complainant is the Commission’s Bureau of Investigation and Enforcement and is the entity established by statute to prosecute complaints against public utilities pursuant to 66 Pa.C.S. § 308.2(a)(11).

3. Complainant is represented by:

Stephanie M. Wimer  
Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265  
717.772.8839  
stwimer@pa.gov

Wayne T. Scott  
First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265  
717.783.6150  
wascott@pa.gov

4. Respondent is Foredul Trans Inc. and maintains its principal place of business at 4308 Chestnut Street, Apartment 205, Philadelphia, PA 19104.

5. Respondent is a “public utility” as that term is defined at 66 Pa.C.S. § 102, as it is engaged in transporting passengers in the Commonwealth of Pennsylvania for compensation.

6. The Commission issued Respondent a certificate of public convenience on or about September 27, 2004, at A-00121049, for taxi authority.

7. Section 501(a) of the Public Utility Code, 66 Pa.C.S. § 501(a), authorizes and obligates the Commission to execute and enforce the provisions of the Public Utility Code.

8. Section 701 of the Public Utility Code, 66 Pa.C.S. § 701, authorizes the Commission, inter alia, to hear and determine complaints against public utilities for a violation of any law or regulation that the Commission has jurisdiction to administer.

9. Section 3301 of the Public Utility Code, 66 Pa.C.S. § 3301, authorizes the Commission to impose civil penal-

ties on any public utility, or any other person or corporation subject to the Commission’s authority, for violation(s) of the Public Utility Code and/or Commission regulations.

10. Respondent, in transporting passengers as a common carrier for compensation, is subject to the power and authority of this Commission pursuant to Section 501(c) of the Public Utility Code, 66 Pa.C.S. § 501(c), which requires a public utility to comply with Commission regulations.

11. Pursuant to the provisions of the applicable Commonwealth statutes and regulations, the Commission has jurisdiction over the subject matter of this complaint and the actions of Respondent related thereto.

#### Factual Background

12. On or about February 16, 2012, the Commission mailed to Respondent an assessment report form for Respondent to report its 2011 calendar year revenues.

13. The assessment report form was accompanied by a letter, which notified Respondent that the report was due on or before March 31, 2012.

14. Respondent failed to file an assessment report to show its 2011 calendar year revenues.

15. On or about February 7, 2013, the Commission mailed to Respondent an assessment report form for Respondent to report its 2012 calendar year revenues.

16. The assessment report form was accompanied by a letter, which notified Respondent that the report was due on or before March 31, 2013.

17. Respondent failed to file an assessment report to show its 2012 calendar year revenues.

#### Violations

##### COUNTS 1—2

18. That Respondent failed to demonstrate its gross intrastate operating revenues for the 2011 and 2012 calendar years in that it did not file assessment reports for those years.

If proven, this is a violation of Section 510(b) of the Public Utility Code, 66 Pa.C.S. § 510(b). The Bureau of Investigation and Enforcement’s proposed civil penalty for this violation is \$2,000.

Wherefore, for all the foregoing reasons, the Bureau of Investigation and Enforcement of Pennsylvania Public Utility Commission respectfully requests that:

(a) Respondent be directed to file assessment reports on a going-forward basis;

(b) Respondent be ordered to pay a civil penalty of \$2,000 for the above-described violations; and

(c) If payment of the civil penalty is not made, the Bureau of Investigation and Enforcement requests that the Commission issue an Order to cancel the Certificate of Public Convenience issued to Respondent.

Respectfully submitted,

Stephanie M. Wimer  
Prosecutor  
Bureau of Investigation & Enforcement  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Date: April 1, 2014

VERIFICATION

I, Mandy Freas, Accountant, Bureau of Administrative Services, Assessment Section, 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 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: April 1, 2014

Mandy Freas, Accountant  
Assessment Section  
Bureau of Administrative Services  
PA. Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Scott at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by paying the civil penalty within 20 days. Your check or money order for the civil penalty should be payable to the Commonwealth of Pennsylvania and mailed to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound

by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

G. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

*Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. Soumare, Inc.;*  
*Doc. No. C-2014-2413907*

COMPLAINT

Now Comes the Bureau of Investigation and Enforcement ("I&E") of the Pennsylvania Public Utility Commission ("Commission"), by its counsel, and files this Complaint against Soumare, Inc. ("Respondent"), pursuant to Section 701 of the Public Utility Code, 66 Pa.C.S. § 701. In support of its Complaint, I&E respectfully represents the following:

## Parties and Jurisdiction

1. The Pennsylvania Public Utility Commission, with a mailing address of P.O. Box 3265, Harrisburg, PA 17105-3265, is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth pursuant to the Public Utility Code, 66 Pa.C.S. §§ 101, et seq.

2. Complainant is the Commission's Bureau of Investigation and Enforcement and is the entity established by statute to prosecute complaints against public utilities pursuant to 66 Pa.C.S. § 308.2(a)(11).

3. Complainant is represented by:

Stephanie M. Wimer  
Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265  
717.772.8839  
[stwimer@pa.gov](mailto:stwimer@pa.gov)

Wayne T. Scott  
First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265  
717.783.6150  
[wascott@pa.gov](mailto:wascott@pa.gov)

4. Respondent is Soumare, Inc. and maintains its principal place of business at P. O. Box 52221, Philadelphia, PA 19115.

5. Respondent is a "public utility" as that term is defined at 66 Pa.C.S. § 102, as it is engaged in transporting property in the Commonwealth of Pennsylvania for compensation.

6. The Commission issued Respondent a certificate of public convenience on or about January 3, 2008, at A-00119285, for truck authority.

7. Section 501(a) of the Public Utility Code, 66 Pa.C.S. § 501(a), authorizes and obligates the Commission to execute and enforce the provisions of the Public Utility Code.

8. Section 701 of the Public Utility Code, 66 Pa.C.S. § 701, authorizes the Commission, inter alia, to hear and determine complaints against public utilities for a violation of any law or regulation that the Commission has jurisdiction to administer.

9. Section 3301 of the Public Utility Code, 66 Pa.C.S. § 3301, authorizes the Commission to impose civil penalties on any public utility, or any other person or corporation subject to the Commission's authority, for violation(s) of the Public Utility Code and/or Commission regulations.

10. Respondent, in transporting property as a common carrier for compensation, is subject to the power and authority of this Commission pursuant to Section 501(c) of the Public Utility Code, 66 Pa.C.S. § 501(c), which requires a public utility to comply with Commission regulations.

11. Pursuant to the provisions of the applicable Commonwealth statutes and regulations, the Commission has jurisdiction over the subject matter of this complaint and the actions of Respondent related thereto.

#### Factual Background

12. On or about February 16, 2012, the Commission mailed to Respondent an assessment report form for Respondent to report its 2011 calendar year revenues.

13. The assessment report form was accompanied by a letter, which notified Respondent that the report was due on or before March 31, 2012.

14. Respondent failed to file an assessment report to show its 2011 calendar year revenues.

15. On or about February 7, 2013, the Commission mailed to Respondent an assessment report form for Respondent to report its 2012 calendar year revenues.

16. The assessment report form was accompanied by a letter, which notified Respondent that the report was due on or before March 31, 2013.

17. Respondent failed to file an assessment report to show its 2012 calendar year revenues.

#### Violations

##### COUNTS 1—2

18. That Respondent failed to demonstrate its gross intrastate operating revenues for the 2011 and 2012 calendar years in that it did not file assessment reports for those years.

If proven, this is a violation of Section 510(b) of the Public Utility Code, 66 Pa.C.S. § 510(b). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$2,000.

*Wherefore*, for all the foregoing reasons, the Bureau of Investigation and Enforcement of Pennsylvania Public Utility Commission respectfully requests that:

(a) Respondent be directed to file assessment reports on a going-forward basis;

(b) Respondent be ordered to pay a civil penalty of \$2,000 for the above-described violations; and

(c) If payment of the civil penalty is not made, the Bureau of Investigation and Enforcement requests that the Commission issue an Order to cancel the Certificate of Public Convenience issued to Respondent.

Respectfully submitted,

Stephanie M. Wimer  
Prosecutor  
Bureau of Investigation & Enforcement  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Date: April 1, 2014

#### VERIFICATION

I, Mandy Freas, Accountant, Bureau of Administrative Services, Assessment Section, 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 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: April 1, 2014

Mandy Freas, Accountant  
Assessment Section  
Bureau of Administrative Services  
PA. Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Scott at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by paying the civil penalty within 20 days. Your check or money order for the civil penalty should be payable to the Commonwealth of Pennsylvania and mailed to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

G. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

*Pennsylvania Public Utility Commission,  
Bureau of Investigation and Enforcement v.  
Velocity Express Leasing, Inc.;  
Doc. No. C-2014-2411289*

### COMPLAINT

Now Comes the Bureau of Investigation and Enforcement ("I&E") of the Pennsylvania Public Utility Commission ("Commission"), by its counsel, and files this Complaint against Velocity Express Leasing, Inc. ("Respondent"), pursuant to Section 701 of the Public Utility Code, 66 Pa.C.S. § 701. In support of its Complaint, I&E respectfully represents the following:

#### Parties and Jurisdiction

1. The Pennsylvania Public Utility Commission, with a mailing address of P. O. Box 3265, Harrisburg, PA 17105-3265, is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth pursuant to the Public Utility Code, 66 Pa.C.S. §§ 101, et seq.

2. Complainant is the Commission's Bureau of Investigation and Enforcement and is the entity established by statute to prosecute complaints against public utilities pursuant to 66 Pa.C.S. § 308.2(a)(11).

3. Complainant is represented by:

Stephanie M. Wimer  
Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265  
717.772.8839  
stwimer@pa.gov

Wayne T. Scott  
First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265  
717.783.6150  
wascott@pa.gov

4. Respondent is Velocity Express Leasing, Inc. and maintains its principal place of business at 929 Beaver Avenue, Pittsburgh, PA 15233.

5. Respondent is a "public utility" as that term is defined at 66 Pa.C.S. § 102, as it is engaged in transporting property in the Commonwealth of Pennsylvania for compensation.

6. The Commission issued Respondent a certificate of public convenience on or about October 29, 2006, at A-00123146, for truck authority.

7. Section 501(a) of the Public Utility Code, 66 Pa.C.S. § 501(a), authorizes and obligates the Commission to execute and enforce the provisions of the Public Utility Code.

8. Section 701 of the Public Utility Code, 66 Pa.C.S. § 701, authorizes the Commission, inter alia, to hear and determine complaints against public utilities for a violation of any law or regulation that the Commission has jurisdiction to administer.

9. Section 3301 of the Public Utility Code, 66 Pa.C.S. § 3301, authorizes the Commission to impose civil penalties on any public utility, or any other person or corporation subject to the Commission's authority, for violation(s) of the Public Utility Code and/or Commission regulations.

10. Respondent, in transporting property as a common carrier for compensation, is subject to the power and authority of this Commission pursuant to Section 501(c) of the Public Utility Code, 66 Pa.C.S. § 501(c), which requires a public utility to comply with Commission regulations.

11. Pursuant to the provisions of the applicable Commonwealth statutes and regulations, the Commission has jurisdiction over the subject matter of this complaint and the actions of Respondent related thereto.

#### Factual Background

12. On or about February 15, 2011, the Commission mailed to Respondent an assessment report form for Respondent to report its 2010 calendar year revenues.

13. The assessment report form was accompanied by a letter, which notified Respondent that the report was due on or before March 31, 2011.

14. Respondent failed to file an assessment report to show its 2010 calendar year revenues.

15. On or about February 16, 2012, the Commission mailed to Respondent an assessment report form for Respondent to report its 2011 calendar year revenues.

16. The assessment report form was accompanied by a letter, which notified Respondent that the report was due on or before March 31, 2012.

17. Respondent failed to file an assessment report to show its 2011 calendar year revenues.

18. On or about February 7, 2013, the Commission mailed to Respondent an assessment report form for Respondent to report its 2012 calendar year revenues.

19. The assessment report form was accompanied by a letter, which notified Respondent that the report was due on or before March 31, 2013.

20. Respondent failed to file an assessment report to show its 2012 calendar year revenues.

#### Violations

#### COUNTS 1—3

21. That Respondent failed to demonstrate its gross intrastate operating revenues for the 2010, 2011 and 2012 calendar years in that it did not file assessment reports for those years.

If proven, this is a violation of Section 510(b) of the Public Utility Code, 66 Pa.C.S. § 510(b). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$3,000.

Wherefore, for all the foregoing reasons, the Bureau of Investigation and Enforcement of Pennsylvania Public Utility Commission respectfully requests that:

(a) Respondent be directed to file assessment reports on a going-forward basis;

(b) Respondent be ordered to pay a civil penalty of \$3,000 for the above-described violations; and

(c) If payment of the civil penalty is not made, the Bureau of Investigation and Enforcement requests that the Commission issue an Order to cancel the Certificate of Public Convenience issued to Respondent.

Respectfully submitted,

Stephanie M. Wimer  
Prosecutor  
Bureau of Investigation & Enforcement  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Date: March 20, 2014

#### VERIFICATION

I, Mandy Freas, Accountant, Bureau of Administrative Services, Assessment Section, 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 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: March 20, 2014

Mandy Freas, Accountant  
Assessment Section  
Bureau of Administrative Services  
PA. Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Scott at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by paying the civil penalty within 20 days. Your check or money order for the civil penalty should be payable to the Commonwealth of Pennsylvania and mailed to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

G. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

*Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. Lisa A. Kelly;*  
*Doc. No. C-2014-2411294*

#### COMPLAINT

Now Comes the Bureau of Investigation and Enforcement ("I&E") of the Pennsylvania Public Utility Commission ("Commission"), by its counsel, and files this Complaint against Lisa A. Kelly ("Respondent"), pursuant to Section 701 of the Public Utility Code, 66 Pa.C.S. § 701. In support of its Complaint, I&E respectfully represents the following:

Parties and Jurisdiction

1. The Pennsylvania Public Utility Commission, with a mailing address of P. O. Box 3265, Harrisburg, PA 17105-3265, is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth pursuant to the Public Utility Code, 66 Pa.C.S. §§ 101, et seq.

2. Complainant is the Commission's Bureau of Investigation and Enforcement and is the entity established by statute to prosecute complaints against public utilities pursuant to 66 Pa.C.S. § 308.2(a)(11).

3. Complainant is represented by:

Stephanie M. Wimer  
Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265  
717.772.8839  
[stwimer@pa.gov](mailto:stwimer@pa.gov)

Wayne T. Scott  
 First Deputy Chief Prosecutor  
 Pennsylvania Public Utility Commission  
 Bureau of Investigation and Enforcement  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265  
 717.783.6150  
 wascott@pa.gov

4. Respondent is Lisa A. Kelly and maintains its principal place of business at 36 Larchwood Road, Wyomissing, PA 19610, Attention: Lisa A. Kelly.

5. Respondent is a "public utility" as that term is defined at 66 Pa.C.S. § 102, as it is engaged in transporting property in the Commonwealth of Pennsylvania for compensation.

6. The Commission issued Respondent a certificate of public convenience on or about October 11, 2006, at A-00123165, for truck authority.

7. Section 501(a) of the Public Utility Code, 66 Pa.C.S. § 501(a), authorizes and obligates the Commission to execute and enforce the provisions of the Public Utility Code.

8. Section 701 of the Public Utility Code, 66 Pa.C.S. § 701, authorizes the Commission, inter alia, to hear and determine complaints against public utilities for a violation of any law or regulation that the Commission has jurisdiction to administer.

9. Section 3301 of the Public Utility Code, 66 Pa.C.S. § 3301, authorizes the Commission to impose civil penalties on any public utility, or any other person or corporation subject to the Commission's authority, for violation(s) of the Public Utility Code and/or Commission regulations.

10. Respondent, in transporting property as a common carrier for compensation, is subject to the power and authority of this Commission pursuant to Section 501(c) of the Public Utility Code, 66 Pa.C.S. § 501(c), which requires a public utility to comply with Commission regulations.

11. Pursuant to the provisions of the applicable Commonwealth statutes and regulations, the Commission has jurisdiction over the subject matter of this complaint and the actions of Respondent related thereto.

#### Factual Background

12. On or about February 15, 2011, the Commission mailed to Respondent an assessment report form for Respondent to report its 2010 calendar year revenues.

13. The assessment report form was accompanied by a letter, which notified Respondent that the report was due on or before March 31, 2011.

14. Respondent failed to file an assessment report to show its 2010 calendar year revenues.

15. On or about February 16, 2012, the Commission mailed to Respondent an assessment report form for Respondent to report its 2011 calendar year revenues.

16. The assessment report form was accompanied by a letter, which notified Respondent that the report was due on or before March 31, 2012.

17. Respondent failed to file an assessment report to show its 2011 calendar year revenues.

18. On or about February 7, 2013, the Commission mailed to Respondent an assessment report form for Respondent to report its 2012 calendar year revenues.

19. The assessment report form was accompanied by a letter, which notified Respondent that the report was due on or before March 31, 2013.

20. Respondent failed to file an assessment report to show its 2012 calendar year revenues.

#### Violations

#### COUNTS 1—3

21. That Respondent failed to demonstrate its gross intrastate operating revenues for the 2010, 2011 and 2012 calendar years in that it did not file assessment reports for those years.

If proven, this is a violation of Section 510(b) of the Public Utility Code, 66 Pa.C.S. § 510(b). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$3,000.

Wherefore, for all the foregoing reasons, the Bureau of Investigation and Enforcement of Pennsylvania Public Utility Commission respectfully requests that:

(a) Respondent be directed to file assessment reports on a going-forward basis;

(b) Respondent be ordered to pay a civil penalty of \$3,000 for the above-described violations; and

(c) If payment of the civil penalty is not made, the Bureau of Investigation and Enforcement requests that the Commission issue an Order to cancel the Certificate of Public Convenience issued to Respondent.

Respectfully submitted,

Stephanie M. Wimer  
 Prosecutor  
 Bureau of Investigation & Enforcement  
 Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

Date: March 20, 2014

#### VERIFICATION

I, Mandy Freas, Accountant, Bureau of Administrative Services, Assessment Section, 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 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: March 20, 2014

Mandy Freas, Accountant  
 Assessment Section  
 Bureau of Administrative Services  
 PA. Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

#### NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor  
 Pennsylvania Public Utility Commission  
 Bureau of Investigation and Enforcement  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

Or, emailed to Mr. Scott at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by paying the civil penalty within 20 days. Your check or money order for the civil penalty should be payable to the Commonwealth of Pennsylvania and mailed to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

G. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

*Pennsylvania Public Utility Commission, Bureau of  
 Investigation and Enforcement v. Scott A. Adam;  
 Doc. No. C-2014-2410683*

### COMPLAINT

Now Comes the Bureau of Investigation and Enforcement ("I&E") of the Pennsylvania Public Utility Commission ("Commission"), by its counsel, and files this Complaint against Scott A. Adam ("Respondent"), pursuant to Section 701 of the Public Utility Code, 66 Pa.C.S. § 701. In support of its Complaint, I&E respectfully represents the following:

#### Parties and Jurisdiction

1. The Pennsylvania Public Utility Commission, with a mailing address of P.O. Box 3265, Harrisburg, PA 17105-3265, is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities

within the Commonwealth pursuant to the Public Utility Code, 66 Pa.C.S. §§ 101, et seq.

2. Complainant is the Commission's Bureau of Investigation and Enforcement and is the entity established by statute to prosecute complaints against public utilities pursuant to 66 Pa.C.S. § 308.2(a)(11).

3. Complainant is represented by:

Stephanie M. Wimer  
 Prosecutor  
 Pennsylvania Public Utility Commission  
 Bureau of Investigation and Enforcement  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265  
 717.772.8839  
 stwimer@pa.gov

Wayne T. Scott  
 First Deputy Chief Prosecutor  
 Pennsylvania Public Utility Commission  
 Bureau of Investigation and Enforcement  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265  
 717.783.6150  
 wascott@pa.gov

4. Respondent is Scott A. Adam and maintains its principal place of business at 660 North Price Street, Pottstown, PA 19464, Attention: Scott A. Adam.

5. Respondent is a "public utility" as that term is defined at 66 Pa.C.S. § 102, as it is engaged in transporting property in the Commonwealth of Pennsylvania for compensation.

6. The Commission issued Respondent a certificate of public convenience on or about November 23, 2009, at A-2009-2141042, for truck authority.

7. Section 501(a) of the Public Utility Code, 66 Pa.C.S. § 501(a), authorizes and obligates the Commission to execute and enforce the provisions of the Public Utility Code.

8. Section 701 of the Public Utility Code, 66 Pa.C.S. § 701, authorizes the Commission, inter alia, to hear and determine complaints against public utilities for a violation of any law or regulation that the Commission has jurisdiction to administer.

9. Section 3301 of the Public Utility Code, 66 Pa.C.S. § 3301, authorizes the Commission to impose civil penalties on any public utility, or any other person or corporation subject to the Commission's authority, for violation(s) of the Public Utility Code and/or Commission regulations.

10. Respondent, in transporting property as a common carrier for compensation, is subject to the power and authority of this Commission pursuant to Section 501(c) of the Public Utility Code, 66 Pa.C.S. § 501(c), which requires a public utility to comply with Commission regulations.

11. Pursuant to the provisions of the applicable Commonwealth statutes and regulations, the Commission has jurisdiction over the subject matter of this complaint and the actions of Respondent related thereto.

#### Factual Background

12. On or about February 15, 2011, the Commission mailed to Respondent an assessment report form for Respondent to report its 2010 calendar year revenues.

13. The assessment report form was accompanied by a letter, which notified Respondent that the report was due on or before March 31, 2011.

14. Respondent failed to file an assessment report to show its 2010 calendar year revenues.

15. On or about February 16, 2012, the Commission mailed to Respondent an assessment report form for Respondent to report its 2011 calendar year revenues.

16. The assessment report form was accompanied by a letter, which notified Respondent that the report was due on or before March 31, 2012.

17. Respondent failed to file an assessment report to show its 2011 calendar year revenues.

18. On or about February 7, 2013, the Commission mailed to Respondent an assessment report form for Respondent to report its 2012 calendar year revenues.

19. The assessment report form was accompanied by a letter, which notified Respondent that the report was due on or before March 31, 2013.

20. Respondent failed to file an assessment report to show its 2012 calendar year revenues.

#### Violations

#### COUNTS 1—3

21. That Respondent failed to demonstrate its gross intrastate operating revenues for the 2010, 2011 and 2012 calendar years in that it did not file assessment reports for those years.

If proven, this is a violation of Section 510(b) of the Public Utility Code, 66 Pa.C.S. § 510(b). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$3,000.

Wherefore, for all the foregoing reasons, the Bureau of Investigation and Enforcement of Pennsylvania Public Utility Commission respectfully requests that:

(a) Respondent be directed to file assessment reports on a going-forward basis;

(b) Respondent be ordered to pay a civil penalty of \$3,000 for the above-described violations; and

(c) If payment of the civil penalty is not made, the Bureau of Investigation and Enforcement requests that the Commission issue an Order to cancel the Certificate of Public Convenience issued to Respondent.

Respectfully submitted,

Stephanie M. Wimer  
Prosecutor  
Bureau of Investigation & Enforcement  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Date: March 17, 2014

#### VERIFICATION

I, Mandy Freas, Accountant, Bureau of Administrative Services, Assessment Section, 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 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: March 17, 2014

Mandy Freas, Accountant  
Assessment Section  
Bureau of Administrative Services  
PA. Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Scott at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by paying the civil penalty within 20 days. Your check or money order for the civil penalty should be payable to the Commonwealth of Pennsylvania and mailed to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.



G. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1798. Filed for public inspection August 22, 2014, 9:00 a.m.]

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### Telecommunications

**A-310922F7002. The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and Core Communications, Inc.** Joint petition of The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and Core Communications, Inc. for approval of a master interconnection, collocation and resale agreement under section 252(e) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and Core Communications, Inc., by its counsel, filed on August 6, 2014, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of a master interconnection, collocation and resale 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. Copies of The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and Core Communications, Inc. joint 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. 14-1799. Filed for public inspection August 22, 2014, 9:00 a.m.]

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### Telecommunications

**A-2014-2437094. The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and New Horizons Communications Corp.** Joint petition of The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and New Horizons Communications Corp. for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and New Horizons Communications Corp., by its counsel, filed on August 12, 2014, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. The documents

filed in support of The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and New Horizons Communications Corp. joint petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov), and at the applicant's business address.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1800. Filed for public inspection August 22, 2014, 9:00 a.m.]

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### Telecommunications

**A-2014-2436775. Windstream Pennsylvania, LLC and Service Electric Telephone Company, LLC.** Joint petition of Windstream Pennsylvania, LLC and Service Electric Telephone Company, LLC for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Windstream Pennsylvania, LLC and Service Electric Telephone Company, LLC, by its counsel, filed on August 8, 2014, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Windstream Pennsylvania, LLC and Service Electric Telephone Company, LLC joint petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov), and at the applicant's business address.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1801. Filed for public inspection August 22, 2014, 9:00 a.m.]

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### Telecommunications Services

**A-2014-2437222. Shentel Communications, LLC.** Application of Shentel Communications, LLC for approval to offer, render, furnish or supply telecommunications services to the public as a competitive local exchange carrier in the service territory of The United Telephone Company of Pennsylvania, d/b/a CenturyLink.

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 September 8, 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:* Shentel Communications, LLC

*Through and By Counsel:* Michael A. Gruin, Esquire, Stevens & Lee, 17 North Street, 16th Floor, Harrisburg, PA 17101

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1802. Filed for public inspection August 22, 2014, 9:00 a.m.]

### Water Service

**A-2014-2437202. Pennsylvania-American Water Company.** Application of Pennsylvania-American Water Company for approval of the right to offer, render, furnish or supply water service to the public in an additional portion of Amwell Township, Washington 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 September 8, 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. 14-1803. Filed for public inspection August 22, 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 and published August 23, 2014, in the *Pennsylvania Bulletin*. The company has applied to transfer the rights held by Sugar House Transportation, Inc. (CPC No. 1019503-01, Medallion P-0250) 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.

**Tahop Taxi, Inc.**, 2301 Church Street, Philadelphia, PA 19124, registered with the Commonwealth on March 10, 2014.

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 September 8, 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. 14-1804. Filed for public inspection August 22, 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 and published August 23, 2014, in the *Pennsylvania Bulletin*. The company has applied to transfer the rights held by VP Singh, Inc. (CPC No. 1026612-01, Medallion P-1294) 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.

**Metu, Inc.**, 1614 Porter Street, Philadelphia, PA 19145 registered with the Commonwealth on January 4, 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 September 8, 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. 14-1805. Filed for public inspection August 22, 2014, 9:00 a.m.]

### Motor Carrier Stock Transfer Application for Taxicab Service in the City of Philadelphia

Permanent authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) by the following named applicant at Docket No. A-14-06-01 and published August 23, 2014, in the *Pennsylvania Bulletin*. The 50% shareholder has applied to transfer 50% of the stock of P.P.B. Cab Co., Inc. (CPC No. 1000746-01, Medallion P-0419, 0486, 0205, 0206, 0270 and 0282) holder of medallion rights 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.

**Patricia Berenato**, 1716 Market Street, Suite 1100, Philadelphia, PA 19103, corporation registered with the Commonwealth on March 13, 1981.

*Attorney for Applicant:* David Temple, 1760 Market Street, Suite 1100, Philadelphia, PA 19103.

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 September 8, 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. 14-1806. Filed for public inspection August 22, 2014, 9:00 a.m.]

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. 14-1807. Filed for public inspection August 22, 2014, 9:00 a.m.]

## STATE CONSERVATION COMMISSION

### Action on Odor Management Plans for Concentrated Animal Operations and Concentrated Animal Feeding Operations and Volunteers Complying with the Commonwealth's Facility Odor Management Program

The State Conservation Commission has taken the following actions on previously received applications for Odor Management Plans under 3 Pa.C.S. §§ 501—522 (relating to nutrient management and odor management).

Persons aggrieved by any action may appeal under 3 Pa.C.S. § 517 (relating to appealable actions), section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. 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 any right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge an action, 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, so individuals interested in challenging this action 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.

### Motor Carrier Stock Transfer Application for Taxicab Service in the City of Philadelphia

Permanent authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) by the following named applicant at Docket No. A-14-07-02 and published August 23, 2014, in the *Pennsylvania Bulletin*. The 100% shareholder has applied to transfer 100% of the stock of Devi Cab Co. (CPC No. 1000597-01, Medallion P-0012) holder of medallion rights 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.

**Michael Tandon 60% and Deepa Tandon 40%**, 1614 Porter Street, Philadelphia, PA 19145, corporation registered with the Commonwealth on October 11, 1996.

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 September 8, 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

### Odor Management Plan—Public Notice Spreadsheet—Actions

<i>Ag Operation Name, Address</i>	<i>County / Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New, Amended, or Existing</i>	<i>Action Taken</i>
Joe Jurgielewicz & Sons, Ltd.— Hoover Farm 3051 Berne Road Hamburg, PA 19526	Berks County/ Centre Township	168.28	Duck	New	Approved

## NOTICES

<i>Ag Operation Name, Address</i>	<i>County/Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New, Amended, or Existing</i>	<i>Action Taken</i>
Weiler Farms #2— Willie Weiler 436 Lawn Road Palmyra, PA 17079	Lebanon County/ South Londonderry Township	253.14	Broilers	New	Approved
John Smucker 209 Laurel Road East Earl, PA 17519	Lancaster County/ Brecknock Township	57	Layers	New	Approved
Joseph and Martha Smucker 2013 North Churchtown Road East Earl, PA 17519	Lancaster County/ Caernarvon Township	0	Cattle	New	Approved
Melvin Bricker 8310 Fort McCord Road Chambersburg, PA 17202	Franklin County/ Hamilton Township	358.32	Turkey	New	Approved
Mike Cassel 259 Auction Road Manheim, PA 17545	Lancaster County/ Penn Township	162.33	Broilers	New	Approved
Rodney E. Lane 750 Woodard Road Harrison Valley, PA 16927	Potter County/ Harrison Township	0	Cattle	New	Approved

E. CHRISTOPHER ABRUZZO,  
*Chairperson*

[Pa.B. Doc. No. 14-1808. Filed for public inspection August 22, 2014, 9:00 a.m.]