

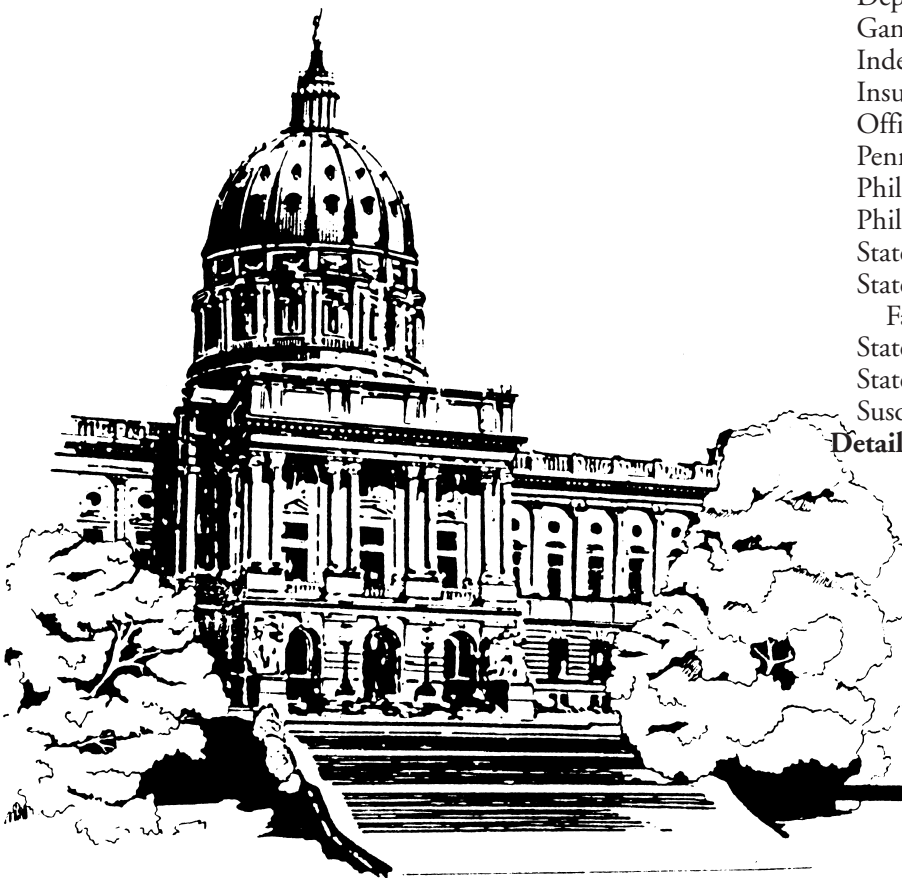
PENNSYLVANIA BULLETIN

Volume 44
Saturday, October 11, 2014 • Harrisburg, PA
Number 41
Pages 6543—6648

Agencies in this issue

The General Assembly
The Courts
Department of Agriculture
Department of Banking and Securities
Department of Environmental Protection
Department of General Services
Department of Health
Department of Public Welfare
Game Commission
Independent Regulatory Review Commission
Insurance Department
Office of Open Records
Pennsylvania Public Utility Commission
Philadelphia Parking Authority
Philadelphia Regional Port Authority
State Board of Nursing
State Board of Social Workers, Marriage and
Family Therapists and Professional Counselors
State Employees' Retirement Board
State Police
Susquehanna River Basin Commission

Detailed list of contents appears inside.



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

No. 479, October 2014

CUT ON DOTTED LINES AND ENCLOSE IN AN ENVELOPE

CHANGE NOTICE/NEW SUBSCRIPTION

If information on mailing label is incorrect, please email changes to info@pabulletin.com or mail to:

FRY COMMUNICATIONS, INC.
Attn: *Pennsylvania Bulletin*
800 W. Church Rd.
Mechanicsburg, PA 17055-3198

CUSTOMER NUMBER (6 digit number above name on mailing label)

NAME OF INDIVIDUAL

OFFICE NAME—TITLE

ADDRESS (Number and Street)

(City) (State) (Zip Code)

TYPE OR PRINT LEGIBLY

PENNSYLVANIA



BULLETIN

(ISSN 0162-2137)

The *Pennsylvania Bulletin* is published weekly by Fry Communications, Inc. for the Commonwealth of Pennsylvania, Legislative Reference Bureau, 641 Main Capitol Building, Harrisburg, Pennsylvania 17120, under the policy supervision and direction of the Joint Committee on Documents under 4 Pa.C.S. Part II (relating to publication and effectiveness of Commonwealth documents). The subscription rate is \$82.00 per year, postpaid to points in the United States. Individual copies are \$2.50. Checks for subscriptions and individual copies should be made payable to "Fry Communications, Inc." Periodicals postage paid at Harrisburg, Pennsylvania.

Postmaster send address changes to:

FRY COMMUNICATIONS, Inc.
Attn: *Pennsylvania Bulletin*
800 West Church Road
Mechanicsburg, Pennsylvania 17055-3198
(717) 766-0211 ext. 2340
(800) 334-1429 ext. 2340 (toll free, out-of-State)
(800) 524-3232 ext. 2340 (toll free, in State)

Orders for subscriptions and other circulation matters should be sent to:

Fry Communications, Inc.
Attn: *Pennsylvania Bulletin*
800 West Church Road
Mechanicsburg, Pennsylvania 17055-3198

Copyright © 2014 Commonwealth of Pennsylvania

Editorial preparation, composition, printing and distribution of the *Pennsylvania Bulletin* is effected on behalf of the Commonwealth of Pennsylvania by FRY COMMUNICATIONS, Inc., 800 West Church Road, Mechanicsburg, Pennsylvania 17055-3198.

CONTENTS

THE GENERAL ASSEMBLY

Recent actions during the 2014 regular session of the General Assembly 6552

THE COURTS

ALLEGHENY COUNTY RULES

Public access policy for official case records of the magisterial district courts of the fifth judicial district; magisterial district court doc. no. DJ-2014-13 6554

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of suspension 6556

LOCAL COURT RULES

Washington County

Local civil rule L-810; Washington County Civil Litigation Mediation Program; No. 2014-1 6555

RULES OF CIVIL PROCEDURE

Order amending Rules 1910.16-4, 1910.16-7, 1910.17 and 1910.27 of the Rules of Civil Procedure; no. 608 civil procedural rules doc. 6553

EXECUTIVE AND INDEPENDENT AGENCIES

DEPARTMENT OF AGRICULTURE

Notices

Pennsylvania Peach and Nectarine Research Program 2014 order as amended 6559
 Pennsylvania Potato Research Program 2011 order as amended 6561
 Pennsylvania Vegetable Marketing and Research Program 2012 order as amended 6563
 Pennsylvania Vegetable Marketing and Research Program 2013 order as amended 6565
 Pennsylvania Wine Marketing and Research Program 2014 order as amended 6568

DEPARTMENT OF BANKING AND SECURITIES

Notices

Actions on applications 6571

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices

Applications, actions and special notices 6572
 Cleanup Standards Scientific Advisory Board re-scheduled meeting 6623

DEPARTMENT OF GENERAL SERVICES

Notices

Lease office space to the Commonwealth 6623
 Real estate for sale 6623

DEPARTMENT OF HEALTH

Notices

Applications for exception:
 Allegheny General Hospital 6623
 Butler Memorial Hospital 6624

Children's Hospital of Pittsburgh of UPMC 6624
 Children's Surgery Center of Malvern, LLC 6624
 Crichton Rehabilitation Center 6625
 Milton S. Hershey Medical Center 6625
 Mount Nittany Medical Center 6625
 Uniontown Hospital 6626
 Decisions on requests for exception to health care facility regulations 6626
 Long-term care nursing facilities; request for exception 6637

DEPARTMENT OF PUBLIC WELFARE

Notices

Disproportionate share hospital payments 6637

GAME COMMISSION

Notices

Temporary closure of hunting and trapping seasons within affected portions of Wildlife Management Unit 3D and temporary closure of affected portions of State game lands 189, 183 and 221 3369

INDEPENDENT REGULATORY REVIEW COMMISSION

Notices

Action taken by the commission 6639
 Notice of filing of final rulemakings 6641

INSURANCE DEPARTMENT

Notices

Application for approval to redomesticate to the Commonwealth of Pennsylvania and application for approval to acquire control of Ashmere Insurance Company 6641
 Genworth Life Insurance Company; rate increase filing for several LTC forms (4 documents) 6641, 6642

OFFICE OF OPEN RECORDS

Notices

Right-to-Know Law and Sunshine Law annual training 6642

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Notices

Natural gas service (2 documents) 6643
 Petition of Verizon Pennsylvania LLC and Verizon North LLC 6643
 Service of notice of motor carrier applications 6644
 Water service 6644

PHILADELPHIA PARKING AUTHORITY

Notices

Motor carrier medallion transfer application for service in the City of Philadelphia 6645

PHILADELPHIA REGIONAL PORT AUTHORITY

Notices

Request for bids 6645
 Request for proposals 6645

Available Online at <http://www.pabulletin.com>

STATE BOARD OF NURSING

Notices

Bureau of Professional and Occupational Affairs v.
Belinda Mead Worthington, LPN; file no. 13-51-
11656; doc. no. 1632-51-14..... 6645

**STATE BOARD OF SOCIAL WORKERS, MARRIAGE
AND FAMILY THERAPISTS AND PROFESSIONAL
COUNSELORS**

Rules and Regulations

Qualifications for licensure 6557

STATE EMPLOYEES' RETIREMENT BOARD

Notices

Hearing scheduled 6645

STATE POLICE

Notices

Mobile video recording system equipment standards
and approved mobile video recording systems..... 6646

SUSQUEHANNA RIVER BASIN COMMISSION

Notices

Actions taken at September meeting 6646

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

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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

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

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

**SUBSCRIPTION INFORMATION: (717) 766-0211
GENERAL INFORMATION AND FINDING AIDS: (717) 783-1530**

Printing Format

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

Fiscal Notes

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

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

Reproduction, Dissemination or Publication of Information

Third parties may not take information from the *Pennsylvania Code* and *Pennsylvania Bulletin* and reproduce, disseminate or publish such information except as provided by 1 Pa. Code § 3.44. 1 Pa. Code § 3.44 reads as follows:

§ 3.44. General permission to reproduce content of Code and Bulletin.

Information published under this part, which information includes, but is not limited to, cross references, tables of cases, notes of decisions, tables of contents, indexes, source notes, authority notes, numerical lists and codification guides, other than the actual text of rules or regulations may be reproduced only with the written consent of the Bureau. The information which appears on the same leaf with the text of a rule or regulation, however, may be incidentally reproduced in connection with the reproduction of the rule or regulation, if the reproduction is for the private use of a subscriber and not for resale. There are no other restrictions on the reproduction of information published under this part, and the Commonwealth hereby consents to a reproduction.

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.

4 Pa. Code (Administration)

Adopted Rules

| | |
|-----|------------|
| 1 | 3924 |
| 6 | 2505, 2617 |
| 113 | 888 |
| 405 | 485 |

Statements of Policy

| | |
|---|---|
| 1 | 5046 |
| 9 | 32, 783, 1005, 1241, 1451, 2060, 2758, 3237, 3572, 3965, 5061, 5766, 5876, 6096, 6230 |

7 Pa. Code (Agriculture)

Adopted Rules

| | |
|----|------|
| 46 | 2220 |
| 76 | 2220 |

Proposed Rules

| | |
|-----|------|
| 128 | 2058 |
|-----|------|

10 Pa. Code (Banking and Securities)

Adopted Rules

| | |
|---|------------|
| 5 | 5010, 5463 |
|---|------------|

Proposed Rules

| | |
|----|------|
| 57 | 2751 |
|----|------|

Statements of Policy

| | |
|---|------|
| 5 | 6098 |
|---|------|

12 Pa. Code (Commerce, Trade and Local Government)

Adopted Rules

| | |
|-----|-----|
| 149 | 488 |
|-----|-----|

Proposed Rules

| | |
|-----|------|
| 145 | 5026 |
|-----|------|

17 Pa. Code (Conservation and Natural Resources)

Proposed Rules

| | |
|----|------|
| 21 | 5757 |
| 23 | 5757 |

22 Pa. Code (Education)

Adopted Rules

| | |
|----|------------|
| 4 | 1131, 1754 |
| 19 | 3497 |

Proposed Rules

| | |
|----|------|
| 18 | 4514 |
|----|------|

25 Pa. Code (Environmental Protection)

Adopted Rules

| | |
|------|------------|
| 78 | 3517 |
| 121 | 2236, 3929 |
| 129 | 3929 |
| 130 | 3929 |
| 139 | 2236 |
| 208 | 3962 |
| 250 | 2975, 3235 |
| 806 | 2640 |
| 901 | 2849, 2850 |
| 1021 | 5328 |

Proposed Rules

| | |
|-----|------|
| 78 | 648 |
| 121 | 2392 |

| | |
|-----|------------|
| 129 | 2392, 4502 |
| 208 | 5191 |
| 250 | 2980 |

28 Pa. Code (Health and Safety)

Proposed Rules

| | |
|-----|------|
| 709 | 1317 |
|-----|------|

31 Pa. Code (Insurance)

Adopted Rules

| | |
|----|------|
| 25 | 2851 |
|----|------|

34 Pa. Code (Labor and Industry)

Adopted Rules

| | |
|-----|------|
| 14 | 1233 |
| 14a | 1233 |
| 225 | 4483 |

Proposed Rules

| | |
|-----|-----|
| 111 | 996 |
| 131 | 996 |

37 Pa. Code (Law)

Adopted Rules

| | |
|-----|------|
| 11 | 1233 |
| 13 | 1233 |
| 79 | 328 |
| 431 | 1313 |

40 Pa. Code (Liquor)

Adopted Rules

| | |
|----|------------|
| 11 | 1233, 2056 |
|----|------------|

49 Pa. Code (Professional and Vocational Standards)

Adopted Rules

| | |
|-----|------------|
| 3 | 2242 |
| 6 | 5566 |
| 7 | 2244 |
| 15 | 993 |
| 16 | 583 |
| 18 | 583 |
| 25 | 589 |
| 37 | 888 |
| 43b | 597 |
| 47 | 2863, 6557 |
| 48 | 6557 |
| 49 | 6557 |

Proposed Rules

| | |
|-----|------------|
| 5 | 5214 |
| 16 | 4364 |
| 18 | 4364 |
| 21 | 648 |
| 39 | 5490 |
| 43b | 2247, 5487 |

52 Pa. Code (Public Utilities)

Adopted Rules

| | |
|----|-----|
| 1 | 249 |
| 3 | 249 |
| 5 | 249 |
| 23 | 249 |
| 29 | 249 |
| 32 | 249 |

53 249
 54 249, 3522
 57 249, 3539
 59 249, 5835
 62 249, 3551
 1001 5662
 1011 5662, 5867
 1013 5017
 1015 5867
 1017 3764, 5662, 5867
 1019 5662
 1021 5662, 5867
 1027 5867
 1051 5867
 1053 5867
 1055 3764
 1057 5867
 1059 5867

Proposed Rules

5 2868
 57 1321, 1771
 75 4179
 1001 2753
 1011 2753
 1017 252, 1323
 1019 1323
 1051 2753

Statements of Policy

69 2405

55 Pa. Code (Public Welfare)

Adopted Rules

1187 3322, 3565, 4498
 1189 3565, 4498

58 Pa. Code (Recreation)

Adopted Rules

51 1762
 61 4177, 5336, 5969
 63 250, 1762, 4177, 5970
 65 1764, 5969
 69 1766, 4177, 5336
 71 4177
 73 4177
 93 1767
 131 3091
 133 1429, 5190
 135 1429, 1883
 139 3091
 141 3091, 3098, 3099, 3100, 3101
 143 1430, 1768
 147 1432, 3098, 3102
 461a 599, 619
 463a 599
 464a 599
 465a 599, 619
 525 619
 575 619
 577 619
 579 619
 581 1234
 590 26
 591 1234
 592 4354
 603a 619
 605a 5463
 607a 599
 609a 619

623a 619
 627a 599, 619
 629a 599, 619
 631a 599, 619
 633a 599, 619
 635a 619
 637a 619
 639a 5463
 641a 5463
 643a 5463
 647a 5463
 649a 619
 653a 5463
 655a 5463
 657a 5463
 659a 619
 661a 619
 663a 619
 665a 619

Proposed Rules

61 901
 63 901, 1769
 65 5972
 69 901
 71 901
 73 901
 95 4360
 109 4360
 111 4360
 131 1440
 133 3103
 139 1442
 141 1435, 1436, 1438, 1440, 5212
 147 1438, 1448, 5213

Statements of Policy

57 1772

61 Pa. Code (Revenue)

Adopted Rules

5 1432

67 Pa. Code (Transportation)

Adopted Rules

427 2384

Proposed Rules

47 2642
 105 4500
 511 5674

201 Pa. Code (Rules of Judicial Administration)

Adopted Rules

2 319, 1419
 19 454, 1428, 3053

204 Pa. Code (Judicial System General Provisions)

Adopted Rules

29 5180
 81 2847
 82 768
 83 768, 1749, 2847
 91 3927
 303 4071

Proposed Rules

81 6070
 83 1865, 2199, 6070
 303 1967, 1969

207 Pa. Code (Judicial Conduct)

Adopted Rules

33 455, 4338, 6083, 6204
 51 6205

210 Pa. Code (Appellate Procedure)

Adopted Rules

1 8, 3493
 3 3493
 9 3493
 11 3493
 19 2053, 6223
 21 2510, 3493
 65 6223

Proposed Rules

1 471
 3 319
 5 5324
 9 319, 471
 11 471, 3054
 13 471
 15 2052
 33 471

225 Pa. Code (Rules of Evidence)

Adopted Rules

Article VI 6225
 Article VIII 1309

231 Pa. Code (Rules of Civil Procedure)

Adopted Rules

200 323, 2747
 1000 8
 1910 3233, 4476, 6553
 1915 3233, 4477
 1930 1749, 4168
 2220 8
 3000 1750
 4000 4996

Proposed Rules

200 323, 324, 475, 5563
 1000 5182
 1900 2199
 1910 4338, 4340
 1915 4338, 5828
 1920 4165, 4338, 4341
 1930 4338
 3000 4996

234 Pa. Code (Rules of Criminal Procedure)

Adopted Rules

1 3056
 4 3056, 4168

5 239, 477, 1309
 7 4168
 10 3056

Proposed Rules

1 769
 4 475, 577, 769, 2369
 5 778
 7 475, 2369
 9 4170
 10 769

237 Pa. Code (Juvenile Rules)

Adopted Rules

1 781, 1868, 5447, 6087
 3 5447
 4 5447
 11 781, 5447, 6087

Proposed Rules

4 246, 3306
 11 9
 13 3307
 15 3307
 16 3307

246 Pa. Code (Minor Court Civil Rules)

Adopted Rules

100 5564
 300 13, 3310, 5183
 500 13, 14
 800 14
 1000 14

Proposed Rules

300 10, 479
 800 4477
 1000 4342

249 Pa. Code (Philadelphia Rules)

Unclassified 883, 3066, 3067, 3311, 3313, 3747

252 Pa. Code (Allegheny County Rules)

Unclassified 5830, 6554

255 Pa. Code (Local Court Rules)

Unclassified 16, 17, 18, 19, 20, 21, 23, 24, 25,
 247, 324, 325, 480, 481, 581, 991, 1123, 1124, 1428, 1752,
 1753, 1868, 1870, 1871, 1872, 1873, 1874, 1875, 1876,
 1877, 1878, 1879, 2054, 2200, 2201, 2216, 2372, 2510,
 2511, 2513, 2515, 2620, 2638, 2639, 2747, 2749, 2750,
 2847, 2848, 3086, 3088, 3089, 3319, 3321, 3495, 3759,
 3927, 4175, 4347, 4352, 4997, 4998, 5008, 5185, 5187,
 5188, 5326, 5456, 5457, 5458, 5459, 5461, 5462, 5564,
 5656, 5657, 5755, 5830, 5832, 5833, 5834, 5963, 6089,
 6091, 6093, 6094, 6226, 6227, 6228, 6229, 6555

THE GENERAL ASSEMBLY

Recent Actions during the 2014 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during 2014 Regular Session

| <i>Doc. No.</i> | <i>Date of Action</i> | <i>Bill Number</i> | <i>Printer's Number</i> | <i>Effective Date</i> | <i>Subject Matter</i> |
|---|-----------------------|--------------------|-------------------------|-----------------------|--|
| 2014 General Acts of Regular Session Enacted—Act 131 through 138 | | | | | |
| 131 | Sep 24 | HB1177 | PN4092 | Immediately* | General Local Government Code (53 Pa.C.S.)—omnibus amendments |
| 132 | Sep 24 | HB0993 | PN3903 | 60 days | Public Welfare Code—changing the name of the Department of Public Welfare to the Department of Human Services, transition period and establishing a toll-free DHS fraud tip line |
| 133 | Sep 24 | SB0601 | PN1266 | 60 days | Law and Justice (44 Pa.C.S.) and Legal Notices (45 Pa.C.S.)—omnibus amendments |
| 134 | Sep 24 | SB0990 | PN1215 | 90 days | Acupuncture Licensure Act—medical diagnosis and liability insurance |
| 135 | Sep 24 | HB1052 | PN3691 | 60 days | Pennsylvania Municipalities Planning Code—contents of subdivision and land development ordinance |
| 136 | Sep 24 | HB1558 | PN4073 | 60 days | Cosmetology Law—eligibility requirements for examination, limited licenses and practice of massage therapy in cosmetology salon or esthetician salon |
| 137 | Sep 24 | SB1155 | PN2112 | 60 days | Surface Mining Conservation and Reclamation Act—Aggregate Advisory Board |
| 138 | Sep 27 | SB1197 | PN2272 | 60 days | Crimes Code (18 Pa.C.S.) and Judicial Code (42 Pa.C.S.)—omnibus amendments |

* denotes an effective date with exceptions

Effective Dates of Statutes

The effective dates specified previously for laws and appropriation acts were contained in the applicable law or appropriation act. Where no date is specified or where the effective date specified is prior to the date of enactment, the effective date is 60 days after final enactment except for statutes making appropriations or affecting budgets of political subdivisions. See 1 Pa.C.S. §§ 1701—1704 (relating to effective dates of statutes).

Advance Copies of Statutes

Section 1106 of Title 1 of the *Pennsylvania Consolidated Statutes* provides that the prothonotaries of each county shall file advance copies of statutes in their offices for public inspection until the *Laws of Pennsylvania* are generally available. Section 2406(h) of The Administrative Code of 1929 provides that the Department of General Services shall distribute advance sheets of the *Laws of Pennsylvania* to each law judge of the courts, to every county and public library of this Commonwealth and to each member of the General Assembly. These copies shall be furnished without charge. The Department shall also mail one copy of each law enacted during any legislative session to any person who pays to it the sum of \$25.

Requests for annual subscriptions for advance copies of statutes should be sent to the State Bookstore, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120, accompanied by a check or money order in the sum of \$25, payable to the "Commonwealth of Pennsylvania."

VINCENT C. DeLIBERATO, Jr.,
Director
 Legislative Reference Bureau

[Pa.B. Doc. No. 14-2087. Filed for public inspection October 10, 2014, 9:00 a.m.]

THE COURTS

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 1910]

Order Amending Rules 1910.16-4, 1910.16-7, 1910.17 and 1910.27 of the Rules of Civil Procedure; No. 608 Civil Procedural Rules Doc.

Order

Per Curiam

And Now, this 25th day of September, 2014, upon the recommendation of the Domestic Relations Procedural Rules Committee; the proposal having been submitted without publication pursuant to Pa.R.J.A. No. 103(a)(3):

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 1910.16-4, 1910.16-7, 1910.17 and 1910.27 of the Pennsylvania Rules of Civil Procedure are amended in the following form.

This Order shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective in 30 days on October 25, 2014.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1910. ACTIONS FOR SUPPORT

Rule 1910.16-4. Support Guidelines. Calculation of Support Obligation. Formula.

* * * * *

(c) *Substantial or Shared Physical Custody.*

(1) When the children spend 40% or more of their time during the year with the obligor, a rebuttable presumption arises that the obligor is entitled to a reduction in the basic support obligation to reflect this time. This rebuttable presumption also applies in high income cases decided pursuant to Rule 1910.16-3.1. Except as provided in [subsections (2) and (3)] subsection (2) below, the reduction shall be calculated pursuant to the formula set forth in Part II of subdivision (a) of this rule. For purposes of this provision, the time spent with the children shall be determined by the number of overnights they spend during the year with the obligor.

* * * * *

Rule 1910.16-7. Support Guidelines. Awards of Child Support When There are Multiple Families.

(a) When the total of the obligor's basic child support obligations equals fifty percent or less of his or her monthly net income, there will generally be no deviation from the guideline amount of support on the ground of the existence of a new family. For example, where the obligor requests a reduction of support for one child of the first marriage on the basis that there is a new child of the second intact marriage, and the relevant monthly net incomes are \$2,500 for the obligor, \$500 for the former spouse and \$1,300 for the current spouse, the request for a reduction will be denied because the total support obligation of [\$1,141 (\$593 for the first child and

\$548] \$1,140 (\$584 for the first child and \$556 for the second child) is less than half of the obligor's monthly net income.

* * * * *

Rule 1910.17. Support Order. Effective Date. Change of Circumstances. Copies of Order. Priority of Distribution of Payments.

* * * * *

(d) The priorities for distribution of payments and/or collections from the obligor, without regard to the source of the funds or method of collection, are as follows:

- (1) **monthly** current child support.
- (2) medical, child care or other court-ordered child support-related expenses.
- (3) monthly ordered amount toward child support arrears.
- (4) **monthly** current spousal support or alimony pendente lite.

* * * * *

Rule 1910.27. Form of Complaint. Order. Income Statements and Expense Statements. Health Insurance Coverage Information Form. Form of Support Order. Form Petition for Modification. Petition for Recovery of Support Overpayment.

(a) The complaint in an action for support shall be substantially in the following form:

(Caption)
COMPLAINT FOR SUPPORT

* * * * *

WHEREFORE, Plaintiff requests that an order be entered on behalf of the aforementioned child(ren) [**and or**] **and/or** spouse for reasonable support and medical coverage.

| Date | Plaintiff or Attorney for Plaintiff |
|------|-------------------------------------|
|------|-------------------------------------|

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

| Date | Plaintiff |
|------|-----------|
|------|-----------|

* * * * *

(h) A petition for recovery of a support overpayment when a support order remains in effect shall be in substantially the following form:

(Caption)
Petition for Recovery of Support Overpayment
in Active Case.

- 1. Obligor and Obligee are parties in a support action at the docket number captioned above.
- 2. There is an overpayment owing to Obligor in an amount in excess of two months of the monthly support obligation.

Wherefore, Obligor requests that, pursuant to Pa.R.C.P. No. 1910.19(g)(1), the charging order be reduced by 20% or an amount sufficient to retire the overpayment by the time the charging order is terminated.

Date **Petitioner or Attorney for Petitioner**

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

(date) ([Obligor] Petitioner signature)

(i) A petition for recovery of a support overpayment when a support order has been terminated shall be in substantially the following form:

(Caption)
 Petition for Recovery of Support Overpayment
 in Closed Case.

* * * * *

Wherefore, the plaintiff requests that, pursuant to Pa.R.C.P. No. 1910.19(g)(2), an order be entered against the defendant and in favor of the plaintiff in the amount of the overpayment.

Date **Petitioner or Attorney for Petitioner**

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

(date) ([plaintiff] Petitioner signature)

* * * * *

[Pa.B. Doc. No. 14-2088. Filed for public inspection October 10, 2014, 9:00 a.m.]

Title 252—ALLEGHENY COUNTY RULES

ALLEGHENY COUNTY

Public Access Policy for Official Case Records of the Magisterial District Courts of the Fifth Judicial District; Magisterial District Court Doc. No. DJ-2014-13

Administrative Order

And Now, this 22nd day of September, 2014, pursuant to the Public Access Policy of the Unified Judicial System of Pennsylvania: Official Case Records of the Magisterial District Courts, this Administrative Order shall be effective thirty (30) days after publication in the *Pennsylvania Bulletin*:

It is *Ordered* that official paper case records of the Magisterial District Courts which are public records shall be made available to the public for inspection and photocopying under the following conditions:

1. Neither a written request nor fee is required for access to and/or photocopying of a minimal number of official case records; however, actual postage may be assessed.

2. The yearly fee schedule for requests for access to and/or photocopying of voluminous or complex records at all magisterial district courts, except Pittsburgh Municipal Court, shall be:

(a) Individual staff preparation, copying and/or re-filing, for:

(i) 2014—\$19.93 per hour (prorated by fifteen minute intervals).

(ii) 2015—\$20.43 per hour (prorated by fifteen minute intervals).

(iii) 2016—\$21.04 per hour (prorated by fifteen minute intervals).

(b) After due consideration of staff resource limitations, the impact upon the orderly conduct of court business and the responsibility to maintain the security and control of official case records at a magisterial district court, the court may determine that a constable is needed to facilitate access to official case records at a rate of \$13.00 per hour, rounded off to the nearest whole dollar.

(c) After due consideration of staff resource limitations, the impact upon the orderly conduct of court business and the responsibility to maintain the security and control of official case records at a magisterial district court, where the court has determined that a constable is needed to facilitate access to official case records files, and photocopying is required, an additional constable may be designated by the court to make photocopies, at a rate of \$13.00 per hour, rounded off to the nearest whole dollar.

3. The yearly fee schedule for requests for access to and/or photocopying of voluminous or complex records at Pittsburgh Municipal Court shall be:

(a) Individual staff preparation, copying and/or re-filing, for:

(i) 2014—\$16.53 per hour (prorated at fifteen minute intervals)

(ii) 2015—\$16.94 per hour (prorated at fifteen minute intervals)

(iii) 2016—\$17.45 per hour (prorated at fifteen minute intervals)

4. Postage shall be charged at actual cost.

5. Photocopying shall be charged at \$0.25 per page.

6. Pre-payment of fees may be required at the discretion of the court.

7. Applicable fees may be waived if the court determines the requestor is indigent or for other good cause.

8. Fees paid for services are non-refundable.

By the Court

JEFFREY A. MANNING,
President Judge

[Pa.B. Doc. No. 14-2089. Filed for public inspection October 10, 2014, 9:00 a.m.]

Title 25—LOCAL COURT RULES

WASHINGTON COUNTY

Local Civil Rule L-810; Washington County Civil Litigation Mediation Program; No. 2014-1

Order

And Now, this 9th day of September, 2014; *It Is Hereby Ordered* that the previously-stated Washington County Local Civil Rule be restated as follows.

This rule will become effective thirty days after publication in the *Pennsylvania Bulletin*.

By the Court

DEBBIE O'DELL SENECA,
President Judge

L-810. Washington County Civil Litigation Mediation Program.

a. There will be at least two (2) sessions of the Civil Litigation Mediation Program held each calendar year. At each session, mediators will hold settlement/conciliation conferences for those cases selected for the Civil Litigation Mediation Program.

b. The mediators will be practicing attorneys from Washington County, with an emphasis in their practice on civil litigation. The mediators will be selected by the Civil Litigation Mediation Program Committee of the Washington County Bar Association, with the approval of the court.

c. The inclusion of cases in the Civil Litigation Mediation Program will be mandatory, except that asbestos cases will not be included in the Civil Litigation Mediation Program. The attendance of trial counsel, the plaintiff, the defendant/additional defendant and a representative of the defendant's/additional defendant's insurance carrier (if the defendant/additional defendant is insured) at the settlement/conciliation conference shall be mandatory. If the plaintiff, the defendant/additional defendant or the insurance carrier representative fail to appear, the settlement/conciliation conference will not be held and the non-appearing plaintiff, defendant/additional defendant (if self-insured or uninsured) or insurance company representative shall, within thirty (30) days, pay to the other party that party's attorney's fees and expenses in preparing for and attending the settlement/conciliation conference, as assessed and ordered by the mediator.

d. Each mediator will serve one (1) day per session of the Civil Litigation Mediation Program and will be expected to prepare for and hold two (2) settlement/conciliation conferences per day. Two (2) mediators will serve for each day session of the Program.

e. On or before May 15 and September 15, the Court Administrator will select the twenty (20) oldest cases (by date of filing) from the combined civil trial lists of all civil trial judges for inclusion in each session of the Civil Litigation Mediation Program.

f. Upon assignment of a mediator for each case selected for mediation, the mediator shall within ten (10) days of his or her assignment to a case notify the Court Administrator of the date and time of the settlement/conciliation conference. The mediator shall schedule the settlement/conciliation conference within sixty (60) days of the assignment of the case.

g. The parties to any case on the civil trial list may at any time by agreement voluntarily submit a case to mediation by the filing of the Civil Litigation Mediation Program consent Submission Form. These forms are available through the Court Administrator's office. However, any such submission shall not delay any scheduled trial of the matter. Further, upon motion of any party to submit a case to mediation, then on a civil trial list, the Court shall direct the parties to proceed to mediation if the scheduling of the mediation will not delay any scheduled trial in the matter.

h. For all cases which are selected for mandatory mediation and are not either: (1) settled or (2) referred to arbitration or (3) mediated due to the failure of one or more of the parties to pay the \$300.00 mediation fee, those cases, pursuant to Pa.R.C.P. 214(s), will be given preference on the trial list. The trial of those cases given preference will be held as soon as is practicable after the date of the settlement/conciliation conference. Cases voluntarily submitted into the Mediation Program will not be given preference on the trial list.

i. If a case is otherwise determined by the Court to be ready for trial, the fact that a settlement/conciliation conference has been scheduled but not yet held will not delay the trial of a case. If the settlement/conciliation is not held, the mediation fee referred to in paragraph (k) will be refunded to each party.

j. At least ten (10) days prior to the settlement/conciliation conference, each party shall file a settlement/conference statement which must include the following:

1. party's succinct statement or position regarding liability and damages;
2. significant legal issues involved, with citation of legal authority;
3. medical reports;
4. expert reports;
5. itemized list of damages;
6. last settlement posture and rationale.

This requirement will be deemed to be satisfied if a party has previously filed a pre-trial statement pursuant to Washington County Local Rule L-212.2 in which case that party will be required to file only a settlement/conciliation statement providing updated information not set forth in the pre-trial statement, but required by the settlement conciliation conference statement.

If a party fails to file timely the settlement/conciliation conference statement, the settlement/conciliation conference will not be held and the party who fails to file timely the required statement will pay the attorney's fees and expenses of those parties who have filed timely their statements.

k. Each party to a case selected for mediation will pay a mediation fee of \$300.00 to be made payable to the Washington County Civil Litigation Mediation Program Trustee Account and to be submitted to the Court Administrator's Office. For those cases subject to mandatory mediation, the \$300.00 mediation fee shall be paid within ten (10) days of the date of the Notice of Scheduling of Settlement/Conciliation Conference. For those cases voluntarily submitted to mediation, the \$300.00 mediation fee shall be paid with the filing of the Consent to Submit Case to Civil Litigation Mediation Program. Failure to pay the \$300.00 mediation fee shall result in the cancellation of the settlement/conciliation conference and shall

subject the offending party to the sanctions set forth in Paragraph (j) of the Mediation Program.

1. Within ten (10) days from the date of the settlement/conciliation conference, the mediator shall file with the Prothonotary a settlement/conference report which shall set forth the following:

1. Plaintiff's final settlement demand;
2. Defendant's final settlement offer;
3. Mediator's assessment of liability;
4. Mediator's assessment of damages;
5. Mediator's opinion regarding potential range of verdict and settlement value of case;
6. Mediator's recommendation regarding settlement of case.

All parties and the Court Administrator will be provided with a copy of the mediator's settlement/conciliation conference report.

m. Notwithstanding the preceding subsections and L-1042.1—1042.20, the Court may in its discretion set a civil case for an alternative dispute resolution ("ADR") before a private mediator. The method of selection of the private mediator shall be in the discretion of the Court. All parties shall bear equally the costs of any Court-ordered private mediation; provided, however, that the Court will take appropriate steps to assure that no referral to ADR results in an unfair or unreasonable economic burden on any party.

Note: When selecting a case for ADR before a private mediator, the Court should consider various criteria, including the nature of the claims involved and their complexity, whether any of the litigants is pro se, the potential for a successful resolution, and the interests of justice.

(1) The method of ADR shall be addressed to the discretion of the private mediator.

(2) The fact that a case is selected for ADR shall not delay the scheduled trial of a case.

(3) Nothing in this rule shall prevent the parties from voluntarily engaging in ADR before a private mediator on their own initiative.

Explanatory Comment

This local rule reflects the strong judicial policy in favor of parties voluntarily settling lawsuits expressed by the Supreme Court of Pennsylvania in *Rothman v. Fillette*, 469 A.2d 543 (Pa. 1983). The use of Court-directed ADR processes reduce the expense of litigation and often times leads to a quicker and more satisfying alternative when compared to continuing on a more traditional path of litigation. An ancillary benefit to ADR is the potential of reducing the burden on the finite resources of the Court.

[Pa.B. Doc. No. 14-2090. Filed for public inspection October 10, 2014, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

Notice is hereby given that Neil M. Day, (#79140) having been suspended from the practice of law in the State of New Jersey for a period of three months by Order of the Supreme Court of New Jersey dated April 8, 2014; the Supreme Court of Pennsylvania issued an Order dated September 23, 2014 suspending Neil M. Day from the practice of law in this Commonwealth for a period of three months. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,

Secretary

*The Disciplinary Board of the
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 14-2091. Filed for public inspection October 10, 2014, 9:00 a.m.]

RULES AND REGULATIONS

Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

STATE BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS

[49 PA. CODE CHS. 47—49]

Qualifications for Licensure

The State Board of Social Workers, Marriage and Family Therapists and Professional Counselors (Board) amends §§ 47.12c, 48.13 and 49.13 (relating to licensed clinical social worker; licensed MFT; and licensed professional counselor).

Statutory Authority

Section 6(2) of the Social Workers, Marriage and Family Therapists and Professional Counselors Act (act) (63 P. S. § 1906(2)) authorizes the Board to adopt and revise rules and regulations as may be necessary to carry into effect the provisions of the act.

Background and Need for Amendment

The act of March 14, 2012 (P. L. 191, No. 17) (Act 17) amended the act by revising some of the qualifications for licensure as a licensed clinical social worker, licensed marriage and family therapist, and licensed professional counselor. Act 17 amended section 7(d) of the act (63 P. S. § 1907), regarding qualifications for a clinical social work license, to provide an alternative to the completion of 3,000 hours of supervised clinical experience for those applicants who hold an Academy of Certified Social Workers certificate issued prior to January 2, 2001, by the National Association of Social Workers, or otherwise meets the supervision expectation in a manner acceptable to the Board. With regard to qualifications for licensure as a marriage and family therapist and for licensure as a professional counselor, Act 17 amended section 7(e) and (f) of the act to permit an applicant with a master's degree of less than 48 semester hours or 72 quarter hours, granted on or before June 30, 2009, to qualify for licensure. It would also eliminate confusing language regarding the length of the required supervised clinical experience to clarify that 3,000 hours, acceptable to the Board as determined by regulation, are required as a condition of licensure. This final-form rulemaking implements Act 17.

Summary of Comments and the Board's Response

The Board published a proposed rulemaking at 43 Pa.B. 6382 (October 26, 2013) with a 30-day public comment period. During the public comment period, the Board received one public comment. The Board did not receive comments from the House Professional Licensure Committee (HPLC) or the Senate Consumer Protection and Professional Licensure Committee (SCP/PLC). On December 24, 2013, the Board received a letter from the Independent Regulatory Review Commission (IRRC) indicating that it did not have objections, comments or recommendations to offer on the proposed rulemaking.

On November 22, 2013, the Board received a public comment from an individual who suggested that the legislative intent was to permit applicants who have

completed a qualifying master's degree on or before June 30, 2009, regardless of the number of credits in the master's degree program, to qualify for licensure if the applicants obtained the requisite supervised clinical experience at any time after the completion of the qualifying master's degree, rather than "after the completion of 48 semester hours or 72 quarter hours of graduate coursework" as set forth in section 7(e)(3)(i) and (f)(3)(i) of the act. The commentator reported that this is an important distinction because applicants, like the commentator, who obtained a 45-semester-hour master's degree prior to 2009, and completed supervised clinical experience in the years soon after obtaining the master's degree, could qualify for licensure without having to repeat the supervised clinical experience after having completed "48 semester hours" of graduate coursework.

The Board considered the comment at its meeting on March 11, 2014, and while the Board sympathizes with the commentator's situation, the act is clear that to qualify for a license as either a licensed marriage and family therapist or a licensed professional counselor, an individual must complete a planned program of 60 semester hours or 90 quarter hours of graduate course work to include a 48-semester-hour or 72-quarter hour master's degree unless the master's degree was earned on or before June 30, 2009, in which case the master's degree could be less than 48 semester hours or 72 quarter hours, and complete at least 3,000 hours of supervised clinical experience "obtained after the completion of 48 semester hours or 72 quarter hours of graduate coursework." The General Assembly did not amend section 7(e)(3)(i) or (f)(3)(i) of the act and the Board finds it reasonable to interpret this omission as intending to place applicants in a similar position, regardless of how many credit hours their master's degree program contained, or when it was completed. That is, every applicant must complete 60 semester hours of graduate coursework, including a qualifying master's degree, and must complete a supervised clinical experience after having completed 48 semester hours (of the total 60 hours) in graduate level coursework. For these reasons, and to remain consistent with section 7(e)(3)(i) and (f)(3)(i) of the act, the Board did not make revisions to the final-form rulemaking.

Fiscal Impact

The final-form rulemaking benefits those individuals who now qualify for licensure without the required 48-semester-hour master's degree in that they will not have to return to school to obtain a 48-semester-hour/72-quarter-hour master's degree. It will also benefit applicants for licensure as licensed marriage and family therapists and licensed professional counselors who can become licensed sooner by not having to complete (and sometimes pay for) 600 additional hours of supervised clinical experience. The final-form rulemaking is not expected to have other fiscal impact on the regulated community, the private sector, the general public or political subdivisions of this Commonwealth.

Paperwork Requirements

The final-form rulemaking will require the Board to alter some of its application forms to reflect the revised qualifications for licensure. However, the final-form rulemaking will not create additional paperwork for the regulated community or the private sector.

Sunset Date

The Board continuously monitors the effectiveness of its regulations 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 October 16, 2013, the Board submitted a copy of the notice of proposed rulemaking, published at 43 Pa.B. 6382, to IRRC and the Chairpersons of the 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 September 3, 2014, the final-form rulemaking was deemed approved by the HPLC and the SCP/PLC. Under section 5(g) of the Regulatory Review Act, the final-form rulemaking was deemed approved by IRRC effective September 3, 2014.

Contact Person

Further information may be obtained by contacting Megan Castor, Counsel, State Board of Social Workers, Marriage and Family Therapists and Professional Counselors, 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 the comments were considered.

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

Order

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

(a) The regulations of the Board, 49 Pa. Code Chapters 47—49, are amended by amending §§ 47.12c, 48.13 and 49.13 to read as set forth at 43 Pa.B. 6382.

(b) The Board shall submit this order and 43 Pa.B. 6382 to the Office of General Counsel and the Office of Attorney General as required by law.

(c) The Board shall certify this order and 43 Pa.B. 6382 and deposit them with the Legislative Reference Bureau as required by law.

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

LAURA L. HINDS, LSW,
Chairperson

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 44 Pa.B. 6051 (September 20, 2014).)

Fiscal Note: Fiscal Note 16A-6921 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 14-2092. Filed for public inspection October 10, 2014, 9:00 a.m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Pennsylvania Peach and Nectarine Research Program 2014 Order as Amended

Article I—Declaration.

In accordance with the requirements of the Agricultural Commodities Marketing Act, as amended, the Secretary of Agriculture finds that this program effectuates the purposes of said Act.

Article II—Definitions.

As used in this research program, the following words and terms shall have the following meanings unless the context clearly indicates otherwise:

1. “Act” means the Act of March 24, 1998 (P. L. 217, No. 39) (3 Pa.C.S.A. §§ 4501—4513), as amended, known as the Agricultural Commodities Marketing Act.

2. “Affected Producer” means a person who produces, grows, or causes to be grown 500 or more peach and/or nectarine trees, of all ages, for the production of peaches and/or nectarines for sale or marketing.

3. “Department” means the Department of Agriculture of the Commonwealth of Pennsylvania.

4. “Research Contract” means any contract or agreement between the Commodity Research Board and a person for the performance of services relating to advertising, marketing, promotion, or research, or other objectives in furtherance of this research program.

5. “Marketing Season” means the period beginning July 1 of any year and extending through June 30 of the following year.

6. “Peaches and Nectarines” (*prunus persica*) means all peaches and nectarines produced in Pennsylvania for the purpose of sale by a producer as herein defined.

7. “Person” means an individual, partnership, firm, corporation, association, or any other business unit.

8. “Producer” means a person who produces or causes to be produced peaches and/or nectarines as herein defined.

9. “Research Board” or “Board” means the persons who are appointed by the Secretary of Agriculture from among affected producers.

10. “Secretary” means the Secretary of Agriculture, of the Commonwealth of Pennsylvania.

Article III—Scope of Program.

The area affected by this program shall be the Commonwealth of Pennsylvania. The program shall apply to all persons who produce, grow or cause to be grown 500 or more peach and/or nectarine trees, of all ages, for the production of peaches and/or nectarines for sale or marketing.

Article IV—Research Board.

Section A. Establishment and Members.

The Research Board shall consist of ten (10) members, one of whom shall be the Secretary or his designee, and

shall have the primary decision making authority in the administration of this research program as provided in the Act.

The nine (9) producer members of the Research Board shall consist of affected producers from four or more counties in the Commonwealth.

Section B. Term of Office.

1. The term of office of each appointed member shall be for three (3) years, beginning July 1 and ending June 30.

2. The Secretary, or his designee, will be a member of the Research Board, and the other nine (9) members shall be appointed by the Secretary from among the affected producers. In making these appointments, the Secretary shall consider nominations submitted by the affected producers.

3. Successor members to fill the expired terms of members of the Research Board shall be appointed in the same manner as the initial Research Board. Members shall serve in such capacities for the portion of the term of office for which they are appointed and until their respective successors are appointed and qualified.

4. Any person appointed as a member of the Research Board shall be and remain an affected producer while a member of the Board and shall qualify by filing a written acceptance with the Secretary within fifteen (15) days of being notified.

5. To fill any vacancy occasioned by the failure of any person appointed as a member of the Research Board, a successor for the unexpired term of such member shall be appointed by the Secretary from among the affected producers.

6. The regular meetings of the Board will be held twice each calendar year. A special meeting of the Board may be called by the Board Chairman or the Secretary.

Section C. Powers and Duties of the Board.

The Research Board shall have the primary decision-making authority relative to research contracts and other projects in furtherance of the research program and includes the following powers and duties:

1. To determine all matters pertaining to the research program.

2. To hire and employ personnel which the Board deems necessary for the proper administration of the research program and to fix the compensation and terms of employment of such personnel.

3. To adopt written procedures for acquiring and disposing of property, and subject to these procedures, to acquire, own, use, hire, lease, operate, and dispose of personal property, real property, and interests in real property.

4. To make and enter into all contracts and agreements, in accordance with the provisions of the law, which the Board deems necessary or incidental to the furtherance of the research program or performance of duties and powers pursuant to the Act. The Board shall adopt written procurement procedures for all research contracts.

5. To receive, account for and disburse all monies collected pursuant to this research program.

6. To prepare a budget for the administration, operating costs and expenses of this research program.

7. To receive and report to the Secretary complaints or violations of this research program and to assist and cooperate with the Secretary in the enforcement thereof.

8. To establish committees or sub-committees to carry out assigned duties and functions, and to designate Board members and non-Board members to serve on such committees and subcommittees.

9. To collect and gather information and data relevant to the proper administration of this research program.

10. To charge fees and to assist the Secretary in the imposition of fees and the collection of fees and revenues pursuant to the Act.

11. To issue an annual report on the operation of the research program.

12. To recommend amendments to the research program and amendments to the Act and regulations issued pursuant thereto.

Section D. Expenses and Compensation.

No member of the Board shall receive a salary, but each shall be entitled to his actual expenses incurred while engaged in performing duties authorized herein. In addition, a per diem payment may be made to each Board member or subcommittee member for each day in which a Board member or subcommittee member is performing a duty necessary to the functions of the Board. The per diem payment shall not exceed the maximum sum allowable under the Act.

Article V—Powers and Duties of the Secretary.

Subject to the provisions contained in the Act, the Secretary shall administer and enforce the provisions of the Act, and shall have and shall exercise all administrative powers necessary to effectuate the purposes of the Act, including the issuance of research programs, the appointment of members to commodity research boards and the providing of personnel, staff, legal counsel, and office facilities required for the administration and enforcement of this research program.

Article VI—Purpose.

This program is to provide funds to be used exclusively for peach and nectarine production research. The Secretary and the Board may cooperate with any other state or federal agency or other organization whose activities may be deemed beneficial to the purpose of this Act.

Article VII—Budget, Rate of Assessment, Collection of Assessment, and Disbursement of Funds.

Section A. Budget and Assessment.

A budget shall be prepared and established for the administration and enforcement of this program and for carrying out duly authorized programs and activities of research, as herein provided. The rate of assessment shall be \$8.00 per acre for each affected producer.

Section B. Collection of Assessment.

1. Each affected producer shall be responsible for payment of the proper assessment upon acreage on which he produces or causes to be produced peaches and/or nectarines for sale.

2. All affected producers shall make remittance and accounting of the proper assessment to the Secretary or his designated fiscal agent by October 1 of each year.

3. Any delinquent affected producer may be assessed interest penalties at the rate of one percent per month plus costs connected with necessary proceedings to collect late payments.

Section C. Disbursement of Funds.

Disbursement of funds shall be made in the manner described in the Act and in any regulations promulgated by the Secretary to effectuate the provisions and intent thereof, and in accordance with the provisions of this program.

Article VIII—Effecting Research Program.

This research program, or amendment thereto, shall not become effective unless and until the Secretary determines by a referendum whether or not the affected producers assent to the proposed action. The Secretary shall conduct the referendum among affected producers and the affected producers shall be deemed to have assented to the proposed program if, of those voting, not less than a majority by number and a majority by volume (acreage) assent to the proposed program.

Article IX—Amending Research Program.

The Secretary shall call for a referendum on amendments to the research program within a reasonable period of time, upon the request of the Board or with written request of fifteen percent of the producers in a commodity group of less than two thousand affected producers. In voting on an amendment to the research program, the vote shall be only on the amendment, and shall not terminate the program.

Article X—Terminating Research Program.

Subject to approval of the Board, the Secretary shall suspend or terminate this research program or any provisions thereof whenever he finds that such provisions or program does not tend to effectuate the purpose of the Act within the standards and subject to the limitations and restrictions imposed in the Act: provided that such termination or suspension shall not be effective until the expiration of the current marketing season.

If the Secretary finds that the termination of the research program is requested in writing, by more than thirty-three and one-third percent of the affected producers who produce for market more than fifty percent of the acreage of peaches and nectarines produced within the designated production area for market, he shall terminate or suspend for a specified period, the program or provisions thereof; provided that such termination shall be effective only if announced on or before the first day of July in any calendar year. If fifteen percent of the producers in a commodity group of less than two thousand affected producers request, in writing, that a referendum be held on the question of terminating the program, the Secretary must announce and conduct a referendum within a reasonable period of time. The program shall be terminated if so voted by a majority of those voting.

Article XI—Research Program Reviewed.

Every five (5) years the Secretary shall call a referendum of the affected producers of peaches and nectarines to determine whether or not a majority of those voting still desire the program.

Article XII—Interpretation.

Applicable provisions of this research program shall be interpreted consistent with the Act and the Act shall take precedence in the event of any conflict with this research program.

Article XIII—Effective Date.

This research program shall be effective on the twenty-first day following publication of the notice of issuance as required in Section 9 of the Act.

GEORGE D. GREIG,
Secretary

[Pa.B. Doc. No. 14-2093. Filed for public inspection October 10, 2014, 9:00 a.m.]

Pennsylvania Potato Research Program 2011 Order as Amended**Article I—Declaration.**

In accordance with the requirements of the Agricultural Commodities Marketing Act, as amended, the Secretary of Agriculture finds that this program effectuates the purposes of said Act.

Article II—Definitions.

As used in this research program, the following words and terms shall have the following meanings unless the context clearly indicates otherwise:

1. “Act” means the Act of March 24, 1998 (P. L. 217, No. 39) (3 Pa.C.S.A. §§ 4501—4513), as amended, known as the Agricultural Commodities Marketing Act.
2. “Affected Producer” means a person who produces, grows, or causes to be produced or grown five or more acres of potatoes for sale or marketing.
3. “Commodity Research Board” or “Board” consists of the Secretary plus those persons who are appointed by Secretary from among producers whose commodities are subject to this program.
4. “Department” means the Department Of Agriculture of the Commonwealth of Pennsylvania.
5. “Marketing Contract” means any contract or agreement between the Board and a person for the performance of services relating to research, or other objectives in furtherance of this research program.
6. “Person” means an individual, partnership, firm, corporation, association, or any other business unit.
7. “Potatoes” means any potatoes produced in Pennsylvania.
8. “Producer” means a person who produces or grows or causes to be produced or grown potatoes as herein defined.
9. “Secretary” means the Secretary of Agriculture, of the Commonwealth of Pennsylvania, or his designee.

Article III—Scope of Program.

The area affected by this program shall be the Commonwealth of Pennsylvania. The program shall apply to all producers who grow (5) or more acres of potatoes for sale.

Article IV—Commodity Research Board.*Section A. Establishment and Members.*

The Commodity Research Board shall consist of eleven (11), members, one of whom shall be the Secretary or his designee. The Board shall have the primary decision making authority in the administration of this research program as provided in the Act.

Section B. Term of Office.

1. The term of office of each appointed member shall be for three (3) years, beginning July 1 and ending June 30.
2. The Secretary, or his designee, will be a member of the Board, and the other ten (10) members shall be appointed by the Secretary from among the affected producers. In making these appointments, the Secretary shall consider nominations submitted by the affected producers. Any person appointed as a member of the Board.
3. Successor members of the Board shall be appointed in the same manner as the initial members of the Board. Members shall serve in such capacities for the portion of the term of office for which they are appointed and until their respective successors are appointed and qualified.
4. Any person appointed as a member of the Board shall be and remain an affected producer while a member of the Board and shall qualify by filing a written acceptance with the Secretary within fifteen (15) days of being notified of appointment.

5. To fill any vacancy occasioned by the failure or inability of any appointee to perform the duties of a member on the Board, a successor for the unexpired term of such member shall be appointed by the Secretary from among the affected producers.

6. The regular meetings of the Board will be held at least three (3) times per year.

Section C. Powers and Duties of the Board.

The Commodity Research Board shall have the primary decision-making authority relative to research contracts and other projects in furtherance of this research program and shall have the following powers and duties:

1. To determine all matters pertaining to this research program.
2. To hire and employ personnel which the Board deems necessary for the proper administration of this research program and to fix the compensation and terms of employment of such personnel.
3. To adopt written procedures for acquiring and disposing of property, and subject to these procedures, to acquire, own, use, hire, lease, operate, and dispose of personal property, real property, and interests in real property.
4. To make and enter into all contracts and agreements, in accordance with the provisions of the law, which the Board deems necessary or incidental to the furtherance of the research program or performance of duties and powers pursuant to the Act. The Board shall adopt written procurement procedures for all research contracts.
5. To receive, account for and disburse all monies collected pursuant to this research program.
6. To prepare a budget for the administration, operating costs and expenses of this research program.
7. To receive and report to the Secretary complaints or violations of this research program and to assist and cooperate with the Secretary in the enforcement thereof.
8. To establish committees or sub-committees to carryout assigned duties and functions, and to designate Board members and non-Board members to serve on such committees and subcommittees.
9. To collect and gather information and data relevant to the proper administration of this research program.

10. To charge fees and to assist the Secretary in the imposition of fees and the collection of fees and revenues pursuant to the Act.

11. To issue an annual report on the operation of the research program.

12. To recommend amendments to this research program and amendments to the Act and regulations issued pursuant thereto.

Section D. Expenses and Compensation.

No member of the Board shall receive a salary, but each shall be entitled to his actual expenses incurred while engaged in performing duties authorized herein. In addition, a per diem payment may be made to each Board member or subcommittee member for each day in which a Board member or subcommittee member is performing a duty necessary to the functions of the Board. The per diem payment shall not exceed the maximum sum allowable under the Act.

Article V—Powers and Duties of the Secretary.

Subject to the provisions contained in the Act, the Secretary shall administer and enforce the provisions of the Act, and shall have and shall exercise all administrative powers necessary to effectuate the purposes of the Act, including the issuance of research programs, the appointment of members to commodity research boards and the providing of personnel, staff, legal counsel, and office facilities required for the administration and enforcement of this research program.

Article VI—Purpose.

This research program is to provide funds to be used for potato marketing contracts of benefit to the Pennsylvania potato producer. The Secretary and the board may cooperate with any other state or federal agency or other organization to prepare, issue, administer and enforce plans deemed beneficial to the purpose of this program.

Article VII—Budget, Rate of Assessment, Collection of Assessment, and Disbursement of Funds.

Section A. Budget and Assessment.

A budget shall be prepared and established no later than July 31, for the administration and enforcement of this program and for carrying out duly authorized programs and research, as herein provided. The rate of assessment shall be \$5.00 per acre on all acres planted.

Section B. Collection of Assessment.

1. Each affected producer shall be responsible for payment of the proper assessment on all potatoes planted.

2. All affected producers (and/or sales agents, should regulations subsequently prescribe) shall make remittance and accounting of the proper assessment to the Secretary or his designated fiscal agent no later than July 31 of the calendar year in which the potatoes were planted.

3. Any delinquent producer may be assessed a penalty for late payments as established by regulation.

Section C. Disbursement of Funds.

Disbursement of funds shall be made in the manner described in the Act and in any regulations promulgated by the Secretary to effectuate the provisions and intent thereof, and in accordance with the provisions of this program.

Article VIII—Effecting Research Program.

This research program, or amendment thereto, shall not become effective unless and until the Secretary determines by a referendum whether or not the affected producers assent to the proposed action. The Secretary shall conduct the referendum among affected producers and the affected producers shall be deemed to have assented to the proposed program if, of those voting, not less than a majority by number and a majority by volume (acreage) assent to the proposed program.

Article IX—Amending Research Program.

The Secretary shall call for a referendum on amendments to the research program within a reasonable period of time, upon the request of the Board or with written request of fifteen percent of the producers in a commodity group of less than two thousand affected producers. In voting on an amendment to the research program, the vote shall be only on the amendment, and shall not terminate the program.

Article X—Terminating Research Program.

Subject to approval of the Board, the Secretary shall suspend or terminate this research program or any provisions thereof whenever he finds that such provisions or program does not tend to effectuate the purpose of the Act within the standards and subject to the limitations and restrictions imposed in the Act: provided that such termination or suspension shall not be effective until the expiration of the current marketing season.

If the Secretary finds that the termination of the research program is requested in writing, by more than thirty-three and one-third percent of the affected producers who produce for market more than fifty percent of the acreage of potatoes produced within the designated production area for market, he shall terminate or suspend for a specified period, the program or provisions thereof; provided that such termination shall be effective only if announced on or before the first day of July in any calendar year. If fifteen percent of the producers in a commodity group of less than two thousand affected producers request, in writing, that a referendum be held on the question of terminating the program, the Secretary must announce and conduct a referendum within a reasonable period of time. The program shall be terminated if so voted by a majority of those voting.

Article XI—Research Program Reviewed.

Every five (5) years the Secretary shall call a referendum of the affected producers of potatoes to determine whether or not a majority of those voting still desire the program.

Article XII—Interpretation.

Applicable provisions of this research program shall be interpreted consistent with the Act and the Act shall take precedence in the event of any conflict with this research program.

Article XIII—Effective Date.

This research program shall be effective on the twenty-first day following publication of the notice of issuance as required in Section 9 of the Act.

GEORGE D. GREIG,
Secretary

[Pa.B. Doc. No. 14-2094. Filed for public inspection October 10, 2014, 9:00 a.m.]

Pennsylvania Vegetable Marketing and Research Program 2012 Order as Amended

This Order repeats the original Pennsylvania Vegetable Marketing and Research Program Order that was signed on November 28, 2012, but corrects two typographical errors that appeared in that November 28, 2012 Order. This Order is identical to that November 28, 2012 Order, except for these two corrections:

1. Under the second paragraph of Article IV, Section A, the phrase “producers, producers of vegetables for processing, and”—which had been omitted (by typographical error) from the November 28, 2012 Order—has been reinserted; and

2. Under the second paragraph of Article X, the phrase “on the question of terminating the program, the Secretary”—which had been omitted (by typographical error) from the November 28, 2012 Order—has been reinserted.

Article I—Declaration.

In accordance with requirements of the Agricultural Commodities Marketing Act as amended, the Secretary of Agriculture finds that this program effectuates the purposes of said Act.

Article II—Definitions.

As used in this marketing program, the following words and terms shall have the following meaning unless the context clearly indicates otherwise:

1. “Act” means the Act of March 24, 1998 (P. L. 217, No. 39) (3 Pa.C.S.A. §§ 4501—4513), as amended, known as the Agricultural Commodities Marketing Act.

2. “Commodity Marketing Board” or “Board” consists of the Secretary plus those persons who are appointed by the Secretary from among producers whose commodities are subject to this marketing program and from among certain sales agents required by regulation to collect or assist in the collection of producer charges under the authority of Section 10(b) of the Act, that person who is appointed by the Secretary from among such sales agents.

3. “Department” means the Department of Agriculture of the Commonwealth of Pennsylvania.

4. “Greenhouse” means any enclosed structure for growing vegetables, including both structures where the internal temperature is controlled and high tunnels where no additional heat is supplied. The term does not include low tunnels.

5. “Marketing Contract” Any contract or agreement between the Commodity Marketing Board and a person for the performance of services relating to advertising, marketing, promotion, or research, or other objectives in furtherance of this marketing program.

6. “Marketing Season” The period from October 15, 2011 through December 31, 2012, and thereafter from January 1 through December 31 of each calendar year.

7. “Person” means an individual, partnership, firm, corporation, association or other business unit.

8. “Producer” means a person who does one or more of the following during a particular marketing season:

a. Grows one (1) or more acres of vegetables within this Commonwealth for the purpose of selling said vegetables.

b. Grows vegetables in one or more greenhouses located within this Commonwealth if: (1) the greenhouse(s) is/are used for growing vegetables in 1,000 square feet or

more of growing space; and (2) the vegetables are grown for sale; and (3) the vegetables are not grown to be transplanted outdoors.

c. Grows vegetables within this Commonwealth and sells \$2,000 or more of the vegetables grown in a given marketing season.

9. “Sales Agent” means any processor, auction, packing house, fresh market vegetable stand, cooperative, broker, wholesaler, commission merchant or any person who purchases, handles, processes, receives, sells or contracts to sell vegetables originating from a producer. A producer may be a sales agent with respect to his own production.

10. “Secretary” means the Secretary of Agriculture of the Commonwealth of Pennsylvania, or his designee.

11. “Vegetables” means all vegetables except Irish potatoes, including but not limited to: asparagus, beans (snap, dry and lima), beets, cabbage, cauliflower, broccoli, Brussels sprouts, collards, kale, mustard greens, kohlrabi, carrots, celery, corn (sweet, pop and ornamental), cucumbers, eggplant, garlic, horseradish, leeks, lettuce, muskmelons, watermelon, onions, parsley, parsnips, peas, peppers, pumpkins, squash (edible and decorative), gourds, radishes, rutabagas, spinach, sweet potatoes, tomatoes, and turnips, produced in Pennsylvania for the purpose of sale by a producer as herein defined.

Article III—Scope of Program.

The area affected by this marketing program shall be the Commonwealth of Pennsylvania. The persons affected by this marketing program shall be the “producers” described herein at Article II.

Article IV—Commodity Marketing Board.

Section A. Establishment and Members.

The Commodity Marketing Board shall consist of fourteen (14) members, one of whom shall be the Secretary, or his designee. The Board shall have the primary decision-making authority in the administration of this marketing program, as provided in the Act.

For the purpose of representing the producers on the Commodity Marketing Board, the state shall be divided into three (3) production areas (West, Central, and East). Four (4) Board members representing producers shall be appointed from each production area. Such Board members shall represent fresh market vegetable producers, producers of vegetables for processing, and greenhouse vegetable producers.

As this marketing program requires certain sales agents to collect or assist in the collection of producer charges under authority of Section 10(b) of the Act, the Secretary shall appoint one (1) Board member from among such sales agents.

Section B. Term of Office.

1. The term of office of each appointed member shall be for three (3) years, beginning July 1 and ending June 30: Provided, that the terms of office of the initial appointed members of the Commodity Marketing Board shall be staggered as follows: Four (4) members shall serve one (1) year, four (4) members shall serve two (2) years, and four (4) members shall serve for three (3) years. All members appointed subsequent to those first appointed, and the member appointed to represent sales agents, shall serve three (3) year terms.

2. The Secretary, or his designee, will be a member of the Commodity Marketing Board, and the other Board members shall be appointed by the Secretary. Twelve (12)

Board members shall be appointed from among affected producers. One (1) Board member shall be appointed by the Secretary from among sales agents. In making these appointments, the Secretary shall consider nominations submitted by the affected producers or sales agents.

3. Successor members to fill the expired terms of members of the Commodity Marketing Board shall be appointed in the same manner as the initial members of the Commodity Marketing Board. Members shall serve in such capacities for the portion of the term of office for which they are appointed and until their respective successors are appointed and have qualified.

4. Any person appointed to represent producers as a member of the Commodity Marketing Board shall be and remain a producer while a member of the Board. A person appointed to represent sales agents as a member of the Board shall be and remain a sales agent while a member of the Board. Any person appointed to the Board shall qualify by filing a written acceptance with the Secretary within fifteen (15) days of being notified of appointment.

5. To fill any vacancy occasioned by the failure of any person appointed as a member of the Commodity Marketing Board, a successor for the unexpired term of such member shall be appointed by the Secretary from among the affected producers or sales agents.

6. The regular meetings of the Board will be held at least four (4) times a year.

Section C. Powers and Duties of the Board.

The Commodity Marketing Board shall have the primary decision-making authority relative to marketing contracts and other projects in furtherance of this marketing program and includes the following powers and duties:

1. To determine all matters pertaining to this marketing program.

2. To hire and employ personnel which the Board deems necessary for the proper administration of this marketing program and to fix the compensation and terms of employment of such personnel.

3. To adopt written procedures for acquiring and disposing of property, and subject to these procedures, to acquire, own, use, hire, lease, operate and dispose of personal property, real property and interests in real property.

4. To make and enter into all contracts and agreements, in accordance with the provisions of the law, which the Board deems necessary or incidental to the furtherance of the marketing program or performance of duties and powers pursuant to the Act. The Board shall adopt written procurement procedures for all marketing contracts.

5. To receive, account for and disburse all monies collected pursuant to this marketing program, the Act and any applicable regulations. Funds should generally be disbursed to benefit the fresh market producers in proportion to the amount received from the fresh market acreage and likewise to proportionately benefit the processing producers and greenhouse producers.

6. To prepare a budget for the administration, operating costs and expenses of this marketing program.

7. To receive and report to the Secretary complaints or violations of this marketing program and to assist and cooperate with the Secretary in the enforcement thereof.

8. To establish committees or subcommittees to carry out assigned duties and functions, and to designate Board members and non-board members to serve on such committees and subcommittees.

9. To collect and gather information and data relevant to the proper administration of this marketing program.

10. To charge fees and to assist the Secretary in the imposition of fees and the collection of fees and revenue pursuant to the Act.

11. To issue an annual report on the operation of this marketing program.

12. To recommend amendments to this marketing program and amendments to the Act and regulations issued pursuant thereto.

Section D. Expenses and Compensation.

No member of the Board shall receive a salary, but each shall be entitled to actual expenses incurred while engaged in performing duties authorized herein. In addition, a per diem payment may be made to each Board Member or subcommittee member for each day in which a Board Member or subcommittee member is performing a duty necessary to the functions of the Board. The per diem payment shall not exceed the maximum sum allowable under the Act.

Article V—Powers and Duties of the Secretary.

Subject to the provisions contained in the Act, the Secretary shall administer and enforce the provisions of the Act, and shall have and shall exercise all administrative powers necessary to effectuate the purposes of the Act, including the issuance of this marketing program, the appointment of members to the Commodity Marketing Board and the providing of personnel, staff, legal counsel, and office facilities required for the administration and enforcement of this marketing program.

Article VI—Purpose.

This marketing program is to provide funds to be used to contract with any person, organization, or state or federal agency, to prepare, issue, administer and enforce plans for promoting the sale of vegetables or vegetable products without reference to any particular firm's or individual's brand or trade name. No advertising or sales promotion program shall be approved, which shall make use of false or unwarranted claims or disparage the quality, value, sale or use of any other agricultural commodity.

This marketing program further provides funds to be contracted with any person, organization, or state or federal agency for conducting research deemed beneficial to the vegetable industry. Program funds may also be used to develop information designed to inform producers of quality standards and quality improvements. The Secretary and the Board may cooperate with any other state or Federal agency, or other organization whose activities may be deemed beneficial to the purpose of this Act.

Article VII—Budget, Rate of Assessment, Collection of Assessment, Disbursement of Funds.

Section A. Budget and Assessment.

A budget shall be prepared and established for the administration and enforcement of this marketing program and for carrying out duly authorized programs and activities of marketing or research as herein provided.

The rate of assessment shall be the lesser of the following:

a. a flat fee of twenty-five dollars (\$25.00) per affected producer ("affected producer" is defined herein at Article III, relating to scope of program) plus \$1.50 for each acre of field vegetable production and each 1,000 square feet of greenhouse vegetable production beyond the initial five of these acreage and/or square-footage units; or

b. an amount equal to 1.25% (.0125) of gross sales of vegetables during a particular marketing season, but no less than twenty-five dollars (\$25).

Producers shall report what part of their total acreage is utilized for fresh market production and the part utilized for processing production.

Section B. Collection of Assessment / Charge.

1. Each producer shall be responsible for payment of the proper assessment upon the vegetables which he produces or causes to be produced, and sells or delivers for sale.

2. All producers shall make remittance and accounting of the proper assessment to the Secretary or his designated fiscal agent no later than the 31st day of January immediately following the applicable marketing season, or such other period as established by regulation.

3. Any delinquent producer may be assessed a penalty for late payments as established by regulation.

Section C. Disbursement of Funds.

1. Disbursement of funds shall be made in the manner described in the Act and in any rules or any regulations promulgated by the Secretary to effectuate the provisions and intent thereof, and in accordance with the provisions of this marketing program.

2. Funds should generally be disbursed to include support for vegetable promotion or research, approximately in proportion to the amounts provided by fresh market, processing, and greenhouse segments of the vegetable industry.

Article VIII—Effecting Marketing Program.

This marketing program, or any amendment thereto, shall not become effective unless and until the Secretary determines by a referendum whether or not the affected producers assent to the proposed action. The Secretary shall conduct the referendum among affected producers and the affected producers shall be deemed to have assented to the proposed program if, of those voting, not less than a majority by number and a majority by acreage and square footage assent to the proposed program.

Article IX—Amending Marketing Program.

The Secretary shall call for a referendum on amendments to the marketing program within a reasonable period of time, upon the request of the Board or with written request of ten percent of the producers in a commodity group of over two thousand affected producers or fifteen percent of the producers in a commodity group of less than two thousand affected producers. In voting on an amendment to the marketing program, the vote shall be only on the amendment, and shall not terminate the program.

Article X—Terminating Marketing Program.

Subject to approval of the Board, the Secretary shall suspend or terminate this marketing program or any provisions hereof whenever he finds that such provisions or program does not tend to effectuate the purpose of the

Act within the standards and subject to the limitations and restrictions imposed in the Act: Provided that such termination or suspension shall not be effective until the expiration of the current marketing season.

If the Secretary finds that the termination of the marketing program is requested in writing, by more than thirty-three and one-third percent of the affected producers who produce for market more than fifty percent of the volume of agricultural commodities produced within the designated production area for market, the Secretary shall terminate or suspend for a specified period, the program or provisions thereof; Provided that such termination shall be effective only if announced on or before the first day of July in any calendar year. If ten percent of the producers in a commodity group of over two thousand affected producers or fifteen percent of the producers in a commodity group of less than two thousand affected producers, request in writing, that a referendum be held on the question of terminating the program, the Secretary must announce and conduct a referendum within a reasonable period of time. The program shall be terminated if so voted by a majority of those voting.

Article XI—Marketing Program Reviewed.

At intervals of no greater than five (5) years, the Secretary of Agriculture shall call a referendum to determine whether or not a majority of the vegetable producers voting still desire a Commodity Marketing Program.

Article XII—Interpretation.

Applicable provisions of this marketing program shall be interpreted consistent with the Act and the Act shall take precedence in the event of any conflict with this market program.

Article XIII—Effective Date.

The Program shall become effective 21 days from publication of the notice of issuance in accordance with Section 9 of the Act.

GEORGE D. GREIG,
Secretary

[Pa.B. Doc. No. 14-2095. Filed for public inspection October 10, 2014, 9:00 a.m.]

Pennsylvania Vegetable Marketing and Research Program 2013 Order as Amended

Article I—Declaration.

In accordance with requirements of the Agricultural Commodities Marketing Act as amended, the Secretary of Agriculture finds that this program effectuates the purposes of said Act.

Article II—Definitions.

As used in this marketing program, the following words and terms shall have the following meaning unless the context clearly indicates otherwise:

1. "Act" means the Act of March 24, 1998 (P. L. 217, No. 39) (3 Pa.C.S.A. §§ 4501—4513), as amended, known as the Agricultural Commodities Marketing Act.

2. "Commodity Marketing Board" or "Board" consists of the Secretary plus those persons who are appointed by the Secretary from among producers whose commodities are subject to this marketing program and from among

certain sales agents required by regulation to collect or assist in the collection of producer charges under the authority of Section 10(b) of the Act, that person who is appointed by the Secretary from among such sales agents.

3. "Department" means the Department of Agriculture of the Commonwealth of Pennsylvania.

4. "Greenhouse" means any enclosed structure for growing vegetables, including both structures where the internal temperature is controlled and high tunnels where no additional heat is supplied. The term does not include low tunnels.

5. "Marketing Contract" Any contract or agreement between the Commodity Marketing Board and a person for the performance of services relating to advertising, marketing, promotion, or research, or other objectives in furtherance of this marketing program.

6. "Marketing Season" The period from October 15, 2011 through December 31, 2012, and thereafter from January 1 through December 31 of each calendar year.

7. "Person" means an individual, partnership, firm, corporation, association or other business unit.

8. "Producer" means a person who does one or more of the following during a particular marketing season:

a. Grows one (1) or more acres of vegetables within this Commonwealth for the purpose of selling said vegetables.

b. Grows vegetables in one or more greenhouses located within this Commonwealth if: (1) the greenhouse(s) is/are used for growing vegetables in 1,000 square feet or more of growing space; and (2) the vegetables are grown for sale; and (3) the vegetables are not grown to be transplanted outdoors.

c. Grows vegetables within this Commonwealth and sells \$2,000 or more of the vegetables grown in a given marketing season.

9. "Sales Agent" means any processor, auction, packing house, fresh market vegetable stand, cooperative, broker, wholesaler, commission merchant or any person who purchases, handles, processes, receives, sells or contracts to sell vegetables originating from a producer. A producer may be a sales agent with respect to his own production.

10. "Secretary" means the Secretary of Agriculture of the Commonwealth of Pennsylvania, or his designee.

11. "Vegetables" means all vegetables except Irish potatoes, including but not limited to: asparagus, beans (snap, dry and lima), beets, cabbage, cauliflower, broccoli, Brussels sprouts, collards, kale, mustard greens, kohlrabi, carrots, celery, corn (sweet, pop and ornamental), cucumbers, eggplant, garlic, horseradish, leeks, lettuce, muskmelons, watermelon, onions, parsley, parsnips, peas, peppers, pumpkins, squash (edible and decorative), gourds, radishes, rutabagas, spinach, sweet potatoes, tomatoes, and turnips, produced in Pennsylvania for the purpose of sale by a producer as herein defined.

Article III—Scope of Program.

The area affected by this marketing program shall be the Commonwealth of Pennsylvania. The persons affected by this marketing program shall be the "producers" described herein at Article II.

Article IV—Commodity Marketing Board.

Section A. Establishment and Members.

The Commodity Marketing Board shall consist of fourteen (14) members, one of whom shall be the Secretary, or his designee. The Board shall have the primary decision-making authority in the administration of this marketing program, as provided in the Act.

For the purpose of representing the producers on the Commodity Marketing Board, the state shall be divided into three (3) production areas (West, Central, and East). Four (4) Board members representing producers shall be appointed from each production area. Such Board members shall represent fresh market vegetable producers, producers of vegetables for processing, and greenhouse vegetable producers.

As this marketing program requires certain sales agents to collect or assist in the collection of producer charges under authority of Section 10(b) of the Act, the Secretary shall appoint one (1) Board member from among such sales agents.

Section B. Term of Office.

1. The term of office of each appointed member shall be for three (3) years, beginning July 1 and ending June 30: Provided, that the terms of office of the initial appointed members of the Commodity Marketing Board shall be staggered as follows: Four (4) members shall serve one (1) year, four (4) members shall serve two (2) years, and four (4) members shall serve for three (3) years. All members appointed subsequent to those first appointed, and the member appointed to represent sales agents, shall serve three (3) year terms.

2. The Secretary, or his designee, will be a member of the Commodity Marketing Board, and the other Board members shall be appointed by the Secretary. Twelve (12) Board members shall be appointed from among affected producers. One (1) Board member shall be appointed by the Secretary from among sales agents. In making these appointments, the Secretary shall consider nominations submitted by the affected producers or sales agents.

3. Successor members to fill the expired terms of members of the Commodity Marketing Board shall be appointed in the same manner as the initial members of the Commodity Marketing Board. Members shall serve in such capacities for the portion of the term of office for which they are appointed and until their respective successors are appointed and have qualified.

4. Any person appointed to represent producers as a member of the Commodity Marketing Board shall be and remain a producer while a member of the Board. A person appointed to represent sales agents as a member of the Board shall be and remain a sales agent while a member of the Board. Any person appointed to the Board shall qualify by filing a written acceptance with the Secretary within fifteen (15) days of being notified of appointment.

5. To fill any vacancy occasioned by the failure of any person appointed as a member of the Commodity Marketing Board, a successor for the unexpired term of such member shall be appointed by the Secretary from among the affected producers or sales agents.

6. The regular meetings of the Board will be held at least four (4) times a year.

Section C. Powers and Duties of the Board.

The Commodity Marketing Board shall have the primary decision-making authority relative to marketing contracts and other projects in furtherance of this marketing program and includes the following powers and duties:

1. To determine all matters pertaining to this marketing program.
2. To hire and employ personnel which the Board deems necessary for the proper administration of this marketing program and to fix the compensation and terms of employment of such personnel.
3. To adopt written procedures for acquiring and disposing of property, and subject to these procedures, to acquire, own, use, hire, lease, operate and dispose of personal property, real property and interests in real property.
4. To make and enter into all contracts and agreements, in accordance with the provisions of the law, which the Board deems necessary or incidental to the furtherance of the marketing program or performance of duties and powers pursuant to the Act. The Board shall adopt written procurement procedures for all marketing contracts.
5. To receive, account for and disburse all monies collected pursuant to this marketing program, the Act and any applicable regulations. Funds should generally be disbursed to benefit the fresh market producers in proportion to the amount received from the fresh market acreage and likewise to proportionately benefit the processing producers and greenhouse producers.
6. To prepare a budget for the administration, operating costs and expenses of this marketing program.
7. To receive and report to the Secretary complaints or violations of this marketing program and to assist and cooperate with the Secretary in the enforcement thereof.
8. To establish committees or subcommittees to carry out assigned duties and functions, and to designate Board members and non-board members to serve on such committees and subcommittees.
9. To collect and gather information and data relevant to the proper administration of this marketing program.
10. To charge fees and to assist the Secretary in the imposition of fees and the collection of fees and revenue pursuant to the Act.
11. To issue an annual report on the operation of this marketing program.
12. To recommend amendments to this marketing program and amendments to the Act and regulations issued pursuant thereto.

Section D. Expenses and Compensation.

No member of the Board shall receive a salary, but each shall be entitled to actual expenses incurred while engaged in performing duties authorized herein. In addition, a per diem payment may be made to each Board Member or subcommittee member for each day in which a Board Member or subcommittee member is performing a duty necessary to the functions of the Board. The per diem payment shall not exceed the maximum sum allowable under the Act.

Article V—Powers and Duties of the Secretary.

Subject to the provisions contained in the Act, the Secretary shall administer and enforce the provisions of the Act, and shall have and shall exercise all administrative powers necessary to effectuate the purposes of the Act, including the issuance of this marketing program, the appointment of members to the Commodity Marketing Board and the providing of personnel, staff, legal counsel, and office facilities required for the administration and enforcement of this marketing program.

Article VI—Purpose.

This marketing program is to provide funds to be used to contract with any person, organization, or state or federal agency, to prepare, issue, administer and enforce plans for promoting the sale of vegetables or vegetable products without reference to any particular firm's or individual's brand or trade name. No advertising or sales promotion program shall be approved, which shall make use of false or unwarranted claims or disparage the quality, value, sale or use of any other agricultural commodity.

This marketing program further provides funds to be contracted with any person, organization, or state or federal agency for conducting research deemed beneficial to the vegetable industry. Program funds may also be used to develop information designed to inform producers of quality standards and quality improvements. The Secretary and the Board may cooperate with any other state or Federal agency, or other organization whose activities may be deemed beneficial to the purpose of this Act.

Article VII—Budget, Rate of Assessment, Collection of Assessment, Disbursement of Funds.

Section A. Budget and Assessment.

A budget shall be prepared and established for the administration and enforcement of this marketing program and for carrying out duly authorized programs and activities of marketing or research as herein provided.

The rate of assessment shall be the lesser of the following:

- a. a flat fee of twenty-five dollars (\$25.00) per affected producer ("affected producer" is defined herein at Article III, relating to scope of program) plus \$1.50 for each acre of field vegetable production and each 1,000 square feet of greenhouse vegetable production beyond the initial five of these acreage and/or square-footage units; or
- b. an amount equal to 1.25% (.0125) of gross sales of vegetables during a particular marketing season, but no less than twenty-five dollars (\$25).

Producers shall report what part of their total acreage is utilized for fresh market production and the part utilized for processing production.

Section B. Collection of Assessment / Charge.

1. Each producer shall be responsible for payment of the proper assessment upon the vegetables which he produces or causes to be produced, and sells or delivers for sale.
2. All producers shall make remittance and accounting of the proper assessment to the Secretary or his designated fiscal agent no later than the 31st day of January immediately following the applicable marketing season, or such other period as established by regulation.
3. Any delinquent producer may be assessed a penalty for late payments as established by regulation.

Section C. Disbursement of Funds.

1. Disbursement of funds shall be made in the manner described in the Act and in any rules or any regulations promulgated by the Secretary to effectuate the provisions and intent thereof, and in accordance with the provisions of this marketing program.

2. Funds should generally be disbursed to include support for vegetable promotion or research, approximately in proportion to the amounts provided by fresh market, processing, and greenhouse segments of the vegetable industry.

Article VIII—Effecting Marketing Program.

This marketing program, or any amendment thereto, shall not become effective unless and until the Secretary determines by a referendum whether or not the affected producers assent to the proposed action. The Secretary shall conduct the referendum among affected producers and the affected producers shall be deemed to have assented to the proposed program if, of those voting, not less than a majority by number and a majority by acreage and square footage assent to the proposed program.

Article IX—Amending Marketing Program.

The Secretary shall call for a referendum on amendments to the marketing program within a reasonable period of time, upon the request of the Board or with written request of ten percent of the producers in a commodity group of over two thousand affected producers or fifteen percent of the producers in a commodity group of less than two thousand affected producers. In voting on an amendment to the marketing program, the vote shall be only on the amendment, and shall not terminate the program.

Article X—Terminating Marketing Program.

Subject to approval of the Board, the Secretary shall suspend or terminate this marketing program or any provisions hereof whenever he finds that such provisions or program does not tend to effectuate the purpose of the Act within the standards and subject to the limitations and restrictions imposed in the Act: Provided that such termination or suspension shall not be effective until the expiration of the current marketing season.

If the Secretary finds that the termination of the marketing program is requested in writing, by more than thirty-three and one-third percent of the affected producers who produce for market more than fifty percent of the volume of agricultural commodities produced within the designated production area for market, the Secretary shall terminate or suspend for a specified period, the program or provisions thereof; Provided that such termination shall be effective only if announced on or before the first day of July in any calendar year. If ten percent of the producers in a commodity group of over two thousand affected producers or fifteen percent of the producers in a commodity group of less than two thousand affected producers, request in writing, that a referendum be held on the question of terminating the program, the Secretary must announce and conduct a referendum within a reasonable period of time. The program shall be terminated if so voted by a majority of those voting.

Article XI—Marketing Program Reviewed.

At intervals of no greater than five (5) years, the Secretary of Agriculture shall call a referendum to determine whether or not a majority of the vegetable producers voting still desire a Commodity Marketing Program.

Article XII—Interpretation.

Applicable provisions of this marketing program shall be interpreted consistent with the Act and the Act shall take precedence in the event of any conflict with this market program.

Article XIII—Effective Date.

The Program shall become effective 21 days from publication of the notice of issuance in accordance with Section 9 of the Act.

GEORGE D. GREIG,
Secretary

[Pa.B. Doc. No. 14-2096. Filed for public inspection October 10, 2014, 9:00 a.m.]

Pennsylvania Wine Marketing and Research Program 2014 Order as Amended

Article I—Declaration.

In accordance with the requirements of the Agricultural Commodities Marketing Act, the Secretary of Agriculture finds that this program—the Pennsylvania Wine Marketing and Research Program—effectuates the purposes of that statute.

Article II—Definitions.

The following words and terms, when used in this marketing and research program, shall have the following meanings:

1. “ACMA”—The Agricultural Commodities Marketing Act (act of March 24, 1998, P. L. 217, No. 39) (3 Pa. C. S. §§ 4501—4513).
2. “Board”—The persons appointed by the Secretary from among those producers whose commodities are subject to this marketing and research program.
3. “Department”—The Department of Agriculture of the Commonwealth of Pennsylvania.
4. “Limited Winery”—The holder of a limited winery license issued under authority of the Liquor Code (47 P. S. §§ 1-101 through 8-803).
5. “Marketing Contract”—Any contract or agreement between the Board and a person for the performance of service related to advertising, promotion, research, marketing, or other objectives in furtherance of this marketing and research program.
6. “Marketing Season”—The initial marketing season for purposes of this order shall be from July 1, 2001 through December 31, 2001. Thereafter, the marketing season shall be the period beginning January 1 of any year and extending through December 31 of the same year.
7. “Person”—An individual, partnership, firm, corporation, association or any other business unit.
8. “Producer”—A person who produces or sells wine under authority of a limited winery license during a particular marketing season, except those who are not in the business of producing agricultural commodities or causing agricultural commodities to be produced within this Commonwealth.
9. “Program”—The Pennsylvania Wine Marketing and Research Program.

10. "Secretary"—The Secretary of Agriculture of the Commonwealth of Pennsylvania.

Article III—Scope of the Program.

The area affected by this program shall be the Commonwealth of Pennsylvania and the program shall apply to persons who produce or sell wine under authority of a limited winery license during a particular marketing season, except those who are not in the business of producing agricultural commodities or causing agricultural commodities to be produced within this Commonwealth.

Article IV—The Program Board.

Section A. Membership and Terms of Office.

1. *Number.* The Board shall consist of nine (9) members, one of whom shall be the Secretary, or his designee.

2. *Appointment.* The Secretary shall appoint eight (8) of the Board members.

3. *Eligibility for Appointment.* Persons who are current producers and who are current with their obligations under this program shall be eligible for appointment to the Board.

4. *Nominations.* The Secretary shall consider nominations submitted by producers.

5. *Representation.* The Secretary shall endeavor to select Board members representing a cross-section of the various wine production areas of the Commonwealth.

6. *Appointment.* The Secretary shall appoint a person to the Board by providing that person written notification of appointment.

7. *Qualification.* A person appointed to the Board shall qualify by filing a written acceptance of appointment within 15 days of receiving written notification of appointment.

8. *Term of Office.* The Secretary shall appoint three of the initial Board members to 3-year terms, three to 2-year terms and two to 1-year terms. Thereafter, all terms of office shall be three years. Board members shall serve until their successors are appointed. If a Board member is not able to serve a full term, the Secretary shall appoint a person to serve the balance of that term.

Section B. Representation and Qualifications.

Any person appointed as a member of the Board shall represent the interest of producers, as those interests relate to the program.

Section C. Schedule of Meetings.

Regular meetings of the Board will be held during the months of March and August. Special meetings of the Board may be called by either the Secretary, the Board Chairman or the majority of the Board members.

Section D. Powers and Duties of the Board.

1. *General Powers.* The Board shall have all of the authority granted a commodity marketing board under ACMA.

2. *Specific Powers and Duties.* The Board shall have primary decision making authority relative to marketing contracts and other projects in furtherance of this marketing and research program and includes the following powers and duties:

- (a) To determine all matters pertaining to the program.
- (b) To hire and employ personnel which the Board deems necessary for the proper administration of the

program and to fix the compensation and terms of employment of such personnel.

(c) To adopt written procedures for acquiring and disposing of property, and subject to these procedures, to acquire, own, use, hire, lease, operate and dispose of personal property, real property and interests in real property.

(d) To make and enter into all contracts and agreements, in accordance with the provisions of the law, which the Board deems necessary or incidental for the furtherance of the program or performance of duties and powers set forth in ACMA.

(e) To receive, account for and disburse all monies collected pursuant to the program.

(f) To prepare a budget for the administration, operating costs and expenses of the program.

(g) To receive and report to the Secretary complaints or violations of the program and to assist and cooperate with the Secretary in the enforcement thereof.

(h) To establish committees or subcommittees to carry out assigned duties and functions, and to designate Board members and non-Board members to serve on such committees and subcommittees. These non-Board members might include wine grape growers, wine retailers and any other persons the Board, in its discretion, chooses to assign to a particular committee or subcommittee. There will be at least three standing committees, including Marketing, Enology, and Viticulture. The viticulture standing committee is to include 3 (three) independent (non-winery-affiliated) wine grape growers.

(i) To collect and gather information and data relevant to the proper administration of the program.

(j) To charge fees and to assist the Secretary in the imposition of fees and the collection of fees and revenues pursuant to the Act. The Board may also afford affected producers the opportunity to designate the specific percentage of the fees collected from that producer to be used for marketing (including generic advertising and other promotional activities) and the specific percentage to be applied to non-marketing activities (such as research).

(k) To issue an annual report on the operation of the program.

(l) To recommend amendments to the program and amendments to ACMA and any regulations relating to the program.

3. *Duty to Adopt Written Procurement Procedures.* The Board shall adopt written procurement procedures for all marketing contracts, in accordance with ACMA.

Section E. Expenses and Compensation.

No member of the Board shall receive a salary, but each shall be entitled to actual expenses incurred while engaged in performing the duties authorized by ACMA or this Order. However, no *per diem* payment shall be made to any Board, committee or subcommittee member.

Article V—Powers and Duties of the Secretary.

The Secretary shall have all of the powers and perform all of the duties prescribed under ACMA, and shall exercise all administrative powers necessary to effectuate the purposes of that statute. These powers and duties include the issuance of this Order, the appointment of members to the Board and the providing of personnel, staff, legal counsel, and office facilities required for the administration and enforcement of the program.

Article VI—Purpose.

1. *General Purpose.* The program will provide funds for wine and wine grape research and to support promotion and marketing of wines for the benefit of Pennsylvania's producers.

2. *Cooperation with other Persons and Organizations.* The Secretary and the Board may cooperate with any other organizations whose activities may be deemed beneficial to the purpose of this program.

3. *Special Relationship to the Wine Grape Production Industry.* The interests of the Commonwealth's wine grape production industry and its wine production industry are intertwined. Growers of wine grapes will benefit from the research and promotion efforts to be funded by the program. As a consequence of the mutual interests of wine producers and wine grape producers, the Board shall, to the extent practicable, endeavor to include growers of wine grapes, or organizations representing such growers, in its consideration of appropriate research or marketing projects relating to wine grapes or wine production.

Article VII—The Program Budget.

The Board shall prepare a budget for each marketing season. The budget shall be prepared by December 1 of the year immediately preceding the marketing season. The budget shall address administrative and operating costs of the program, and the costs of carrying on duly authorized research and marketing projects, programs and activities.

Article VIII—Disbursement of Funds.

Disbursement of funds shall be made by the Board in the manner described in ACMA and in accordance with the provisions of this marketing order.

At least 30% of annual funding shall be allocated to viticultural research. This allocation, or any unexpended portion thereof, may be carried-forward from year to year to fund viticultural research.

Article IX—Producer Charges.

1. *Obligation of Producer to Pay Producer Charge.* A producer shall account for and pay the producer charge described in this article in the amount and manner described herein.

2. *Producer Charge Amount.* A producer shall pay the program \$.20 (twenty cents) with respect to each gallon of wine sold (excludes instate winery to winery sales in bond) within a given marketing season.

3. *Mandatory Deadline for Payment of Producer Charges.* A producer shall make remittance and accounting of the proper producer charge to the Secretary or his designated fiscal agent by February 1 of the year immediately following the marketing season with respect to which payment is due.

4. *Optional Payments of Producer Charges.* The program will provide producers an opportunity to pay producer charges during the marketing season on a monthly or other periodic basis. Full payment must be made by February 1 of the year immediately following the marketing season with respect to which payment is due.

5. *Sales Figures to be used in Calculating Producer Charges.* A producer—as a holder of a limited winery license—is obligated by law to provide the Pennsylvania Liquor Control Board ("PLCB") reports of wine production and sales. For purposes of calculating the appropriate producer charges due the program with respect to a

particular marketing season, a producer shall use the same sales figures it provides the PLCB with respect to that same marketing season. All statements of fact about sales volumes which form the basis for the calculation of the amount of producer charges owed shall be verified by oath or affirmation or made subject to the penalties of 18 Pa.C.S.A. § 4904 relating to unsworn falsification to authorities.

6. *Civil Penalties and Interest.* A producer who fails to account for and pay producer charges owed the program by March 1 of the year immediately following the marketing season with respect to which payment is due shall be required to pay an additional penalty of not less than \$100 nor more than \$5,000. The penalty shall be as nearly equivalent to 100% of the amount of delinquent producer charges as is practicable.

7. *Special Provisions for the Initial Marketing Season.* The initial marketing season for the program shall be the six-month period from July 1, 2001 through December 31, 2001. Producers shall pay the program producer charges with respect to this abbreviated initial marketing season, in accordance with this Article.

8. *Voluntary Contributions.* The program may encourage and accept financial contributions from persons other than producers. This may include but not be limited to contributions from wine grape growers (who shall benefit from the research and marketing efforts of the program).

Article X—Effecting the Program.

This program, or any amendment thereto, shall not become effective unless and until the Secretary determines by a referendum whether or not the affected producers assent to the proposed action. The Secretary shall conduct the referendum among affected producers and the affected producers shall be deemed to have assented to the proposed program if, of those voting, not less than a majority by number and by volume assent to the proposed program.

Article XI—Terminating the Marketing Program.

Subject to approval of the Board, the Secretary shall suspend or terminate this program or any provisions of this program whenever he finds that such provisions or program do not tend to effectuate ACMA within the standards and subject to the limitations and restrictions imposed in ACMA; provided, that such suspension or termination shall not be effective until the expiration of the current marketing season.

If the Secretary finds that the termination of the program is requested, in writing, by more than thirty-three and one-third percent of the affected producers who sell more than fifty percent of the volume of wines produced within the Commonwealth, he shall terminate or suspend for a specified period such program or provisions thereof, provided that such termination shall be effective only if announced on or before a date thirty days in advance of the beginning of the current marketing season. If fifteen percent of the producers request, in writing, that a referendum be held on the question of terminating the program, the Secretary must announce and conduct such a referendum within a reasonable period of time, and in any case, within one year of the request, the marketing and research program shall be terminated if so voted by a majority of those voting.

Article XII—Review of Program at 5-Year Intervals.

Every five years, the Secretary shall call a referendum to determine whether or not a majority of the affected producers voting still desire the marketing and research program.

Article XIII—Interpretation.

Applicable provisions of this program shall be interpreted consistent with ACMA and ACMA shall take precedence in the event of any conflict with this program.

Article XIV—Effective date.

This program shall take effect no less than 21 days after the notice described in § 4509 of the Agricultural Commodities Marketing Act (3 Pa.C.S. §§ 4501—4513) is published in a newspaper of general circulation in the capital of the State, except Article IX.2 which shall become effective January 1, 2015.

GEORGE D. GREIG,
Secretary

[Pa.B. Doc. No. 14-2097. Filed for public inspection October 10, 2014, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under to 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 September 30, 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> |
|-------------|---|---------------|
| 9-26-2014 | Univest Corporation of Pennsylvania Souderton Montgomery County Application for approval to acquire 100% of Valley Green Bank, Philadelphia. | Filed |

Consolidations, Mergers and Absorptions

| <i>Date</i> | <i>Name and Location of Applicant</i> | <i>Action</i> |
|-------------|---|---------------|
| 9-3-2014 | Univest Bank & Trust Company Souderton Montgomery County Application for approval to merge Valley Green Bank, Philadelphia, with and into Univest Bank & Trust Company, Souderton. | Filed |

Branch Applications

De Novo Branches

| <i>Date</i> | <i>Name and Location of Applicant</i> | <i>Location of Branch</i> | <i>Action</i> |
|-------------|--|--|---------------|
| 9-29-2014 | Univest Bank and Trust Company Souderton Montgomery County | 15 Swamp Road Newtown Bucks County | Approved |

Branch Relocations

| <i>Date</i> | <i>Name and Location of Applicant</i> | <i>Location of Branch</i> | <i>Action</i> |
|-------------|---|---|---------------|
| 9-22-2014 | ESSA Bank & Trust Stroudsburg Monroe County | <i>To:</i> 300 Mulberry Street Scranton Lackawanna County <i>From:</i> 139 Wyoming Avenue Scranton Lackawanna County | Approved |

NOTICES

CREDIT UNIONS

Conversions

| <i>Date</i> | <i>Name and Location of Applicant</i> | <i>Action</i> |
|-------------|---|---------------|
| 9-30-2014 | <i>From:</i> M-C Federal Credit Union Danville Montour County <i>To:</i> Members Choice Financial Credit Union Danville Montour County | Effective |

Conversion from a Federal credit union to a Pennsylvania State-chartered credit union.

Branch offices operated by Members Choice Financial Credit Union:

| | |
|--|--|
| 100 Avenue C Riverside Northumberland County | 599 East 7th Street Bloomsburg Columbia County |
| 1339 St. Mary Street Lewisburg Union County | 1 Hospital Drive Lewisburg Union County |
| 230 Walnut Street Danville Montour County | |

Consolidations, Mergers and Absorptions

| <i>Date</i> | <i>Name and Location of Applicant</i> | <i>Action</i> |
|-------------|---|---------------|
| 9-30-2014 | TruMark Financial Credit Union Trevose Bucks County | Effective |

Application for approval to merge Norsco Federal Credit Union, Norristown, with and into TruMark Financial Credit Union, Trevose.

Branch Applications

De Novo Branches

| <i>Date</i> | <i>Name and Location of Applicant</i> | <i>Location of Branch</i> | <i>Action</i> |
|-------------|--|--|---------------|
| 3-24-2014 | White Rose Credit Union York York County | 1001 Carlisle Street Hanover York County | Opened |

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

GLENN E. MOYER,
Secretary

[Pa.B. Doc. No. 14-2098. Filed for public inspection October 10, 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

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

| <i>NPDES No. (Type)</i> | <i>Facility Name & Address</i> | <i>County & Municipality</i> | <i>Stream Name (Watershed No.)</i> | <i>EPA Waived Y/N?</i> |
|-----------------------------|--|--------------------------------------|--|----------------------------|
| PA0244350 (Sewage) | Alpha SRSTP 1650 Fels Road Pennsburg, PA 18073 | Bucks County Milford Township | Hazelbach Creek (3-E) | Y |

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

| <i>NPDES No. (Type)</i> | <i>Facility Name & Address</i> | <i>County & Municipality</i> | <i>Stream Name (Watershed #)</i> | <i>EPA Waived Y/N?</i> |
|-----------------------------|--|---|--------------------------------------|----------------------------|
| PA0020818— Sewage | Glen Rock Sewer Authority 11714 North Main Street Ext PO Box 205 Glen Rock, PA 17327-0205 | York County / Glen Rock Borough | South Branch Codorus Creek / 7-H | Y |
| PA0083585— Sewerage | Todd Township 2998 E. Dutch Corner Building McConnellsburg, PA 17233 | Fulton County / Todd Township | Licking Creek / 13-B | Y |
| PA00247740— Sewerage | Big Spring Fish & Game PO Box 81 Newville, PA 17241 | Cumberland County / North Newton Township | Conodoguinet Creek / 7-B | Y |
| PA0080489— Sewerage | Liberty Truckstop, Inc. New Buffalo Restaurant PO Box 239 Harford, PA 18823 | Perry County / Watts Township | Susquehanna River / 6-C | Y |

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

| <i>NPDES No. (Type)</i> | <i>Facility Name & Address</i> | <i>County & Municipality</i> | <i>Stream Name (Watershed No.)</i> | <i>EPA Waived Y/N?</i> |
|-----------------------------|--|--------------------------------------|--|----------------------------|
| PA0113883 (Sewage) | Bittners MHP Bittner Park Road Trout Run, PA 17771 | Lycoming County Lewis Township | Lycoming Creek (10-A) | Y |

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

| <i>NPDES No. (Type)</i> | <i>Facility Name & Address</i> | <i>County & Municipality</i> | <i>Stream Name (Watershed No.)</i> | <i>EPA Waived Y/N?</i> |
|-----------------------------|--|--------------------------------------|--|----------------------------|
| PA0093211 (Sewage) | Buffington STP Tex Lane PO Box 576 New Salem, PA 15468 | Fayette County Menallen Township | Dunlap Creek (19-C) | Y |
| PA0098345 (Sewage) | Clifford Pritts Township Elementary School 1542 Indian Creek Valley Road Melcroft, PA 15462 | Fayette County Saltlick Township | Indian Creek (19-E) | Y |

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

| <i>NPDES No. (Type)</i> | <i>Facility Name & Address</i> | <i>County & Municipality</i> | <i>Stream Name (Watershed#)</i> | <i>EPA Waived Y/N?</i> |
|------------------------------------|---|--------------------------------------|--|----------------------------|
| PA0101931 (Sewage) | Marienville STP Loleta Road Marienville, PA 16239 | Forest County Jenks Township | West Branch Millstone Creek (17-B) | Y |
| PA0101087 (Sewage) | Twilight MHP Route 551 Edinburg, PA 16116 | Lawrence County Mahoning Township | Unnamed Tributary of Shenango River (20-A) | Y |
| PA0003573 (Industrial Waste) | Schry Water Conditioning 200 Portersville Road Ellwood City, PA 16117 | Lawrence County Ellport Borough | Connoquenessing Creek (20-C) | Y |

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

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

PA0056421, Sewage, SIC Code 4952, **Warwick Township Water & Sewer Authority**, 1733 Township Greene, P. O. Box 315, Jamison, PA 18929. Facility Name: Country Crossing Wastewater Treatment Plant. This existing facility is located in Warwick Township, **Bucks County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated sewage. Permittee can discharge through Outfall 001 to an Unnamed Tributary to Little Neshaminy Creek or, for irrigation purposes, through Outfall 002 to a storage pond with overflow to Little Neshaminy Creek.

The receiving streams, Little Neshaminy Creek and Unnamed Tributary to Little Neshaminy Creek, are located in State Water Plan watershed 2-F and are classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfalls 001 and 002 are based on a total design flow of 0.32 MGD.

| <i>Parameters</i> | <i>Mass (lb/day)</i> | | | <i>Concentration (mg/l)</i> | | |
|------------------------------------|----------------------------|---------------------------|-----------------------------|-----------------------------|---------------------------|-----------------------------|
| | <i>Average Monthly</i> | <i>Weekly Average</i> | <i>Instant. Minimum</i> | <i>Average Monthly</i> | <i>Weekly Average</i> | <i>Instant. Maximum</i> |
| Flow (MGD) | Report | Report Daily Max | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | 5.0 | Report | XXX | XXX |
| CBOD ₅ Influent | XXX | XXX | XXX | Report | XXX | XXX |
| CBOD ₅ | 53 | 80 | XXX | 20 | 30 | 40 |
| BOD ₅ Influent | Report | XXX | XXX | Report | XXX | XXX |
| Total Suspended Solids Influent | XXX | XXX | XXX | Report | XXX | XXX |
| Total Suspended Solids | 53 | 80 | XXX | 20 | 30 | 40 |

| <i>Parameters</i> | <i>Mass (lb/day)</i> | | | <i>Concentration (mg/l)</i> | | |
|-----------------------------|------------------------|-----------------------|-------------------------|-----------------------------|-----------------------|-------------------------|
| | <i>Average Monthly</i> | <i>Weekly Average</i> | <i>Instant. Minimum</i> | <i>Average Monthly</i> | <i>Weekly Average</i> | <i>Instant. Maximum</i> |
| Fecal Coliform (No./100 ml) | XXX | XXX | XXX | 200 Geo Mean | XXX | 1,000* |
| UV Transmittance (%) | XXX | XXX | Report Minimum | XXX | XXX | XXX |
| (Nitrate+Nitrite) as N | | | | | | |
| Jul 1 - Oct 31 | 24.0 | XXX | XXX | 9.0 | XXX | 18.0 |
| Total Nitrogen | Report | XXX | XXX | Report | XXX | Report |
| Ammonia-Nitrogen | | | | | | |
| Apr 1 - Oct 31 | 5.3 | XXX | XXX | 2.0 | XXX | 4.0 |
| Nov 1 - Mar 31 | 16.0 | XXX | XXX | 6.0 | XXX | 12.0 |
| Total Phosphorus | | | | | | |
| Annual Load (lbs) | XXX | 487 | XXX | XXX | XXX | XXX |
| Total Phosphorus | Report | Total Annual XXX | XXX | 0.6 | XXX | 1.2 |

*Not to exceed 1,000/100 ml as an instantaneous maximum from May 1st through September 30th. Not to exceed 1,000/100 ml in greater than 10 percent of samples tested from October 1st through April 30th.

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

- No stormwater to sanitary sewers
- Necessary property rights
- Proper sludge disposal
- Notification of designation of responsible operator
- Discharge through Outfall 002 for irrigation
- Reporting requirement for total annual phosphorus load
- Fecal coliform reporting
- Operations and maintenance plan

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

The EPA Waiver is in effect.

PA0012327, Storm Water, SIC Code 4953, **Bucks County Public Works Department**, 1265 Almshouse Road, Doylestown, PA 18901. Facility Name: Hidden Valley Landfill. This existing facility is located in Nockamixon Township, **Bucks County**.

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

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

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

| <i>Parameters</i> | <i>Mass (lb/day)</i> | | | <i>Concentration (mg/l)</i> | | |
|------------------------|------------------------|----------------------|-------------------------|-----------------------------|----------------------|-------------------------|
| | <i>Average Monthly</i> | <i>Daily Maximum</i> | <i>Instant. Minimum</i> | <i>Average Monthly</i> | <i>Daily Maximum</i> | <i>Instant. Maximum</i> |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| CBOD ₅ | XXX | XXX | XXX | 25 | 50 | 63 |
| Total Suspended Solids | XXX | XXX | XXX | 30 | 60 | 75 |
| Ammonia-Nitrogen | XXX | XXX | XXX | 20 | XXX | 40 |
| Total Antimony | XXX | XXX | XXX | XXX | Report | XXX |
| Hexavalent Chromium | XXX | XXX | XXX | XXX | Report | XXX |
| Total Thallium | XXX | XXX | XXX | XXX | Report | XXX |
| Phenol | XXX | XXX | XXX | XXX | Report | XXX |

The proposed effluent limits for Monitoring Points 101 & 102 are based on a design flow of stormwater.

| <i>Parameters</i> | <i>Mass (lb/day)</i> | | | <i>Concentration (mg/l)</i> | | |
|------------------------|------------------------|----------------------|----------------|-----------------------------|----------------------|-------------------------|
| | <i>Average Monthly</i> | <i>Daily Maximum</i> | <i>Minimum</i> | <i>Average Monthly</i> | <i>Daily Maximum</i> | <i>Instant. Maximum</i> |
| pH (S.U.) | XXX | XXX | XXX | XXX | Report | XXX |
| Chemical Oxygen Demand | XXX | XXX | XXX | XXX | Report | XXX |
| Total Suspended Solids | XXX | XXX | XXX | XXX | Report | XXX |
| Oil and Grease | XXX | XXX | XXX | XXX | Report | XXX |

| Parameters | Mass (lb/day) | | | Concentration (mg/l) | | |
|----------------------|-----------------|---------------|---------|----------------------|---------------|------------------|
| | Average Monthly | Daily Maximum | Minimum | Average Monthly | Daily Maximum | Instant. Maximum |
| Nitrate-Nitrite as N | XXX | XXX | XXX | XXX | Report | XXX |
| Ammonia-Nitrogen | XXX | XXX | XXX | XXX | Report | XXX |
| Total Arsenic | XXX | XXX | XXX | XXX | Report | XXX |
| Total Barium | XXX | XXX | XXX | XXX | Report | XXX |
| Total Cadmium | XXX | XXX | XXX | XXX | Report | XXX |
| Total Cyanide | XXX | XXX | XXX | XXX | Report | XXX |
| Total Iron | XXX | XXX | XXX | XXX | Report | XXX |
| Total Lead | XXX | XXX | XXX | XXX | Report | XXX |
| Dissolved Magnesium | XXX | XXX | XXX | XXX | Report | XXX |
| Total Magnesium | XXX | XXX | XXX | XXX | Report | XXX |
| Total Mercury | XXX | XXX | XXX | XXX | Report | XXX |
| Total Selenium | XXX | XXX | XXX | XXX | Report | XXX |
| Total Silver | XXX | XXX | XXX | XXX | Report | XXX |
| Total Organic Carbon | XXX | XXX | XXX | XXX | Report | XXX |

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

- All necessary property rights
- Solids handling

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.

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

PA0027375, Sewage, SIC Code 4952, **City of DuBois**, 16 W Scribner Avenue, DuBois, PA 15801-2210. Facility Name: City Of DuBois Wastewater Treatment Plant. This existing facility is located in City of DuBois, **Clearfield County**.

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

The receiving stream(s), Sandy Lick Creek, is located in State Water Plan watershed 17-C and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 4.4 MGD.

| Parameters | Mass (lb/day) | | | Concentration (mg/l) | | |
|-----------------------------|-------------------|---------------------|---------|-------------------------------|--------------------|------------------|
| | Average Monthly | Weekly Average | Minimum | Average Monthly | Weekly Average | Instant. Maximum |
| Flow (MGD) | Report | Report Daily Max | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | 5.0 | XXX | XXX | XXX |
| Total Residual Chlorine | XXX | XXX | XXX | 0.16 | XXX | 0.52 |
| CBOD ₅ | | | | | | |
| May 1 - Oct 31 | 255 | 365 | XXX | 7.0 | 10 | 14 |
| Nov 1 - Apr 30 | 770 | 1,100 | XXX | 21 | 30 | 42 |
| BOD ₅ | | | | | | |
| Raw Sewage Influent | Report | Report Daily Max | XXX | Report | XXX | XXX |
| Total Suspended Solids | | | | | | |
| Raw Sewage Influent | Report | Report Daily Max | XXX | Report | XXX | XXX |
| Total Suspended Solids | 1,100 | 1,650 | 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 |
| Ammonia-Nitrogen | | | | | | |
| May 1 - Oct 31 | 75 | 150 | XXX | 2.1 | 4.2 | 4.2 |
| Nov 1 - Apr 30 | 175 | 260 | XXX | 4.8 | 7.2 | 9.6 |
| Total Aluminum | Report | XXX | XXX | Report | XXX | XXX |
| Total Copper (µg/L) | Avg Qrtly 0.52 | 1.05 Daily Max | XXX | Avg Qrtly 14.43 | 28.86 Daily Max | 36.07 |

| Parameters | Mass (lb/day) | | Minimum | Concentration (mg/l) | | Instant. Maximum |
|-----------------------------|------------------|----------------|---------|----------------------|------------------|------------------|
| | Average Monthly | Weekly Average | | Average Monthly | Weekly Average | |
| Total Iron | Report Avg Qrtly | XXX | XXX | Report Avg Qrtly | XXX | XXX |
| Total Manganese | Report Avg Qrtly | XXX | XXX | Report Avg Qrtly | XXX | XXX |
| Chronic Toxicity— | | | | | | |
| Ceriodaphnia Survival (TUc) | XXX | XXX | XXX | XXX | 1.5 Daily Max | XXX |
| Reproduction (TUc) | XXX | XXX | XXX | XXX | 1.5 Daily Max | XXX |
| Pimephales Survival (TUc) | XXX | XXX | XXX | XXX | 1.5 Daily Max | XXX |
| Growth (TUc) | XXX | XXX | XXX | XXX | 1.5 Daily Max | XXX |

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

The EPA Waiver is not in effect.

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

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

QM Permit No. 3909405 A-1, Sewage, **Lehigh County Authority**, 1053 Spruce Street, Allentown, PA 18106.

This existing facility is located in Lynn Township, **Lehigh County**.

Description of Proposed Action/Activity: The project is for upgrades to the existing wastewater treatment plant, including the addition of a mechanical screen and chemical feed systems. An influent flow meter and two influent pumps will replace existing units. The existing comminutor is to be removed from the treatment process.

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

QM Permit No. 5608403 T-1, Sewage, **Hohman Fred A**, 26 Windihill Drive, Greensburg, PA 15601.

This existing facility is located in Indian Lake Borough, **Somerset County**.

Description of Proposed Action/Activity: Transfer permit from G. Lynn Waugaman to Mr. Hohman.

QM Permit No. 1114404, Sewage, **Portage Area Sewer Authority**, 606 Cambria Street, Portage, PA 15946-1516.

This proposed facility is located in Portage Township, **Cambria County**.

Description of Proposed Action/Activity:

Installation of a new sanitary sewer collection system to serve Martindale and the replacement of Ward 3 sanitary sewers.

The Pennsylvania Infrastructure Investment Authority (PENNVEST) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source.

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

QM Permit No. WQG01421402, Sewage, **Robert D. Williams, Jr.**, P. O. Box 483, Bradford, PA 16701.

This proposed facility is located in Foster Township, **McKean County**.

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

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

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

| NPDES Permit No. | Applicant Name & Address | County | Municipality | Receiving Water/Use |
|------------------|--|--------------|----------------------|----------------------------|
| PAI01 5114017 | Westrum BT, L.P. 370 Commerce Drive, Suite 101 Fort Washington, PA 19034 | Philadelphia | City of Philadelphia | Schuylkill River CWF—MF |

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

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

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|---|---------------|---------------------|---|
| PAI024014007 | David Tarantini 25 Perrago St. Harveys Lake, PA 18618 | Luzerne | Harveys Lake Boro | Harveys Lake and UNT to Beaver Creek (HQ-CWF, MF) |
| PAI024014006 | Xcell Towers c/o Wendy Florian 2050 Marconi Drive Suite 300 Alpharetta, GA 30005-2077 | Luzerne | Harveys Lake Boro | Harveys Lake and UNT to Beaver Creek (HQ-CWF, MF) |

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

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|-------------------------------------|---------------|----------------------|---|
| PAI024514007 | Pocono International Raceway, Inc. | Monroe | Tunkhannock Township | UNT to Tunkhannock Creek (HQ-CWF, MF) |

Schuylkill County Conservation District, 1206 Ag Center Dr., Pottsville PA 17901

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|--|---------------|--|--|
| PAI025414001 | First Quality Nonwovens, Inc. c/o Mr. Kevin Cowen 500 Oak Ridge Road Hazle Township, PA 18202 | Schuylkill | East Union Twp., Schuylkill County Hazle Twp., Luzerne County | Tomhicken Creek (CWF, MF) Little Tomhicken Creek (CWF, MF) |

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

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|---|---------------|---------------------|-----------------------------------|
| PAI026414007 | PPL Electric Utilities Corp. 1639 Church St. Allentown, PA 18104-9342 | Wayne | Dreher Township | UNT to Mill Creek (HQ-CWF, MF) |

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

| <i>Permit #</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|------------------|---|---------------|---------------------|--|
| PAI033609004(2)R | PPL Holtwood LLC | Lancaster | Martic Township | Susquehanna River (WWF) |
| PAI032114001(1) | Toigo Organic Farms, LLC 750 South Mountain Estates Road Shippensburg, PA 17257 | Cumberland | Middlesex Township | LeTort Spring Run Designated Use (CWF-MF) Existing Use (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>Application Renewal/New</i> |
|--|----------------|--------------------|--------------------------------|-----------------------------------|---|--------------------------------|
| Walmoore Holstein | Chester | 1,245 | 1,347.37 AEUs | Milk Cows, Dry Cows, Hefers | EV for portions, N/A for portions | Renewal |
| Zartman Farms LLC Thomas Zartman 820 Hilltop Road Ephrata, PA 17522 | Lancaster | 600 | 620.25 | Swine | NA | Renewal |
| P&M Snyder 2375 Line Mountain Rd. Dornsife, PA 17823 | Northumberland | 503.4 | 325.1 | Layers/ Beef | NA | Renewal |
| Cotner Farms, Inc. 127 Rushtown Road Danville, PA 17821 | Northumberland | 1,168 | 1,403.18 | Poultry/ Layers | NA | Renewal |

PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

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

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

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

SAFE DRINKING WATER

Applications Received Under the Pennsylvania Safe Drinking Water Act

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

Application No. 6614501, Public Water Supply.

| | |
|---------------------------|---|
| Applicant | Tunkhannock Hospital Company LLC |
| [Township or Borough] | Tunkhannock Township, Wyoming County |
| Responsible Official | Diane Ljungquist Tunkhannock Hospital Company LLC 5950 S.R. 6 Tunkhannock, PA 18657 570-836-4569 |
| Type of Facility | PWS |
| Consulting Engineer | Francis Mark Voyack Quad Three Group, Inc 37 North Washington Street Wilkes Barre, PA 18701 |
| Application Received Date | 02/06/2014 |
| Description of Action | Addition of well 4 to an existing non community water system, a new 70,000 gallon water storage tank, booster pumps and disinfection. |

Application No. 4814507, Public Water Supply.

| | |
|-----------|--|
| Applicant | Walnutport Authority 417 Lincoln Avenue Walnutport, PA 18088-1498 |
|-----------|--|

[Township or Borough] Lehigh Township
Northampton County

Responsible Official Ronald Kuntz, Chairman
Walnutport Authority
417 Lincoln Avenue
Walnutport, PA 18088-1498

Type of Facility PWS

Consulting Engineer Amy L. Kunkel, P.E.
SSM Group, Inc.
1605 N. Cedar Crest Boulevard.
Suite 509
Allentown, PA 18104

Application Received Date September 23, 2014

Description of Action This application proposes installation of a polyphosphate blend feed system for general corrosion control at Oplinger Wells 1, 3 and 4 and Heimbach Wells 6 and 7.

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

Permit No. 3614513, Public Water Supply.

Applicant **Greiner Industries, Inc.**

Municipality Mount Joy Township

County **Lancaster**

Responsible Official Frank Greiner, President & Owner
1650 Steel Way
Mt. Joy, PA 17552

Type of Facility Public Water Supply

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

Application Received: 7/23/2014

Description of Action New Well No. 2 and installation of an anion exchange nitrate treatment system and a sodium hypochlorite disinfection system.

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

Application No. 4114504—Construction Public Water Supply.

Applicant **Timberend Estates MHP, LLC**

[Township or Borough] Fairfield Township

County **Lycoming**

Responsible Official Ryan B. Hotchkiss, Managing Member
Timberend Estates MHP, LLC
2131 Espey Ct., Suite 1
Crofton, MD 21114

Type of Facility Public Water Supply

Consulting Engineer Edward J. Brown, P.E.
Larson Design Group
1000 Commerce Park Drive
Williamsport, PA 17701

Application Received 9/30/14

Description of Action New treatment system for Well #1 to treat arsenic, in addition to iron and manganese.

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

Permit No. 0214541, Public Water Supply.

Applicant **Fawn-Frazer Joint Water Authority**
326 Donnellsville Road
Natrona Heights, PA 15065

[Township or Borough] Frazer Township

Responsible Official Edward L. Adams, Chairman
Fawn-Frazer Joint Water Authority
326 Donnellsville Road
Natrona Heights, PA 15065

Type of Facility Water system

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

Application Received Date September 22, 2014

Description of Action Installation of a submersible mixing system in the Burtner water storage tank.

Permit No. 0214542, Public Water Supply.

Applicant **Fawn-Frazer Joint Water Authority**
326 Donnellsville Road
Natrona Heights, PA 15065

[Township or Borough] Frazer Township

Responsible Official Edward L. Adams, Chairman
Fawn-Frazer Joint Water Authority
326 Donnellsville Road
Natrona Heights, PA 15065

Type of Facility Water system

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

Application Received Date September 22, 2014

Description of Action Installation of a submersible mixing system in the Yutes Run #1 water storage tank.

Permit No. 0214543, Public Water Supply.

Applicant **Fawn-Frazer Joint Water Authority**
326 Donnellsville Road
Natrona Heights, PA 15065

[Township or Borough] Frazer Township

Responsible Official Edward L. Adams, Chairman
Fawn-Frazer Joint Water Authority
326 Donnellsville Road
Natrona Heights, PA 15065

Type of Facility Water system
 Consulting Engineer Bankson Engineers, Inc.
 267 Blue Run Road
 Suite 200
 Cheswick, PA 15024
 Application Received Date September 22, 2014
 Description of Action Installation of a submersible
 mixing system in the Yutes Run
 #2 water storage tank.

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

Permit No. 4314502, Public Water Supply

Applicant **Jamestown Municipal Authority**
 Township or Borough Jamestown Borough
 County **Mercer**
 Responsible Official William LeBarron
 Type of Facility Public Water Supply
 Consulting Engineer Matthew J. Arena, P.E.
 Herbert, Rowland & Grubic, Inc.
 3755 East State Street
 Hermitage, PA 16148
 Application Received Date September 22, 2014
 Description of Action Change from MIOX onsite
 disinfection to bulk sodium
 hypochlorite.

Permit No. 1014506, Public Water Supply

Applicant **Slippery Rock Municipal Authority**
 Township or Borough Slippery Rock Township
 County **Butler**
 Responsible Official Herbert Carlson
 Type of Facility Public Water Supply
 Consulting Engineer David M. Swisher, P.E.
 Herbert, Rowland & Grubic, Inc.
 200 West Kensinger Drive,
 Suite 400
 Cranberry Township, PA 16066
 Application Received Date September 18, 2014
 Description of Action Construction of improvements to
 the existing water treatment
 process.

Permit No. 1014505, Public Water Supply

Applicant **Pennsylvania American Water Co.**
 Township or Borough Oakland Township
 County **Butler**
 Responsible Official David R. Kaufman, P.E.
 Type of Facility Public Water Supply

Consulting Engineer David R. Kaufman, P.E.
 Pennsylvania American Water
 Co.
 800 West Hershey Park Drive
 Hershey, PA 15317
 Application Received Date September 16, 2014
 Description of Action Install an above grade, package
 type booster station at the
 existing Kaylor Booster Station
 site and add an additional pump
 to the East Brady Pump Station
 to serve XTO.

MINOR AMENDMENT

Applications Received Under the Pennsylvania Safe Drinking Water Act

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

Application No. 0214540MA, Minor Amendment.

Applicant **Borough of Blawnox**
 376 Freeport Borough
 Blawnox, PA 15238
 [Township or Borough] Blawnox Borough
 Responsible Official Deborah E. Laskey, Council
 President
 Borough of Blawnox
 376 Freeport Borough
 Blawnox, PA 15238
 Type of Facility Water system
 Consulting Engineer Senate Engineering Company
 U-PARC
 420 William Pitt Way
 Pittsburgh, PA 15238
 Application Received Date September 22, 2014
 Description of Action Repairs and painting of the
 interior and exterior of the
 300,000 gallon water storage
 tank.

Application No. 0414505GWR, Minor Amendment.

Applicant **Lakeview Personal Care**
 498 Lisbon Road
 Darlington, PA 16115
 [Township or Borough] Darlington
 Responsible Official James Stevenson, Operator
 Lakeview Personal Care
 498 Lisbon Road
 Darlington, PA 16115
 Type of Facility Water system
 Consulting Engineer
 Application Received Date September 18, 2014
 Description of Action Demonstration of 4-log
 treatment for groundwater
 sources

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 1

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

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

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

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

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

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

Stevens Primary School, 1150 Louisa Street, City of Williamsport, **Lycoming County**. RETTEW Associates, Inc. 3020 Columbia Avenue, Lancaster, PA 17603, on behalf of Williamsport Area School District, 2780 West Fourth Street, Williamsport, PA 17701, submitted a Notice of Intent to Remediate. A release of No. 2 fuel oil was discovered on July 9, 2014 during the removal of a leaking 15,000 gallon unregulated underground storage tank. The future use of this property will be the Stevens Primary School. The Notice of Intent to Remediate was published in the *Sun-Gazette Company* on September 13, 2014.

Bernard Steinbacher, 2848 Funston Road, Franklin Township, **Lycoming County**. Mr. Bernard Steinbacher, 2848 Funston Road, Muncy, PA 17756 has submitted a Notice of Intent to Remediate for a heating oil release that occurred to soil on his property. The contaminated soil area has been excavated and removed from the property. The intended use of the property will be residential. The Notice of Intent to Remediate was published in *The Sun-Gazette* on September 3, 2014.

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

Schultz Residence, 61 East Pumping Station Road, Richland Township, **Bucks County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Linda Shidel, State Farm Insurance Company, P. O. Box 106110, Atlanta, GA 30348-6110 on behalf of Allen Schultz, 61 East Pumping Station Road, Quakertown, PA 18951 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of heating oil. The intended future use of the property is continued use as a residential property. The Notice of Intent to Remediate was published in *The Bucks County Courier Times* on September 4, 2014. PF779941.

Millevoi Brothers Torresdale, 8685 Torresdale Avenue, City of Philadelphia, **Philadelphia County**. Jim Mullan, Hocage Consulting, Inc., 987 Haddon Avenue, Collingswood, NJ 08108 on behalf of Tim Millevoi, Millevoi Brothers Associates, 2075 Byberry Road, Philadelphia, PA 19116 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of petroleum constituents. The intended future use of the property is as an automobile service center and repair. The Notice of Intent to Remediate was published in *The Newspaper Times* on August 20, 2014. PF779943.

Gillette Residence, 497 Sunnemeade Avenue, Warminster Township, **Bucks County**. Richard D. Trimpi, PG, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 on behalf of George Gillett, 497 Sunnemeade Avenue, Warminster PA 18974 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of heating oil. The intended future use of the site is residential. The Notice of Intent to Remediate was published in *The Bucks County Courier Times* on September 7, 2014. PF779939.

Jacksonville Green, Borough of Hatboro, **Montgomery County**. John W. Storb, Jr. P.G. CPG, Storb Environmental, Inc., 410 North Easton Road, Willow Grove, PA 19090 on behalf of Stephen Cassidy, 301 Jacksonville Master Tenant L.P., 260 West Walnut Lane, Philadelphia,

PA 19144 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of heating oil. The intended future use of the site will remain the same. The Notice of Intent to Remediate was published in *The Intelligencer* on July 4, 2014. PF618320.

Schaffer Properties, 2779 Mechanicsville Road, Bensalem Township, **Bucks County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Christine Dimmig, State Farm Insurance Company, P. O. Box 106110, Atlanta, GA, 30348-6110 on behalf of Raymond Schaffer, 2779 Mechanicsville Road, Bensalem, PA 19020 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of heating oil. The intended future use of the site is residential. The Notice of Intent to Remediate was published in *The Bucks County Courier Times* on June 27, 2014. PF778911.

Ardrossan Farm Parcel A7, 555 Darby-Paoli Road, Radnor Township, **Delaware County**. Ken S. Eden, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of J. James Connolly, BNY Mellon, N.A. Trustee, 1735 Market Street, Suite 0315, Philadelphia, PA 19103 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of heating oil. The intended future use of the site is residential. The Notice of Intent to Remediate was published in *The Delaware County Daily Times* on July 25, 2014. PF778907.

Stoneback Residence, 220 East Broad Street, Souderton Borough, **Montgomery County**. Michael Kern, P.G., Mountain Research, LLC, 825 25th Street, Altoona, PA 16601 on behalf of Glenda Stoneback, 220 East Broad Street, Souderton, PA 18964 has submitted a Notice of Intent to Remediate. The intended future use of the property will continue to be as a residential dwelling. Soil at the site has been impacted with the release of no. 2 fuel oil. The Notice of Intent to Remediate was published in the *Souderton Independent* on June 8, 2014. PF778908

Delgado Residence, 545 Lemon Street, Warminster Township, **Bucks County**. Richard Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18974, Clark, Miller, State Farm Insurance, P. O. Box 106110, Atlanta, GA 30348-6110 on behalf of Ramon Delgado, 545 Lemon Street, Warminster, PA 18974 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The present and intended use of the property is residential. The Notice of Intent to Remediate was published in the *Bucks County Courier Times* June 27, 2014. PF778928

Rite Aid Pharmacy, 960 East Baltimore Avenue, Upper Darby Township, **Delaware County**. Jeremy L. Fox, EMS Environmental, Inc., 4550 Baltimore Pike, Bethlehem, PA 18017, John J. Engdahl, Sr., Hess Corporation, One Hess Plaza, Woodbridge, NJ 07095, Claude S. Vandever, EMS Environmental, Inc. 4550 Bath Pike, Bethlehem, PA 18017 on behalf of Robin L. McGill, Longview Management, LP, 1055 Westlakes Drive, Suite 170, Berwyn, PA 19312 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of no. 2 fuel oil. The present and intended use of the property is residential. The Notice of Intent to Remediate was published in the *Bucks County Courier Times* June 27, 2014. PF778928

1240 Chester Pike Property, 1240 Chester Pike, Ridley Township, **Delaware County**. Scott Smith,

EnviroSure, Inc. 103 South High Street, Suite 1, West Chester, PA 19382 on behalf of Tommy Hannum, Hannum's Harvey-Davison, 1011 West Baltimore Pike, Media, PA 19063 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of other organics. The proposed future use of the property will be non-residential for commercial use. The Notice of Intent to Remediate was published August 6, 2014. PF778905

Weggel Residence, 627 Roadman Avenue, Abington Township, **Montgomery County**. Jeremy Bolyn, Environmental Maintenance Company, Inc., 1420 East Mermaid Lane, Glenside, PA 19038 on behalf of Richard Weggel, 627 Rodman Avenue, Jenkintown, PA 19046 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The intended use of the property is residential. The Notice of Intent to Remediate was published in the *Times Herald* on July 2, 2014. PF775609

Bloomingdale Residence, 711 Saint Francis Drive, Maple Township, **Delaware County**. Charles Burger, Mountain Research, LLC, 825 25th Street, Altoona, PA 16602 on behalf of Anita Bloomingdale, 711 Saint Francis Drive, Broomall, PA 19008 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The future use of the site will remain the same. The Notice of Intent to Remediate was published in *The News of Delaware County* on June 19, 2014. PF779246

Chester Fowler Residence, 6516 North 13th Street, City of Philadelphia, **Philadelphia County**. Richard Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18974, Erin Bydalek, Harleysville Insurance, 355 Maple Avenue, Harleysville, PA 19438-2297 on behalf of Darlene Chester Fowler, 6516 North 13th Street, Philadelphia, PA 19126-3603 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The present and intended future use of the property is residential. The Notice of Intent to Remediate was published in the *Philadelphia Daily News* on July 3, 2014. PF778934

640 North Lewis Road-Turtle Creek North Zone, 640 North Lewis Road, Limerick Township, **Montgomery County**. Jeffrey A. Smith, P.G., Langan Engineering & Environmental Services, Inc., 30 South 17th Street, Philadelphia, PA 19103 on behalf of Mona Khalil, Teleflex Incorporated, 550 East Swedesford Road, Suite 400, Wayne, PA 19087 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release other organics. The future use of the site will remain the same. The Notice of Intent to Remediate was published in the *Mercury* on August 6, 2014. PF779749

Ellizey Residence, 205 Old Morris Road, Upper Gwynedd Township, **Montgomery County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Clark Miller State Farm Insurance Company, P. O. Box 106110, Atlanta GA, 3048-6110 on behalf of James and Kathy Ellizey, 205 Old Morris Road, Lansdale, PA 19446-5655 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The intended future use of the site is residential. The Notice of Intent to Remediate was published in the *Ambler Gazette* on August 24, 2014. PF772482

Townhouse @ Evansburg, Germantown Pike/River Road & Germantown Pike/Crosskeys Road, Lower Providence Township, **Montgomery County**. Walter H.

Hungarter, III, RT Environmental Services, 215 West Church Road, King of Prussia, PA 19406, Lawrence W. Bily, RT Environmental Services, 215 West Church Road, King of Prussia, PA 19406 on behalf of Christopher R. Canavan, Prospect Acquisitions L.P., 404 Sumneytown Pike, Suite 200, North Wales, PA 19454 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of metals, chlorinated solvents. The subject property is currently mostly undeveloped land with small remnants of parking areas. The Notice of Intent to Remediate was published in the *Phoenix/Reports/Items* on June 8, 2014. PF779739

Carolan Residence, 2 June Road, Middletown Township, **Bucks County**. Jeremy Bolyn, Environmental Maintenance Company, Inc., 1420 East Mermaid Lane, Glenside, PA 19038 on behalf of Bernard Carolan, 2 June Road, Levittown, PA 19056 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of heating oil. The future use of the site will remain the same. The Notice of Intent to Remediate was published in the *Bucks County Courier Times* on August 7, 2014. PF779735

DETERMINATION FOR APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS

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

Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401

General Permit Application No. WMGM044SE003. Giamo, LLC, 1306 Conshohocken Road, Conshohocken PA 19428. This Determination of Applicability (DOA) application is for the processing and beneficial use of municipal waste under General Permit No. (WMGM044SE003) at Giamo, LLC 1306 Conshohocken Road Site located in Plymouth Township, **Montgomery County**. The application for determination of applicability was accepted as administratively complete by the Southeast Regional Office on September 26, 2014.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

Copies of the application, the Department’s analysis, all pertinent documents used in the evaluation of the application and subsequently prepared proposed plan

approvals/operating permits are available for public review during normal business hours at the appropriate Department Regional Office. Appointments for scheduling a review must be made by calling the appropriate Department Regional Office. The address and phone number of the Regional Office is listed before the application notices.

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

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

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P. S. §§ 4001—4015), 25 Pa. Code Chapters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

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

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.

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

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

17-00001E: NRG REMA LLC (250 Power Plant Drive, Shawville, PA 16873), for the construction of a cooling tower for the utility boilers, (units 1 through 4), at the

Shawville Generating Station located in Bradford Township, **Clearfield County**. The facility is a Title V facility.

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

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

03-00244A: Dominion Transmission, Inc. (5000 Dominion Blvd.—2NW, Glenn Allen, VA 23060) to install a natural gas-fired centrifugal compressor turbine (Solar Taurus 70S) rated at 10,915 horsepower (ISO conditions) with a maximum rating of 11,314 horsepower, at the Rural Valley Compressor Station in Valley Township, **Armstrong County**. This is a minor facility Plan Approval application submittal.

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

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

10-330B: Butler Veterinary Associates (1761 N. Main Street, Butler, PA 16001), for changes in their method of operating one existing animal crematory (relating to door opening) at their facility in the Center Township, **Butler County**.

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

Southcentral Region: Air Quality Program, 909 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.

36-05161A: CounterTek, Inc. (1215 Ridge Avenue, Ephrata, PA 17522) for authorization to operate a cultured marble, laminate and solid surface countertop manufacturing operation which includes a gel coat spray booth, resin pouring area and a laminate shop operation. The facility is located in East Cocalico Township, **Lancaster County**. The expected facility emissions are: 2.27 tons per year (tpy) of HAPs, 3.44 tpy of VOCs, and 0.26 tpy of PM. The facility is a State Only facility. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval will be incorporated into a State Only Operating Permit.

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

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

56-00154A: George E. Mason Funeral Home, Inc. (PO Box 409, 1687 Tire Hill Road, Davidsville, PA 15928)

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection (“Department”) intends to issue Air Quality Plan Approval PA-56-00154A to authorize construction and temporary operation of one (1) Matthews International-Cremation Division IE43-PPI propane gas-fired crematory incinerator for the cremation of human remains at the Countryside Crematory located in Conemaugh Township, **Somerset County**. The proposed crematory incinerator has a maximum cremation rate of 150 pounds per hour and will be operated in conjunction with an existing permitted propane-gas fired crematory incinerator at the facility.

The proposed crematory incinerator has an annual potential to emit (PTE) of less than 1.7 tons of carbon monoxide (CO); less than 1 ton each of nitrogen oxides (NO_x), sulfur oxides (SO_x), total particulate matter (PM, PM₁₀, and PM_{2.5}), and volatile organic compounds (VOC); and less than 0.2 tons of total hazardous air pollutants (HAP). Best available technology (BAT) for the proposed crematory incinerator includes good combustion practices; operation and maintenance in accordance with the manufacturer's specifications and instructions; and multi-chamber design with a minimum secondary chamber temperature of 1800° F. The proposed crematory incinerator is subject to applicable portions of 25 Pa. Code Chapters 123 and 127. The proposed Plan Approval has been conditioned to ensure compliance with all applicable regulations and includes emissions limitations, limitations on hours of operation, and also work practice, monitoring, recordkeeping, and reporting requirements.

A person may oppose the proposed plan approval by filing a written protest with the Department through Devin P. Tomko, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222. Additional written comments may also be submitted. Each protest or set of written comments must contain the name, address, and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-56-00154A) and concise statements regarding the relevancy of the information or objections to issuance of the Plan Approval.

All comments must be received prior to the close of business 30 days after the date of this publication.

For additional information you may contact Devin P. Tomko at 412-442-5231.

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

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

25-090E: Zurn Industries, LLC (1801 Pittsburgh Avenue, Erie, PA 16502-1916) for administrative changes to the facility operating permit. This is for the Cast Metal Division, which is located at 1301 Raspberry Street, Erie, PA 16502-1543. Changes will include source 102 (Molding, Pouring, Cooling) and 110 (Electric Induction Melt Furnaces) specification that PM limits be reported as 12 month rolling totals. The addition of two sources (106-Cleaning Machine Wheelabrator and 112-Refractory Torches) into the permit which were exempted from plan approval in 2013, correcting the Source 110 throughput from 1 ton per hour (tph) to 14 tph, and changing the permit contact person. This facility is located in the City of Erie, **Erie County**.

Pursuant to 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection (DEP) intends to issue Plan Approval 25-090E to Zurn Industries,

LLC for administrative changes, for the 1301 Raspberry Street facility located in the City of Erie, Erie County. The Plan Approval will subsequently be incorporated into a facility Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 25-090E is for administrative changes to the facility operating permit. Based on the information provided by the applicant and DEP's own analysis, the combined sources at the facility will have post-control emissions of seventy-eight (78) tons per year (tpy) of particulate matter, thirty-eight (38) tpy of volatile organic compounds, four (4) tpy of nitrogen oxides, two (2) tpy of sulfur oxides and two (2) tpy of carbon monoxide.

The Plan Approval will contain emission restrictions, testing, monitoring, recordkeeping, reporting, work practice and additional requirements designed to keep the facility operating within all applicable air quality requirements. This plan approval is subject to the requirements of 40 CFR Part 63 Subpart ZZZZZ (National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries Area Sources).

43-152C: John Maneely Co.—Wheatland Tube Division (P. O. Box 608, Wheatland, PA 16161) for reactivation of the previously existing Hot Mill Coating Line at their Mill Street facility in Wheatland Borough, **Mercer County**.

Notice is hereby given pursuant to 25 Pa. Code §§ 127.44(b) and 127.424(b), that the Pennsylvania Department of Environmental Protection (DEP) intends to issue Plan Approval 43-152C to John Maneely Co.—Wheatland Tube Division for the reactivation of the previously existing Hot Mill Coating Line (Source ID 101H) at the company's facility located at 134 Mill St., Wheatland Borough, Mercer County.

The facility currently has a State Only Operating Permit No. 43-00152. The Plan Approval will subsequently be incorporated into the State Only Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Based on the information provided by the applicant and DEP's own analysis, the subject source will result in potential emissions not to exceed 20.0 tons per year of volatile organic compounds (VOC), calculated as a 12-month rolling total.

The Plan Approval will contain additional recordkeeping, and work practice requirements 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 are available for public inspection between the hours of 8 a.m. and 4 p.m. weekdays at the address shown below. To make an appointment, contact Records Management at 814-332-6340, for an appointment.

Anyone wishing to provide DEP with additional information they believe should be considered may submit the information to the address shown below. Comments must be received by the Department within 30 days of the last day of publication. Written comments should include the name, address, and telephone number of the person submitting comments; identification of the proposed Plan Approval; No. 43-152C and a concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted on the comments received

during the public comment period. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a local newspaper of general circulation or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Edward Orris, Regional Air Quality Manager, Department of Environmental Protection, Northwest Regional Office, 230 Chestnut St., Meadville, PA 16335, 814-332-6636.

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.

06-05069W: East Penn Manufacturing Co., Inc. (P. O. Box 147, Lyon Station, PA 19536) for removing a site level Btu limit from the permit for their Lyon Station battery manufacturing campus located in Richmond Township, **Berks County**. The Department is proposing to include a plan approval (06-05069W) condition to authorize East Penn Manufacturing Co., Inc. for the transfer and use of 59.46 tons of NO_x Emission Reduction Credits (ERCs) for offset purposes on Kelman Bottles, LLC (formerly known as Port Glenshaw Glass, LLC), Allegheny County, to East Penn Manufacturing Co., Inc.

OPERATING PERMITS

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

Southcentral Region: Air Quality Program, 909 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.

31-05021: PA Department of Corrections—State Correction Institution-Huntingdon (1100 Pike Street, Huntingdon, PA 16654) to issue a Title V Permit for their three (3) bituminous coal fired boilers controlled by multiclones and a baghouse, two (2) oil fired backup boilers, and four (4) # 2 oil fired emergency generators at correctional institution facility in Smithfield Township, **Huntingdon County**. The potential annual emissions are 34 tons of carbon monoxide, 53 tons of nitrogen oxide, 31 tons of particulate matter, 348 tons of sulfur dioxide, and 7 tons of volatile organic compounds. 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 permit conditions include provisions derived from 40 CFR Part 63 Subpart JJJJJ—National Emission Standard for Area Sources of Hazardous Air Pollutants (HAPs) for Industrial, Commercial, and Institutional Boilers, and 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units.

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

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

33-00002: Owens-Illinois Incorporated, Plant #19 (Route 219N, Brockway, PA 15824) for the renewal of a Title V Permit to operate a glass containers manufacturing facility in Snyder Township, **Jefferson County**. The

facility's emitting sources include: a boiler, raw material handling, batch gathering and mixing, glass melting furnaces C and D, cullet handling and storage, two refiners, six forehearth, six annealing lehrs, miscellaneous combustion sources, six container forming machines, hot end surface treatment, road fugitives, four degreaser units, central vacuum system, diesel emergency generator and, two natural gas emergency generators. The facility is a major facility due to its potential to emit Oxides of Nitrogen (NO_x) and Oxides of Sulfur (SO_x). The facility is subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The facility provided the following emission statement for the 2013 calendar year: Carbon Monoxide: 24.38 Tons per year (TPY), Lead: 0.14 TPY, Nitrogen Oxides: 245.81 TPY, Particulate Matter less than 10 microns: 65.51 TPY, Particulate Matter less than 2.5 microns: 56.08 TPY, Sulfur Oxides: 250.75 TPY, Volatile Organic Compound: 18.23 TPY, Butane: 0.0244 TPY, Ethane: 0.0360 TPY, Methane: 19.91 TPY, Pentane: 0.0302 TPY, Propane: 0.0186 TPY, Ammonia: 0.6944 TPY, Carbon Dioxide: 92682.46 TPY, Barium: 0.245 TPY, Zinc: 0.0002 TPY, Nitrous Oxide: 29.09 TPY, Particulate Matter, Condensable: 17.14 TPY, Formaldehyde: 0.0008 TPY, Hexane: 0.0209, Hydrochloric Acid: 0.0031 TPY. The emergency generators are subject to 40 CFR Part 63, Subpart ZZZZ. Applicable requirements of the Global Consent Decree between EPA and Owens have been incorporated into the renewal permit. The requirements of plan approval 33-002D have been incorporated into the operating permit.

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

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

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

09-00010: Teva Pharmaceuticals USA, Inc., (650 Cathill Road, Sellersville, PA 18960) for a non-Title V, State Only, Synthetic Minor Operating Permit in West Rockhill Township, **Bucks County**. This action is a second renewal of the State Only Operating Permit. The permit was initially issued on 12/16/2004 and was subsequently renewed on 3/2/2009. TEVA Pharmaceuticals USA Inc. manufactures granular pharmaceutical products that emit volatile organic compounds in the drying process. Volatile organic compounds are limited through this permit to 24.0 tons per year from these drying processes. The facility also has three (3) boilers, two (2) emergency generators, and two (2) fire pumps that burn No. 2 fuel oil. The renewed permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

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

54-00037: Copperhead Chemical Company, Inc. (120 River Road, Tamaqua, PA 18252) for the operation of a pharmaceutical preparation manufacturing facility in Walker Township, **Schuylkill County**. The sources at the facility consist of two (2) boilers fired on #2 fuel oil, acetone recovery system, and a pharmaceutical manufacturing process. The emissions from the acetone recovery unit are controlled by a vapor condenser. 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.

45-00019: Haines & Kibblehouse, Inc., Locust Ridge Quarry (PO Box 196, 2052 Lucon Road, Skippack, PA 19474-0196) for quarry operations in Tobyhanna Township, **Monroe County**. The primary sources consist of crushers, screens, and conveyors. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP), and volatile organic compounds (VOC) emissions. This is a renewal State-Only Natural Minor operating permit. The State-Only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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.

22-05035: New Enterprise Stone & Lime (P. O. Box 177, Winfield, PA 17889) to issue a State Only Operating Permit for their stone crushing and asphalt operations at the Elizabethville Quarry in Washington Township, **Dauphin County**. Actual emissions from the facility in 2013 were estimated at 6.3 tons of CO, 1.9 tons of NO_x, 0.9 tons of PM₁₀, 1.4 tons of SO_x, and 0.6 tons of VOCs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code § 129.63, 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants, and 40 CFR Part 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

21-03006: Nestle Purina Pet Care Co. (6509 Brandy Lane, Mechanicsburg, Pa 17050) to issue a State Only Operating Permit for the dog and cat food manufacturing facility located in Hampden Township, **Cumberland County**. The actual emissions from the facility in 2013 are estimated at 15.5 tons PM₁₀, 3.9 tons NO_x, 4.8 tons CO and less than one ton each of SO_x and VOCs. 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 Part 60, Subpart IIII—Standards of Performance for

Stationary Compression Ignition Internal Combustion Engines and 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units.

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

Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-616636

24-00134: Contact Technologies Incorporated (229 West Creek Road, Saint Marys, PA 15857-0149) for a renewal of the Natural Minor Permit to operate an electric current carrying device manufacturing facility located in the City of Saint Marys, **Elk County**. The significant sources are ceramic production, machine shop operations, mixing/molding operations, a Safety Kleen degreaser, and machining operations. The actual emissions from the sources provided in the permit application from all the processes combined are: PM₁₀—1.31 Tons per year (TPY), VOC—0.04 TPY, and HAP—0.03 TPY.

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

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

04-00673: Lacock Cremation Services, Inc. (2 Chester Way, P. O. Box 589, Rochester, PA 15074-0589) for continued operation of their human crematory at Lacock Cremation Services in East Rochester Borough, **Beaver County**. This is a State-Only Operating Permit renewal application submittal.

32-00227: Integrated Power Services (IPS), Inc. (4470 Lucerne Rd., Indiana, PA 15701), for a renewal Air Quality Natural Minor State Only Operating Permit (SOOP) to authorize the operation of the IPS Electro-Mec plant located in White Township, **Indiana County**. Equipment at this facility includes a paint booth, resin usage, a sandblasting unit, two curing ovens, three drying ovens, three burn-off ovens, and ten parts washers (degreasers). Actual emissions from the facility are mainly from coating and resin usage and degreasing and are estimated at 22.0 tons of VOC per year. There are also small amounts of other pollutants from natural gas combustion: 5.35 tons per year of NO_x, 4.49 tons per year of CO, and 0.41 tons per year of particulate matter. No emission or equipment changes are being proposed by this action. This facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. The proposed SOOP renewal includes conditions relating to applicable emissions restrictions, testing, monitoring, recordkeeping, reporting and work practice standards requirements.

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

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a) that the Department has

received and intends to issue a Plan Approval to **Schuylkill Haven Casket Co., Inc** (PO Box 179, Schuylkill Haven, PA 17972) for their facility located in Schuylkill Haven Borough, **Schuylkill County**. This **Plan Approval No. 54-00086A** will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 54-00086A is for the operation of one (1) human cremator at the site. This facility is a Non-Title V facility. The company shall comply with 123.41 for opacity. The company shall comply with 123.31 for malodorous emissions. The company will operate the sources and maintain the system in accordance with the good engineering practices to assure proper operation of the system. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

Any person(s) wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 54-00086A 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 Received

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

33-13-19. Cookport Coal Company, Inc. (425 Market Street, Kittanning, PA 16201) Proposal to enter into a Government Financed Reclamation Contract on 18.6 acres in Perry Township, **Jefferson County**. The proposal includes reclamation of 10.7 acres of abandoned mine lands which includes the removal of a portion of abandoned underground mine workings, removal of an abandoned highwall, and the backfilling of an abandoned pit, as well as 6.6 acres of coal removal incidental and necessary to the reclamation activities. Receiving streams: Unnamed tributary to Rose Run, classified for the following uses: CWF. There are no potable surface water intakes within 10 miles downstream. Application received: September 25, 2014.

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

03050103 and NPDES Permit No. PA0250961. Original Fuels, Inc. (P. O. Box 343, Punxsutawney, PA 15767). Revision application to change permit boundary and revise erosion and sedimentation controls to an existing bituminous surface mine, located in Madison Township, **Armstrong County**, affecting 163.5 acres. Receiving stream: unnamed tributary to Allegheny River, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: September 19, 2014.

63120103 and NPDES Permit No. PA0252310. Amerikohl Mining, Inc. (1384 State Route 711, Stahlstown, PA 15687). Revision application for land use change of a portion of the affected forestland area to a post-mining land use of pastureland and/or land occasionally cut for hay to an existing bituminous surface mine, located in Nottingham Township, **Washington County**, affecting 276.4 acres. Receiving streams: unnamed tributaries to Mingo Creek and Mingo Creek, classified for the following use: HQ-TSF. The potable water supply with intake within 10 miles downstream from the point of discharge: PA American Water—Aldrich Plant. Application received: September 24, 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 | |

*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

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

NPDES No. PA0235601 (Mining Permit No. 11141301 (formerly 11031701)), ArcelorMittal Pristine Resources LLC, (129 Bethlehem Road, PO Box 36, Revloc, PA 15948). A revision to the renewed NPDES permit issued January 4, 2013 for the Mine 31 AMD plant in Jackson Township, **Cambria County**. This NPDES draft permit is a revision to the NPDES draft permit originally published in the *Pennsylvania Bulletin* on May 24, 2014. This NPDES draft permit is also being published in compliance with 25 Pa. Code § 92a.88, as a result of a settlement of an Environmental Hearing Board Appeal at EHB Docket No. 2013-021-R (consolidated with 2013-028-R) issued on September 16, 2014. Surface Acres Affected 72.82. Receiving stream: UNT to South Branch of Blacklick Creek, classified for the following use: CWF. Kiskiminetas—Conemaugh River Watersheds TMDL.

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

Outfall 001 discharges to: UNT South Branch of Blacklick Creek

The proposed effluent limits for *Outfall 001* (Lat: 40° 27' 10.2" Long: 78° 49' 38.8") are:

| <i>Parameter</i> | <i>Minimum</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant. Maximum</i> |
|-------------------------------|----------------|---------------------------|--------------------------|-----------------------------|
| Flow (mgd) | | - | - | REPORT |
| Iron (mg/l) | | 1.5 | 3.0 | 3.8 |
| Manganese (mg/l) | | 1.0 | 2.0 | 2.5 |
| Aluminum (mg/l) | | 0.75 | 0.75 | 0.75 |
| Sulfates (mg/l) | | - | - | REPORT |
| Specific Conductance (umho) | | - | - | REPORT |
| Total Suspended Solids (mg/l) | | 35 | 70 | 90 |

NPDES No. PA0235512 (Mining Permit No. 11141302 (formerly 11031702)), ArcelorMittal Pristine Resources LLC, (129 Bethlehem Road, PO Box 36, Revloc, PA 15948). A revision to the renewed NPDES permit issued January 28, 2013 for the Mine 77 AMD Plant in East Taylor Township, **Cambria County**. This NPDES draft permit is a revision to the NPDES draft permit originally published in the *Pennsylvania Bulletin* on May 24, 2014. This NPDES draft permit is also being published in compliance with 25 Pa. Code § 92a.88, as a result of a settlement of an Environmental Hearing Board Appeal at EHB Docket No. 2013-028-R (consolidated with 2013-021-R) issued on September 16, 2014. Surface Acres Affected 22.84. Receiving stream: UNT to Little Conemaugh River, classified for the following use: CWF. Kiskiminetas-Conemaugh River Watersheds TMDL.

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

Outfall 001 discharges to: UNT to Little Conemaugh River

The proposed effluent limits for *Outfall 001* (Lat: 40° 22' 48" Long: 78° 50' 58") are:

| <i>Parameter</i> | <i>Minimum</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant. Maximum</i> |
|-------------------------------|----------------|---------------------------|--------------------------|-----------------------------|
| Flow (mgd) | | - | - | REPORT |
| Iron (mg/l) | | 1.5 | 3.0 | 3.8 |
| Manganese (mg/l) | | 1.0 | 2.0 | 2.5 |
| Aluminum (mg/l) | | 0.75 | 0.75 | 0.75 |
| Sulfates (mg/l) | | - | - | REPORT |
| Specific Conductance (umho) | | - | - | REPORT |
| Total Suspended Solids (mg/l) | | 35 | 70 | 90 |

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

NPDES No. PA0269395 (Mining Permit No. 56130108), Coal Loaders, Inc., 210 East Main Street, Ligonier, PA 15648, new NPDES permit for surface coal mine operation in Summit Township and Garrett Borough, **Somerset County**, affecting 103.5 acres. Receiving streams: unnamed tributaries to/and Bigby Creek and Casselman River, classified for the following uses: cold water fishery and warm water fishery. This receiving stream is included in the Casselman River TMDL. Application received: March 28, 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 outfalls listed below discharge to unnamed tributaries to/and Bigby Creek and Casselman River.

| <i>Outfall Nos.</i> | <i>New Outfall (Y/N)</i> |
|----------------------|--------------------------|
| 001—Treatment Pond 1 | Y |
| 002—Treatment Pond 2 | Y |
| 003—Treatment Pond 3 | Y |
| 004—Sediment Pond 1 | Y |
| 005—Sediment Pond 2 | Y |
| 006—Sediment Pond 3 | Y |

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

| <i>Outfalls: 001, 002 and 003 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) | | | 1.8 |
| 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 | | | |

Outfalls: 004, 005 and 006
Parameter

Iron (mg/l)
Manganese (mg/l)
Aluminum (mg/l)

Total Suspended Solids (mg/l)

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times
Alkalinity must exceed acidity at all times

30-Day
Average

3.0
2.0
Monitor
Only

35.0

Daily
Maximum

6.0
4.0
Monitor
Only

70.0

Instant.
Maximum

7.0
5.0
Monitor
Only

90.0

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E39-532. Lehigh County, 17 South Seventh Street, Allentown, PA 18101, in Coplay Borough and Northampton Borough, **Lehigh** and **Northampton County**, U.S. Army Corps of Engineers, Philadelphia District.

To remove the existing structure and to construct and maintain a 44.69-foot to 50.69-foot wide (width varies) composite prestressed concrete bulb-tee bridge across Lehigh River and a UNT thereof (TSF, MF) having a 1,110-foot span and a 331.75-foot approximate underclearance. To construct and maintain 2 outfall structures to Lehigh River (TSF, MF). The first outfall consists of a 48-inch HDPE pipe with a concrete headwall and riprap apron. The second outfall consists of a 42-inch HDPE pipe with a concrete headwall and riprap apron. The project is located on Chestnut Street (SR 7404, Section 07M) between its intersections with Front Street and Main Street (Catasauqua, PA Quadrangle, Latitude: 40°40'34" N; Longitude: -75°29'21.1" W).

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

E36-931, PA Department of Transportation Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103, in East Lampeter and Strasburg Townships, **Lancaster County**, U.S. Army Corps of Engineers, Baltimore District

To: 1) remove the existing superstructure and to construct and maintain a three-span steel I-beam bridge skewed 90°, having a total clear span of 181.0 feet, an out-to-out width of 37.4 feet, and a minimum underclearance of 3.1 feet, across Pequea Creek (WWF, MF), 2) construct and maintain a stormwater basin in the floodway of Pequea Creek with a rock energy dissipator outfall on the right streambank, 3) construct and maintain a stormwater basin in the floodway of Pequea Creek with a outfall swale to Pequea Creek (WWF, MF) on the left streambank, and 5) construct a temporary access road in the floodway of Pequea Creek, all for the purpose of improving transportation safety and roadway standards along SR 0896 in East Lampeter and Strasburg Townships, Lancaster County (Latitude: 40° 0' 21.6", Longitude: -76° 11' 10.7"). There are no wetlands in the project area. No in-stream work is proposed.

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

E65-964. PHOCC, LLC, 210 Culbertson Avenue, Greensburg, PA 15601; Hempfield Township, **Westmoreland County**; ACOE: Pittsburgh District

The applicant is proposing the following:

1. Enlarge an existing farm pond from 0.31 acre to 0.4 acre and to modify its existing non-jurisdictional dam, by repairing the embankment and retrofitting the outlet structure, in order to convert this pond into a stormwater management pond, and to

2. Construct and maintain another non-jurisdictional dam, in association with the construction of a 0.18 acre detention forebay, upgradient of the enlarged pond, in association with the construction of the Fairfield Estates

residential subdivision. These structures and activities will also affect a de minimus amount (0.04 acre) of PEM wetlands. This project is located approximately 600 LF, from the intersection between Warwick Drive (T-679) and S.R. 2009 (USGS Greensburg, PA topographic quadrangle; Latitude: 40° 16' 01"; Longitude: -79° 31' 34"), in Hempfield Township, Westmoreland County.

DAM SAFETY

Southwest Regional Oil and Gas Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

Permit # 95-7-37312-29, CNX Gas Company LLC,
200 Evergreen Drive, Waynesburg, PA, 15370

Project is to construct, operate and maintain a 5.7 million gallon wastewater Centralized Impoundment, to collect, store and reuse wastewater generated a well sites NV-34A-HS, et.al, as listed in the permit, in Center Township, **Greene County**, (Rogersville Quadrangle, Latitude N 39° 54' 33.6" Longitude -80° 21' 19.63"), Pittsburgh ACOE District, State Water Plan Basin 19B Ten Mile Creek.

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 & Address</i> | <i>County & Municipality</i> | <i>Stream Name (Watershed #)</i> | <i>EPA Waived Y/N?</i> |
|-----------------------------|---|--------------------------------------|--|----------------------------|
| PA0265926 (CAFO) | Penn England LLC Penn England Farm 10341 Fox Run Road Williamsburg, PA 16693 | Blair County Catharine Township | UNT Clover Creek Piney Creek UNT Frankstown Branch Juniata River / 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 & Address</i> | <i>County & Municipality</i> | <i>Stream Name (Watershed No.)</i> | <i>EPA Waived Y/N?</i> |
|------------------------------------|--|--|---|----------------------------|
| PA0033251 (Sewage) | Treasure Lake Resort—East Plant Narrows Creek Road Dubois, PA 15801-9010 | Clearfield County Sandy Township | Narrows Creek (17-C) | Y |
| PA0112895 (Sewage) | Daniel L. Roeder Residence 205-B Independent Street Catawissa, PA 17820-8202 | Columbia County Roaring Creek Township | Unnamed Tributary to Mill Creek (5-E) | Y |
| PA0060062 (Sewage) | Red Rock Job Corps Center Rt 487 N Colley Twp, PA 18628 | Sullivan County Colley Township | Mehoopany Creek (4-G) | Y |
| PA0228672 (Sewage) | Muddy Run Regional Authority— Glen Hope WWTF PA Route 53 East Glen Hope, PA 16645 | Clearfield County Glen Hope Borough | Clearfield Creek (8-C) | N |
| PA0008575 (Industrial Waste) | Wire rope Works, Inc. 100 Maynard Street Williamsport, PA 17701 | Lycoming County, City of Williamsport | West Branch Susquehanna River (10-B) | N |
| PA0115291 (Sewage) | Snydertown Borough Sewer System 42 S Market Street Snydertown, PA 17877-9999 | Northumberland County Snydertown Borough | Shamokin Creek (6-B) | Y |

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

| <i>NPDES No. (Type)</i> | <i>Facility Name & Address</i> | <i>County & Municipality</i> | <i>Stream Name (Watershed No.)</i> | <i>EPA Waived Y/N?</i> |
|------------------------------------|---|---------------------------------------|---|----------------------------|
| PA0218464 (Industrial Waste) | Allegheny Energy, Units 8 & 9 SR 3002 Gans Road Gans, PA 15439 | Fayette County Springhill Township | Unnamed Tributary to Grassy Run (19-G) | Y |

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

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

PA0232602, Industrial Waste, SIC Code 4911, **Hummel Station LLC**, PO Box 518, Shamokin Dam, PA 17876.

This existing facility is located in Monroe Township, **Snyder County**.

Description of Existing Action/Activity: Transfer of an existing discharge of once through non-contact cooling water from Outfall 030 previously permitted under NPDES Permit PA0008451 issued to Sunbury Generation, LP. Hummel Station LLC is required to comply with the same effluent limitations for Outfall 030, which discharges to the Susquehanna River, as those required by NPDES Permit PA0008451, notice of which was published on August 9, 2014.

PA0008451, Industrial Waste, SIC Code 4911, **Sunbury Generation LP**, PO Box 517, 2384 Old Trail Road, Shamokin Dam, PA 17876. Facility Name: Sunbury Generation LP.

The facility is located in Shamokin Dam Borough, **Snyder County**.

Description of Existing Action/Activity: Modification of the existing NPDES permit to remove Outfall 030, which discharges once through non-contact cooling water to the Susquehanna River. Outfall 030 has been transferred to Hummel Station LLC under NPDES Permit PA0232602.

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

NPDES Permit No. PA0206075, SIC Code 1389, **Keyrock Energy LLC**, 106 Ferrell Avenue Suite 5, Kingsport, TN 37663-2371.

This existing facility is located in Burrell Township, **Indiana County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated coalbed methane

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

PA0029122, Sewage, SIC Code 4952, **Saxonburg Area Authority**, 420 W Main Street, Saxonburg, PA 16056-9517. Facility Name: Saxonburg Area Authority STP.

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

Description of Existing Activity: Renewal of an NPDES permit for an existing discharge of treated sewage.

PA0000868, Industrial Waste, SIC Code 3317, **John Maneely Co. d/b/a Wheatland Tube Co.**, PO Box 608, Wheatland, PA 16161-0608. Facility Name: Wheatland Tube-Council Avenue Plant.

This existing facility is located in Wheatland Borough, **Mercer County**.

Description of Existing Activity: Renewal of an NPDES permit for an existing discharge of treated industrial waste, non-contact cooling water, contaminated groundwater and stormwater.

PA0272868, Sewage, SIC Code 8800, **Nicole Neidrick**, 625 Dutch Hill Road, Warren, PA 16365. Facility Name: Nicole Neidrick SRSTP.

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

Description of Proposed Activity: A new NPDES permit for a new discharge of treated sanitary wastewater.

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

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

WQM Permit No. WQG02151416, Sewage, **West Bradford Township**, 1385 Campus Drive, Downingtown, PA 19335.

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

Description of Action/Activity: A proposed low pressure sewer system for 13 EDU's.

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

WQM Permit No. WQG01211401, Sewerage, **Dan Hurley**, 45 Bobcat Road, Carlisle, PA 17015.

This proposed facility is located in Lower Frankford Township, **Cumberland County**.

Description of Proposed Action/Activity: Permit approval for the construction/operation of a small flow treatment facility to serve their single family residence.

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

WQM Permit No. 4914201, Industrial Waste, SIC Code 2833, 2834, **Cherokee Pharmaceuticals LLC**, P. O. Box 367, Riverside, PA 17868-0367.

This existing facility is located in Riverside Borough, **Northumberland County**.

Description of Proposed Action/Activity: Permit issued authorizing upgrades to the industrial waste treatment plant for the purposes of reducing energy consumption costs and increasing efficiency.

WQM Permit No. 1811201 A-1, Industrial Waste, SIC Code 3399, **Jersey Shore Steel Co.**, PO Box 5055, Jersey Shore, PA 17740-5055.

This existing facility is located in Pine Creek Township, **Clinton County**.

Description of Proposed Action/Activity: Installation of a chemical feed system and magnetic flow meters.

WQM Permit No. 5572201, Industrial Waste, SIC Code 4911, Transfer, **Hummel Station LLC**, PO Box 518, Shamokin Dam, PA 17876.

The facility is located in Monroe Township, **Snyder County**.

Description of Proposed Activity: The traveling screen intake structure and the two discharge tunnels to the Susquehanna River (Outfall 030) have been transferred from Sunbury Generation LP to Hummel Station LLC. The facility name has changed from Sunbury Generation LP to Hummel Station LLC.

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

WQM Permit No. 3073201-A1, Industrial Waste, SIC Code 4941, **East Dunkard Water Association**, PO Box 241, Dilliner, PA 15327.

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

Description of Proposed Action/Activity: Modify the existing backwash settling basin.

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

WQM Permit No. 6214401, Sewage, **Nicole Neidrick**, 625 Dutch Hill Road, Warren, PA 16365.

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

Description of Proposed Action/Activity: New WQM Permit to construct a SRSTP to repair a malfunctioning on-lot system.

IV. NPDES Stormwater Discharges from MS4 Permit Actions

Central Office: Bureau of Abandoned Mine Reclamation, 400 Market Street, Flr. 13, PO Box 69205, Harrisburg, PA 17106-9205

Individual Permit Type—PAI

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|--|---------------|---------------------|--|
| PA1-1010-14-002 | BAMR PO Box 69205 Harrisburg, PA 17106-9205 717-783-2267 | Butler County | Clay Township | Un-named tributary (WWF) to Stony run (WWF); and un-named tributary (HQ-CWF) to Muddy Creek (HQ-CWF) |

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|---|---------------|---------------------|---|
| PAG133550 | Dauphin Borough PO Box 487 200 Church Street Dauphin, PA 17018 | Dauphin | Dauphin Borough | Stony Creek & Susquehanna River / CWF, MF, WWF & MF |

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

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

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|---|---------------|----------------------|----------------------------|
| PAI01 0913006 | New Seaview, LLC 725 Skippack Pike P. O. Box 3015 Blue Bell, PA 19422 | Bucks | Falls Township | Delaware River WWF—MF |
| PAI01 1514020 | Glenn M. White Land Company, Inc. 4 Zachary Drive West Chester, PA 19382 | Chester | West Goshen Township | Broad Run HQ |
| PAI1 4614003 | Washington Street Associates, L.P. 2701 Renaissance Boulevard Fourth Floor King of Prussia, PA 19406 | Montgomery | Conshohocken Borough | Schuylkill River WWF—MF |
| PAI01 5114005 | Frankford Valley Foundation for Literacy II 1330 Rhawn Street Philadelphia, PA 19111 | Philadelphia | City of Philadelphia | Delaware River WWF—MF |

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

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|---|---------------|-------------------------|---|
| PAI023914005 | Triple Net Investments XXXIII, L.P. 264 Williams Road Woodstown, NJ 08098 | Lehigh | Upper Macungie Township | Iron Run (HQ-CWF, MF) |
| PAI023914013 | Notre Dame of Bethlehem Roman Catholic Church 1861 Catasauqua Rd. Bethlehem, PA 18018 | Lehigh | City of Bethlehem | UNT to Monocacy Creek (HQ-CWF, MF) |
| PAI024812017(1) | Meadows at Lehigh Valley L.P. c/o Larken Associates 390 Amwell Road Hillsborough, NJ 08844 | Northampton | City of Bethlehem | Monocacy Creek (HQ-CWF, MF), Nancy Run (CWF, MF) |

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 & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|------------------------|---|---------------|--------------------------------|--|
| PAI034414002 Issued | Brown Township Supervisors 7748 SR 655 Reedsville, PA 17084 | Mifflin | Brown Township | Tea Creek (HQ-CWF, MF) |
| PAI030614001 Issued | PA Department of Transportation District 5-0 1002 Hamilton Street Allentown, PA 18101-1013 | Berks | Richmond Township | Moselem Creek (HQ-CWF, MF) |
| PAI032114007 Issued | Shepherd's Crossing, LP 3909 Hartzdale Drive Suite 901 Camp Hill, PA 17011 | Cumberland | Hampden Township | Trindle Spring Run (HQ-CWF) |
| PAI030613014 Issued | Geigertown Area Joint Authority 1445 East Main Street Douglassville, PA 19518 | Berks | Robeson and Union Townships | Hay Creek (CWF/MF) UNT Hay Creek (CWF/MF) Sixpenny Creek (HQ-CWF/MF) (EV Wetlands) |

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

| <i>Facility Location & Municipality</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office & Phone No.</i> |
|---|--------------------|--|----------------------------|--|
| Upper Makefield Township Bucks County | PAG0200 0914004 | Paul Kaslov 1680 Loretta Avenue Feasterville, PA 19053 | Houghs Creek WWF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |

| <i>Facility Location & Municipality</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office & Phone No.</i> |
|---|------------------------|--|---|--|
| East Rockhill Township Bucks County | PAG0200 0912066R | Lake Nockamixon, LLC 333 Greenwich Avenue Greenwich, CT 06830 | Lake Nockamixon and Tohickon Creek TSF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| Buckingham Township Bucks County | PAG0200 0913070 | Geogiana S. Coles 2335 Holicong Road Holicong, PA 18928 | Watson Creek and Mill Creek and Neshaminy Creek CWF—MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| Chalfont Borough Bucks County | PAG0200 0914042 | The Moser Group 101 Stewart Lane Chalfont, PA 18914 | Unnamed Tributary to North Branch Neshaminy Creek TSF—MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| Newtown Township Bucks County | PAG0200 0914043 | Stonehaven Homes 354 W. Lancaster Avenue Suite 201 Wayne, PA 19087 | Unnamed Tributary to Newtown Creek WWF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| Warrington Township Bucks County | PAG0200 0914021 | KTMT HGM L.P. 1030 Reed Avenue Suite 100 Wyomissing, PA 19610 | Little Neshaminy Creek WWF—MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| East Rockhill Township Buck County | PAG0200 0914055 | General Hancock Partnership Enterprises, L.P. 2312 N. Broad Street Colmar, PA 18915 | Tohickon Creek TSF—MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| New Hanover Township Montgomery County | PAG0200 4603219R | Kingston Hill Realty, L.P. 1030 Reed Avenue, Suite 100 Reading, PA 19610 | Swamp Creek WWF—MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| Plymouth, Whitpain, Worcester, Upper Gwynedd, Towamencin Townships Montgomery County | PAG0200 4607100R(6) | Pennsylvania Turnpike Commission 700 S. Eisenhower Boulevard Middletown, PA 17057 | Plymouth Creek and Sawmill Run and Stony Creek TSF—WWF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| City of Philadelphia Philadelphia County | PAG0201 511421 | Philadelphia Water Department 1101 Market Street, 2nd Floor Philadelphia, PA 19107 | Delaware River WWF—MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |

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

| <i>Facility Location: Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office & Phone No.</i> |
|---|-------------------|--|--------------------------------|--|
| Hanover Township Luzerne County | PAG02004014011 | Hanover Township Fire Company Land Development 1586 Sans Souci Parkway Hanover Township, PA 18706 | Warrrior Creek (CWF, MF) | Luzerne Conservation District 570-674-7991 |

NOTICES

6599

| <i>Facility Location: Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office & Phone No.</i> |
|---|---------------------|--|--|---|
| Nanticoke City Luzerne County | PAG02004014020 | Greater Nanticoke Area School District c/o Frank Grevera 425 Kosciuszko Street Nanticoke, PA 18634 | Nanticoke Creek (CWF, MF) | Luzerne Conservation District 570-674-7991 |
| Plains Township and Wilkes-Barre Township Luzerne County | PAG02004014013 | JT Posh, Inc. c/o Joseph Posh 2216 Willow Park Road Bethlehem, PA 18020 | Coal Brook (CWF, MF) | Luzerne Conservation District 570-674-7991 |
| Upper Mt. Bethel Township Northampton County | PAG02004814011 | Mt. Bethel DG, LLC c/o Mark Bush 361 Summit Blvd., Suite 110 Birmingham, AL 35243 | UNT to Delaware River (CWF, MF) | Northampton County Conservation District 610-746-1971 |
| Williams Township Northampton County | PAG02004814005 | Easton Auto Salvage c/o Richard Cozzie 525 Cedarville Road Easton, PA 18042 | Delaware River (WWF, MF) | Northampton County Conservation District 610-746-1971 |
| Mahanoy Township Schuylkill County | PAG02005405006(2)RR | 8-Turbine Wind Farm Morea Road Frackville, PA 17931 | Mill Creek (CWF, MF) Stoney Creek (CWF, MF) Mahanoy Creek (WWF, MF) | Schuylkill County Conservation District 570-622-3742 |
| Pine Grove Township and Tremont Township Schuylkill County | PAG02005414010 | Pennsylvania Department of Transportation 1002 Hamilton Street Allentown, PA 18101 | Swatara Creek (CWF, MF) | Schuylkill County Conservation District 570-622-3742 |

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

| <i>Facility Location: Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office & Phone No.</i> |
|---|---------------------------|--|--------------------------------|--|
| Mechanicsburg Borough Cumberland County | PAG02002114033 Issued | Mechanicsburg Borough 36 West Allen Street Mechanicsburg, PA 17055 | Trindle Spring Run/CWF, MF | Cumberland County Conservation District 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.6169 |
| Union Township Berks County | PAG02000614003 Issued | DCNR Bureau of State Parks PO Box 8551 Harrisburg, PA 17105 | Sixpenny Creek/CWF | Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-0520 610.372.4657 |
| West Lampeter Township Lancaster County | PAG02003607075R Issued | George Desmond 1085 Manheim Pike Lancaster, PA 17601 | Mill Creek/WWF | Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361 |

| <i>Facility Location: Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office & Phone No.</i> |
|---|---------------------------|---|--|--|
| Manor Township Lancaster County | PAG02003612079R Issued | Fieldcrest Associates 4591 Marietta Avenue Columbia, PA 17512 | West Branch Little Conestoga Creek/TSF, MF | Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361 |
| Mount Joy Township Lancaster County | PAG02003614078 Issued | Ronald Keener 1221 Mount Gretna Road Elizabethtown, PA 17022 | UNT Little Chickies Creek/WWF | Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361 |
| Manheim Township Lancaster County | PAG02003614080 Issued | Granite Properties 205 Granite Run Drive Suite 280 Lancaster, PA 17601 | Granite Run/ WWF, MF | Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361 |
| Manor Township Lancaster County | PAG02003614094 Issued | Randy Kreider 3351 Charlestown Road Lancaster, PA 17603 | UNT West Branch Little Conestoga Creek/TSF, MF | Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361 |

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

| <i>Facility Location: Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office & Phone No.</i> |
|---|-------------------|--|--------------------------------|--|
| North East Borough Erie County | PAG02002514023 | Ridg-U-Rak 120 South Lake Street North East PA 16428 | UNT Sixteen Mile Creek WWF | Erie County Conservation District 814-825-6403 |

Central Office: Bureau of Abandoned Mine Reclamation, 400 Market Street, Floor 5, PO Box 8476, Harrisburg, PA 17105-8476

| <i>Facility Location: Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office & Phone No.</i> |
|---|-------------------|--|---|---|
| Hamilton Township Tioga County | PAG02-1059-14-002 | BAMR P. O. Box 69205 Harrisburg, PA 17106-9205 | UNT (CWF, MF) To Tioga River (CWF, MF), Morris Run (CWF, MF) | BAMR P. O. Box 69205 Harrisburg, PA 17106-9205 717-787-7669 |

NOTICES

6601

General Permit Type—PAG-03

| <i>Facility Location & Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water / Use</i> | <i>Contact Office & Phone No.</i> |
|--|-------------------|---|--|--|
| Clearfield Borough Clearfield County | PAR804856 | RJ Corman RR Co. PO Box 751 Clearfield, PA 16830-0751 | West Branch Susquehanna River—8-B | DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.0530 |
| Ward Township Tioga County | PAR504806 | Pine Hill Inc. PO Box 62 Blossburg, PA 16912 | Fall Brook—4-A | DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.0530 |
| Center Township Indiana County | PAR806209 | Waste Management PA Inc. 4562 Route 119 S Homer City, PA 15748 | Two Lick Creek—18-D TSF | DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000 |
| Liberty Borough Allegheny County | PAR206129 | Dura-Bond Industries, Inc. PO Box Drawer 518 2658 Puckety Drive Export, PA 15632 | Youghiogheny River 19-D WWF | DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000 |
| Wetmore Township McKean County | PAR808344 | UPS Inc. 521 North Center Avenue New Stanton, PA 15672 | Unnamed Tributary to the Hubert Run 16-B | DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942 |

General Permit Type—PAG-4

| <i>Facility Location & Municipality</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water / Use</i> | <i>Contact Office & Phone No.</i> |
|--|-------------------|--|--------------------------------|---|
| Cumberland County / Lower Frankford Township | PAG043938 | Dan Hurley 45 Bobcat Road Carlisle, PA 17015 | UNT Locust Creek / WWF & MF | DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA17110 717-705-4707 |

*General Permit Type—PAG-8 (SSN)**Facility Location:
Municipality &
County*Lancaster County /
Salisbury Township*Permit No.*PAG080002,
PAG080003,
PAG080004,
PAG080005,
PAG080006,
PAG080008,
PAG080011,
PAG080018,
PAG080021,
PAG082211,
PAG082219,
PAG083501,
PAG083502,
PAG083506,
PAG083510,
PAG083515,
PAG083517,
PAG083518,
PAG083522,
PAG083535,
PAG083540,
PAG083542,
PAG083547,
PAG083551,
PAG083556,
PAG083565,
PAG083567,
PAG083573,
PAG083596,
PAG083597,
PAG083600,
PAG083605,
PAG083825,
PAG089903,
PAG089904,
PAG089905,
PAG089909,
PAG089910,
PAG070003,
PAG070005,
PAG073508,
PABIG-9903,
WMGR-099*Applicant Name &
Address*Synagro
1605 Dooley Road
PO Box B
Whiteford, MD 21160*Site Name &
Location*Abram P. Stoltzfus
Farm
Gap, PA 17527*Contact Office &
Phone No.*DEP—SCRO—Clean
Water Program
909 Elmerton Avenue
Harrisburg, PA
17110-8200
717-705-4707*General Permit Type—PAG-10**Facility Location
Municipality &
County*Carroll Township
Washington County*Permit No.*

PAG106182 A-1

*Applicant Name &
Address*Rice Poseidon Midstream LLC
400 Woodcliff Drive
Canonsburg, PA 15317*Receiving
Water / Use*Barneys Run,
Browns Run, North
Branch Fishpot Run,
Tenmile Creek,
Unnamed Tributary
of Pike Run,
Unnamed Tributary
of South Fork
Tenmile Creek,
Unnamed Tributary
to Monongahela
River—19-B and
19-C TSF and WWF*Contact Office &
Phone No.*DEP Southwest
Regional Office
Clean Water Program
400 Waterfront Drive,
Pittsburgh, PA
15222-4745
412.442.4000

General Permit Type—PAG-12

| <i>Facility Location & Municipality</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water / Use</i> | <i>Contact Office & Phone No.</i> |
|--|------------------------------|---|---------------------------------------|--|
| Cumberland County Upper Mifflin Township | PAG123784 | Todd Chestnut 50 Eberly Road Newville, PA 17241 | UNT Conodoguinet Creek / WWF | DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707 |
| Lancaster County Mount Joy Township | PAG123663 Amendment No. 1 | David Rosenberry Gretna View Farms 3709 North Colebrook Road Manheim, PA 17545 | UNT of Little Chickies Creek / TSF | DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707 |

General Permit Type—PAG-13

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

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water / Use</i> | <i>DEP Protocol (Y/N)</i> |
|-------------------------|---|---------------|---------------------|---|---------------------------|
| PAG133613 | Lebanon City 400 South 8th Street Room 200 Lebanon, PA 17042 | Lebanon | Lebanon City | Brandywine Creek and Quittapahilla Creek / TSF & MF | Y |

General Permit Type—MS4 PAG13

| <i>Facility Location Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water / Use</i> | <i>Contact Office & Phone No.</i> |
|--|-------------------|---|------------------------------|--|
| Emsworth Borough Allegheny County | PAG136314 | Emsworth Borough 171 Center Avenue Emsworth, PA 15202 | Lowries Run 20-G | 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>Animal Equivalent Units</i> | <i>Animal Type</i> | <i>Special Protection Waters (HQ or EV or NA)</i> | <i>Approved or Disapproved</i> |
|---|---------------|------------------------|--|------------------------|---|------------------------------------|
| Downs Racing L.P. DBA Mohegan Sun at Pocono Downs 1280 Highway 315 Wilkes-Barre, PA 18702 | Luzerne | 216 | 308.98 | Horse | N/A | Approved |
| Will-O-Bett Farm 137 Bomboy Lane Berwick, PA 18603 | Luzerne | 103.2 | 726.12 | Swine, Beef & Goat | N/A | Approved |
| Noah W. Kreider & Sons, LLP Mount Pleasant Facility 1461 Lancaster Road Manheim, PA 17545 | Lebanon | 80.3 | 7503 | Poultry | NA | Approved |
| Site Address: 1486 Mount Pleasant Road Lebanon, PA 17042 | | | | | | |
| Dennis and Denise Staub 904 Germany Road East Berlin, PA 17316 | Adams | 29 | 421 | Turkey | n/a | Approved |
| Mailing address: 352 Fleshman Mill Road New Oxford, PA 17350 | | | | | | |
| Malcolm and Rosanna Rudolph Granite Ridge Farm 200 Ginzel Road New Oxford, PA 17350 | Adams | 302 | 670.26 | Swine | n/a | Approved |

**CAFO NMP
PUBLIC NOTICE SPREADSHEET—ACTIONS (Approval / Disapproval)**

| <i>Agricultural Operation (Name and Address)</i> | <i>County</i> | <i>Total Acres</i> | <i>Animal Equivalent Units (AEUs)</i> | <i>Animal Type</i> | <i>Special Protection Waters (HQ or EV or NA)</i> | <i>Approved or Disapproved</i> |
|--|----------------|------------------------|---|---------------------------|---|------------------------------------|
| Just-A-Mere Farm, Josh & Richard Daniels, 3746 Mahantango Creek Road, Dalmatia, PA 17017 | Northumberland | 302.5 | 89.68 | Ducks, Beef & Horse | N/A | Approval |
| Bishcroft Farm LLC 2334 Farm Road Roaring Branch, PA 17765 | Tioga | 1,500.8 | 1,327.75 | Dairy | HQ | Approved |

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

Application No. PA0252905, Concentrated Animal Feeding Operation (CAFO), **Washington Trotting Association (Meadows Racetrack & Casino)**, PO Box 449, Meadow Lands, PA 15347-449.

Mec PA Racing Inc. has submitted an application for an Individual NPDES permit for an existing CAFO known as Meadows Racetrack & Casino, located in North Strabane Township, **Washington County**.

The CAFO is situated near Unnamed Tributary to Chartiers Creek in Watershed 20-F, which is classified for

Warm Water Fishes. The CAFO is designed to maintain an animal population of approximately 845.0 animal equivalent units (AEUs) consisting of 845 horses. Manure will be stored in a covered building and loaded out periodically to export to a mushroom farm or to the Arden Landfill. Washwater from the barns is collected with the sanitary sewer. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected.

The Department has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to issue an NPDES permit for the operation

subject to the terms and conditions and monitoring and reporting requirements specified in the permit.

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

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

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

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

Permit No. 5214506, Public Water Supply.
 Applicant **S&S Construction Group**
 (Maple Park Garden Apartments)
 P. O. Box 1126
 Montague, NJ 07827
 [Borough or Township] Dingman Township
 County **Pike**
 Type of Facility PWS
 Consulting Engineer Daniel C. Leandri, P.E.
 Pennoni Associates Inc.
 100 North Wilkes-Barre Boulevard
 Wilkes-Barre, PA 18702

Permit to Construct September 30, 2014
 Issued

Permit No. 2350014, Operations Permit Public Water Supply.

Applicant **Mele Enterprises, Inc.**
 (Hillside Mobile Home Park)
 84 Parry Road
 Moscow, PA 18444
 [Borough or Township] Madison Township
 County **Lackawanna**
 Type of Facility PWS
 Consulting Engineer N/A
 Permit to Operate September 23, 2014
 Issued

Permit No. 3914506MA, Public Water Supply.

Applicant **Lehigh County Authority**
 P. O. Box 3348
 Allentown, PA 18106-3348
 [Borough or Township] Lower Macungie, Upper Macungie, North Whitehall, Heidelberg, Lynn, Lower Milford and Upper Milford Townships
 County **Lehigh**
 Type of Facility PWS
 Consulting Engineer Edward L. Hoyle, Jr., P.E.
 Lehigh County Authority
 P. O. Box 3348
 Allentown, PA 18106-3348
 Permit to Construct September 25, 2014
 Issued

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

Operation Permit No. 7010338 issued to: **Scozzaro Enterprises** (PWS ID No. 7010338), Oxford Township, **Adams County** on 9/24/2014 for facilities at Scozzaro's Old Mill Inn submitted under Application No. 7010338.

Operation Permit No. 7010810 issued to: **Crabbs Tropical Treat, Inc.** (PWS ID No. 7010810), Berwick Township, **Adams County** on 9/24/2014 for facilities at Crabbs Tropical Treat submitted under Application No. 7010810.

Operation Permit No. 3814503 issued to: **Fredericksburg Sewer & Water Authority** (PWS ID No. 7380035), Bethel Township, **Lebanon County** on 9/24/2014 for facilities approved under Construction Permit No. 3814503.

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

Permit No. 4914501—Construction—Public Water Supply.

Applicant **Cherokee Pharmaceuticals, LLC**
 Township/Borough Riverside Borough

County **Northumberland**
 Responsible Official Brian Killen, Plant Manager
 Cherokee Pharmaceuticals, LLC,
 a Subsidiary of Merck Sharp &
 Dohme Corp.
 100 Avenue C
 Riverside, PA 17868

Type of Facility Public Water Supply
 Consulting Engineer Deborah Watkins, P.E.
 O'Brien & Gere Engineers, Inc.
 333 West Washington Street
 Syracuse, NY 13221

Permit Issued 9/26/14
 Description of Action Installation of river water
 influent flow meters,
 replacement of three second
 stage river water pumps, and the
 addition of a carbon dioxide
 chemical feed system for pH
 adjustment.

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

Permit No. 0214527, Public Water Supply.

Applicant **Wilksburg-Penn Joint
 Water Authority**
 2200 Robinson Boulevard
 Pittsburgh, PA 15221

[Borough or Township] Penn Hills Borough
 County **Allegheny**
 Type of Facility Water system
 Consulting Engineer Chester Engineers
 501 McKean Avenue
 Third Floor
 Charleroi, PA 15022

Permit to Construct September 26, 2014
 Issued

Operations Permit issued to: **Pittsburgh Water &
 Sewer Authority**, Penn Liberty Plaza I, 1200 Penn
 Avenue, Pittsburgh, PA 15222, (PWSID #5020038) City of
 Pittsburgh, **Allegheny County** on September 22 2014 for
 the operation of facilities approved under Construction
 Permit # 0213514.

Operations Permit issued to: **Pittsburgh Water &
 Sewer Authority**, Penn Liberty Plaza I, 1200 Penn
 Avenue, Pittsburgh, PA 15222, (PWSID #5020038) City of
 Pittsburgh, **Allegheny County** on September 26, 2014
 for the operation of facilities approved under Construction
 Permit # 0213524MA.

Operations Permit issued to: **Pittsburgh Water &
 Sewer Authority**, Penn Liberty Plaza I, 1200 Penn
 Avenue, Pittsburgh, PA 15222, (PWSID #5020038) City of
 Pittsburgh, **Allegheny County** on September 26, 2014
 for the operation of facilities approved under Construction
 Permit # 0213525MA.

Operations Permit issued to: **Cresson Township
 Municipal Authority**, 717 Portage Road, Cresson, PA
 16630, (PWSID #4110038) Cresson Township, **Cambria
 County** on September 26, 2014 for the operation of
 facilities approved under Construction Permit # 1112506.

Operations Permit issued to: **Pennsylvania Ameri-
 can Water Company**, 800 West Hersheypark Drive,
 Hershey, PA 17033, (PWSID #5020039) North Strabane
 Township, **Washington County** on September 26, 2014
 for the operation of facilities approved under Construction
 Permit # 0214533.

Operations Permit issued to: **Pennsylvania Ameri-
 can Water Company**, 800 West Hersheypark Drive,
 Hershey, PA 17033, (PWSID #5020039) Bethel Park Bor-
 ough, **Allegheny County** on September 26, 2014 for the
 operation of facilities approved under Construction Per-
 mit # 0214525MA.

Permit No. 6571501T1, Minor Amendment. Public
 Water Supply.

Applicant **Meadows Mobile Home Park,
 LLC**
 6557 Alakoko Drive
 Diamondhead, MS 39525

[Borough or Township] Washington Township
 County **Westmoreland**
 Type of Facility Water supply system
 Consulting Engineer
 Permit to Operate September 22, 2014
 Issued

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

| Borough or Township | Borough or Township Address | County |
|------------------------|---|----------|
| Shenango Township | 1000 Willowbrook Road New Castle, PA 16101 | Lawrence |

Plan Description: The approved plan evaluated the
 need for a sanitary sewer collection system in the south-
 eastern portion of the Township in the area located
 between Ellwood Road (SR 65), Harmony Baptist Road
 and Old Pittsburgh Road. It concluded with recommend-
 ing the use of a combination of a low-pressure system and
 gravity system to serve approximately 896 existing struc-
 tures. In conjunction with the collection/conveyance sys-
 tem, three new pump stations may be sited as well as
 upgrades to two existing pump stations. Treatment dis-
 posal will be provided at the New Castle Sanitation
 Authority wastewater treatment plant. This plan also
 satisfies the requirements of the July 15, 2011 Consent
 Order and Agreement (CO&A) made between the Depart-
 ment, the New Castle Sanitation Authority and the
 tributary municipalities of which Shenango Township is
 signatory. The Department's review of the sewage facil-
 ities update revision has not identified any significant
 environmental impacts resulting from this proposal. Any
 required NPDES Permits or WQM Permits must be
 obtained in the name of the municipality or authority as
 appropriate.

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

Plan Location:

| <i>Borough or Township</i> | <i>Borough or Township Address</i> | <i>County</i> |
|----------------------------|------------------------------------|---------------|
| District Township | 202 Weil Rd, Boyertown PA 19512 | Berks |
| Longswamp Township | 1112 State St, Mertztown PA 19539 | |

Plan Description: Approval of a revision to the Official Sewage Plans of District Township and Longswamp Township, Berks County. The Official Plan revision consists of a subdivision of a 74.44 acre tract into nine (9) lots proposing individual on lot sewage disposal systems. The proposed development is located on the north and south sides of Huffs Church Road, 1500 feet west of Baldy Hill Road in District and Longswamp Townships. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The plan provides for the on lot sewage disposal systems for Lots 2, 3, and 8 to be located in the cross hatched areas identified on the plot plan dated August 24, 2014, submitted on September 24, 2014. Lots 4b, 5, 6, and 7 shall utilize a nitrate reduction system as part of the on lot sewage treatment system. The plan recognizes the establishment and protection of a wetland buffer zone as shown on the plot plan and approved by the US Fish and Wildlife Service and the PA Fish and Boat Commission. The wetlands and the associated buffer zone may not be encroached upon as required by the jurisdictional agencies. The proposed on lot sewage systems are located in an exceptional value watershed. As a potential nonpoint pollutant source, the proposed systems must achieve cost-effective and reasonable best management practices to protect and maintain water quality under 25 Pa. Code Chapter 93. The planning, permitting and design requirements in DEP's regulations at 25 Pa. Code Chapters 71—73 provide the applicable best management practices to be utilized in the Commonwealth for on lot sewage systems. The systems as proposed will achieve those best management practices. The DEP Code Number for this planning module is A3-06929-061-2 in District Township and A3-06939-133-2 in Longswamp Township. Permits for the on lot sewage disposal systems will be issued by the appropriate municipality.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 2

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

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the

selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

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

Stevens Primary School, 1150 Louisa Street, City of Williamsport, **Lycoming County**. RETTEW Associates, Inc., 3020 Columbia Avenue, Lancaster, PA 17603, on behalf of Williamsport Area School District, 2780 West Fourth Street, Williamsport, PA 17701, submitted a Final Report concerning remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Cumene, Methyl tert-butyl ether, Naphthalene, 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

Former Union Metal Site, 830 Crowe Road, Stroud Township, **Monroe County**, Dana J Wagner, Liesch Associates Inc., 13400 15th North, Minneapolis, MN 55441, has submitted a Final Report on behalf of his client, Northwoods Commercial Properties Inc., 230 Corporate Drive, Beaver Dam, WI 53916, concerning the background determination of groundwater found to have been impacted by VOCs (TCE-PCE). The applicant proposes to remediate the site to meet the Background Standard for groundwater. The current and future use of the property is non-residential-commercial/light industrial. A summary of the Final Report was published in *The Pocono Record* on July 26, 2014.

Simon Silk Mill and Moon Property, 671 North 13th Street and 1250 Bushkill Drive, City of Easton, **Northampton County**, Elizabeth Schamberger, Moonstone Environmental, has submitted a Cleanup Plan and an RIR, on behalf of her clients, Gretchen Longenbach, Redevelopment Authority of Easton, PA, concerning the remediation of soil and groundwater from VOC's, SVOC's, PCB's, and heavy metals due to the site's long history of industrial and commercial use. The applicant proposes to

remediate the site to meet the Site Specific Standard for soil and groundwater. The intended use of the site is for it to be used as a multi-use arts destination with anticipated end uses such as artist' lofts, restaurants, offices, retail space, apartments, schools, etc. A summary of the Cleanup Plan and, RIR (Remedial Investigation Report) were published in *The Morning Call* on September 11, 2014.

Bethlehem Commerce Center—Saucon Pump-house, North of Emery Street, City of Bethlehem, **Northampton County**, James Koval, HDR Engineering, has submitted a RIR and Final Report, on behalf of his clients, Kerry Wrobel, Lehigh Valley Industrial Park Inc., concerning the remediation of soil from arsenic, chromium, and manganese 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 is non-residential. A summary of the Final Report and RIR (Remedial Investigation Report) were published in *The Morning Call* on July 14, 2014.

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

Former First Student Bus Garage (First Student 20516) 235 Chartiers Ave., City of Pittsburgh, **Allegheny County**, American Geosciences Inc., 3925 Reed Blvd., Ste. 400 Murrysville, PA 15668 on behalf of Christine J. Roman, 1245 Anderson Road, Pittsburgh, PA 15209 has submitted a combined Risk Assessment and Cleanup Plan concerning the remediation of site soil and groundwater contaminated with unleaded/leaded gasoline and diesel fuel/heating oil. Notice of the combined Risk Assessment /Cleanup Plan was published in the *Tribune Review* on September 17, 2014.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

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

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment

report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has received the following plans and reports:

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

Dakotaland Transportation, Interstate 80 @ MM 186E, Greene Township, **Clinton County**, Northridge Group, Inc., P. O. Box 231, Northumberland, PA 17857, on behalf of Dakotaland Transportation, 25809 Trade Avenue, Sioux Falls, SD 57118 submitted a Final Report concerning the remediation of site soils contaminated with diesel fuel. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on September 26, 2014.

Horwith Freightliner Petroleum Spill, Scott Township, **Columbia County**, Taylor Geo Services, Inc., 38 Bishop Hollow Road, Newtown Square, PA 19073, on behalf of Horwith Freightliner, 1449 Nor-Bath Blvd., Northampton, PA 18067 submitted a Final Report concerning the remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Naphthalene, 1,3,5-Trimethylbenzene, 1,2,4-Trimethylbenzene, Cumene, Pyrene, Benzo(a) anthracene, Chrysene, Benzo(b) fluoranthene, Benzo(a) pyrene, Indeno(1,2,3-cd) pyrene, Benzo(g,h,i) perylene, MTBE and Lead. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on September 19, 2014.

XTO Energy, Inc. Litke 8152 Well Site, Coordinates: 41.117836 and 77.750974 W, Beech Township, **Clinton County**, ARCADIS-US, 6041 Wallace Road Extension, Suite 300, Wexford, PA 15090, on behalf of XTO Energy, Inc., 502 Keystone Drive, Warrendale, PA 15086, submitted a Final Report concerning the remediation of site soils contaminated with a brine fluid. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on September 19, 2014.

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

Bethlehem Commerce Center—Lots 15 and 16, 1805 East 4th Street, Bethlehem City, **Northampton**

County, James Koval, HDR Engineering Inc., 1720 Spillman Drive, Suite 280, Bethlehem, PA 18015, has submitted a Final Report on behalf of his client, Lehigh Valley Industrial Park Inc., 1720 Spillman Drive, Suite 150, Bethlehem, PA 18015-2164, concerning the remediation of soil found to have been impacted by SVOCs (Benzo (a) Pyrene) and heavy metals (Total Chromium) as a result of historical manufacturing operations at the site. The applicant proposes to remediate the site to meet the Site Specific Standard for soil. The report documented attainment of the Site Specific Standard for soil and was approved on September 23, 2014.

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

Former Custom Tool & Die, 2970 Old Tree Drive, East Hempfield Township, **Lancaster County**. GCI Environmental Services, 1250 East King Street, Lancaster, PA 17602, on behalf of William Woratyla, 3932 Marietta Avenue, Columbia, PA 17512, submitted a Remedial Investigation and Final Report concerning the remediation of site soil and groundwater contaminated with #2 fuel oil. The combined report did not demonstrate attainment of the Site Specific Standard, and was disapproved by the Department on September 25, 2014.

Phil Walsh Residence, 443 McCormick Road, Mechanicsburg, PA 17055, Upper Allen Township, **Cumberland County**. Cardno, 2 Gunpowder Road, Mechanicsburg, PA 17050, on behalf of Susquehanna Oil Company, 1105 Shaffer Road, Dillsburg, PA 17019, and Phil Walsh, 443 McCormick Road, Mechanicsburg, PA 17055 submitted a Final Report concerning the remediation of site soils contaminated with No. 2 fuel oil. The Final Report did not demonstrate attainment of the Residential Statewide Health Standard, and was disapproved by the Department on September 26, 2014.

Hagen Residence, 78 Southwick Drive, Hereford, PA 18056, Hereford Township, **Berks County**. Dorson Environmental Management, Inc., 45 Knollwood Road, Suite 300, Elmsford, NY 10523, on behalf of J&J Spill Services & Supplies, Inc., PO Box 370, Blue Bell, PA 19422-0370, and Berks Properties, 3613 Seisholtzville Road, Hereford, PA 18056, submitted a Final Report concerning the remediation of site soils contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on September 26, 2014.

RESIDUAL WASTE GENERAL PERMITS

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

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

General Permit Application No. WMGR094D001. Keystone Cement Company, Route 329, Bath, PA 18114, in **Northampton County**. General Permit Application No. WMGR094 authorizes the beneficial use of cement kiln dust as a subgrade stabilizer in road construction, and as fill material for road and embankment

construction. The general permit was renewed by Central Office on September 29, 2014.

Persons interested in reviewing a general permit should be directed to Scott E. Walters at 717-787-7381, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Permit 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.

Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401

Permit No. 100817. Waste System Authority Eastern Montgomery County, 995 Fitzwatertown Road, Abington PA 19001. This application is for a 10-year permit renewal of the solid waste permit No. 100817 to continue to operate the Abington Transfer Station, a municipal waste transfer facility located in Upper Dublin Township, **Montgomery County**. The permit was issued by the Southeast Regional Office on September 23, 2014.

Permit Revoked 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.

Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401

General Permit No. WMGM035. Robert T Winzinger, Inc., 2870 East Allegheny Avenue, Philadelphia, PA 19134. This permit has been revoked in response to the permittee's request for final closure certification approval and bond release request of General Permit No. WMGM035, which authorizes the processing and beneficial use of uncontaminated concrete, brick, block, and asphalt at the Port Richmond facility located at 2870 East Allegheny Avenue in the City of Philadelphia, **Philadelphia County**. General Permit No. WMGM035 was originally issued to Winzinger for the Port Richmond facility by DEP on November 15, 2007, and expires on November 14, 2017. The final closure certification and revocation of permit was approved by the Southeast Regional Office on September 25, 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

GP1-09-0102: National Performance Packaging Holdings, LLC. (100 Main Street, Tullytown, PA 19007)

On September 22, 2014, was authorized to operate one (1) natural gas fired boiler in Tullytown Borough, **Bucks County**.

GP3-09-0127: Clean Earth of Carteret, LLC. (Old Bordentown Road and Steel Road South, Morrisville, PA 19007) On September 26, 2014, was authorized to operate a portable nonmetallic mineral processing plant in Falls Township, **Bucks County**.

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

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

GP3-58-027: Pennsy Supply (1001 Paxton Street, Harrisburg, PA 17105) on September 04, 2014, for the installation and operation of a portable stone crushing plant at the facility located in Bridgewater Township, **Susquehanna County**.

GP5-58-024: Bluestone Pipeline Company of PA LLC (1429 Oliver Road, New Milford, PA 18837) on September 23, 2014 the general operating permit GP5 issued for the operation of natural gas compressor station at the facility located in Harmony Township, **Susquehanna County**.

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA17110

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

GP1-06-03147: Exeter Township (400 Hanover Street, Birdsboro, PA 19508) on September 19, 2014, for the 15 MMBtu, natural gas-fired boiler, under GP1, at their Exeter Township Waste Water Treatment Plant in Exeter Township, **Berks County**. The general permit authorization was renewed, along with a change of ownership.

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

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

GP5-08-391: Regency Marcellus Gas Gathering, LLC. (101 West Third Street, Williamsport, PA 17701) on September 16, 2014, for the construction and operation of five 2370 bhp natural-gas-fired Caterpillar model G3608LE lean-burn compressor engines (Engines 1—5) each equipped with a Miratech model ZES-54x61-20-XH4B2 oxidation catalyst, three electric reciprocating compressors, one 125 MMscf/day dehydrator equipped with a 2.0 MMBtu/hrreboiler, one 175 MMscf/day dehydrator equipped with a 2.0 MMBtu/hrreboiler, one 225 MMscf/day dehydrator equipped with a 2.5 MMBtu/hrreboiler where each of the three dehy units are controlled by their own natural-gas-fired enclosed ground flare rated at 7 MMBtu/hr and equipped with a constant pilot light, one 380 bhp natural-gas fired Cummins model KTA 19GC rich-burn emergency generator set equipped with an Emit Technologies model EAS-1450T-0808F-21CEE three-way non-selective catalytic reducer (NSCR), six 10,000-gallon produced water tanks, one 2000-gallon compressor oil tank, one 2000-gallon engine oil tank, eight 300-gallon compressor oil tanks, and five 300-gallon engine oil tanks under the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) at the Taylor Compressor Station in Canton Township, **Bradford County**.

GP5-12-065: NFG Midstream Clermont, LLC (6363 Main Street, Williamsville, NY 14221-5887) on September 23, 2014, authorize the construction and operation of five (5) 1,380 brake-horsepower, Waukesha model L5794GSI, 4-stroke, rich-burn, natural gas-fired compressor engines, two (2) 100 million cubic foot per day triethylene glycol dehydrators, three (3) 446 brake-horsepower, Flexenergy model MT333 natural gas-fired micro turbines and two (2) 5 million Btu per hour, natural gas-fired line heaters pursuant to the General Plan Approval And/Or General Operating Permit for Natural Gas, Coal Bed Methane or Gob Gas Production or Recovery Facilities (BAQ-GPA/GP5) at the Rich Valley Compressor Station located in Shippen Township, **Cameron County**.

GP3-08-392: Meshoppen Stone, Inc. (PO Box 127, Meshoppen, PA 18630) on September 29, 2014, to temporarily relocate and operate a Tesab 1012T portable crusher (identified as PC 1), a McCloskey J50 portable crusher (identified as PC 3), and a Pegson XA-400 portable crusher (identified as PC 4) with associated water spray dust suppression system pursuant to the General Plan Approval And/Or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at the Taylor Compressor Station site located in Canton Township, **Bradford County**.

GP9-08-392: Meshoppen Stone, Inc. (PO Box 127, Meshoppen, PA 18630) on September 29, 2014, to temporarily relocate and operate a Caterpillar C13 440 bhp diesel-fired engine, a Caterpillar C9 350 bhp diesel-fired engine, and a 300 bhp Caterpillar C9 diesel-fired engine pursuant to the General Plan Approval And/Or General Operating Permit (BAQ-GPA/GP-9): Diesel or #2 Fuel-fired Internal Combustion Engines at Taylor Compressor Station site located in Canton Township, **Bradford 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

GP5-26-00545: Brownsville Marine Products, LLC (1800 Paul Thomas Blvd, Brownsville, PA 15417) on September 25, 2014, for a Wheelabrator shot blast system at their facility located in Brownsville Borough, **Fayette County**.

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

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

GP5-10-381A: Mountain Gathering LLC Forward Comp Sta (275 Powder Mill Road, Renfrew, PA 16053) on September 17, 2014 for the construction and/or operation of a 0.375 MMBtu/hr TEG Dehydrator and four (4) storage tanks (BAQ-GPA/GP5) located in Forward Township, **Butler County**.

GP9-10-265C: Iron Mountain Boyers Facility (1137 Branchton Rd., Boyers, PA 16020) on September 22, 2014 for the installation of two (2) diesel-fired emergency generators (3280 bhp Cummins model DSK 60 G14 NR2) (BAQ-GPA/GP9) located in Cherry Township, **Butler County**.

GP5-10-394A: Axip Constellation Facility (160 Whitmire Rd, West Sunbury, PA 16061) on September 16, 2014 for the authority to construct and/or operate six (6) 1680 bhp natural gas fired compressor engines (Waukesha L7044GSI), a 510 bhp natural gas fired generator engine (Waukesha F3521G), a 105 MMscf/d

capacity glycol dehydrator, flare and storage tanks (BAQ-GPA/GP5) located in Oakland Township, **Butler County**.

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

Southcentral Region: Air Quality Program, 909 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.

05-05022D: Bedford Reinforced Plastics, Inc. (264 Reynoldsdale Road, Bedford, PA 15522-7401) on September 24, 2014, to construct two (2) pultrusion lines at their existing facility in East St. Clair Township, **Bedford County**.

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

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA19401

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

46-0272: Tech Tube, Inc. (750 Vandenberg Road, King of Prussia, PA 19406) On September 16, 2014, for the operation of a batch vapor degreaser in Upper Merion Township, **Montgomery County**.

46-0026G: Global Packaging, Inc. (209 Brower Avenue, Oak, PA 19456) On September 18, 2014, for the operation of a new 10-station flexographic printing press in Upper Upper Providence Township, **Montgomery County**.

46-0280: Catagnus Funeral Home & Cremation Center, Ltd. (329 North Lewis Road, Royersford, PA 19468) On September 22, 2014, for the operation of a human crematory unit in Limerick Township, **Montgomery County**.

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.

05-05014B: WSI Sandy Run Landfill, Inc. (995 Landfill Road, Hopewell, PA 16650) on September 24, 2014, for the municipal solid waste landfill located in Broad Top Township, **Bedford County**. The plan approval authorizes continued construction and/or temporary operation of the landfill expansion now in progress, that was originally authorized under Plan Approval No. 05-05014A. Plan Approval No. 05-05014B, which was issued on April 24, 2014, modified the original plan approval requirements by establishing Title V facility status, clarifying flare temperature and test method language in Condition D 101 008 and 010, removing the HAP testing requirement in Condition D 101 012, making minor clarifications to the landfill gas sampling requirements in Condition D 101 015, clarifying the recordkeeping requirements in D 101 024, deleting certain notification requirements in D 101 023, and clarifying the regulatory authority for certain other conditions. The plan approval No. 05-05014B was extended.

36-05156A: L & S Sweeteners, Inc. (388 East Main Street, Leola, PA 17540-1925) on September 25, 2014, for the construction and temporary operation of two (2) landfill gas-fired engine generator sets at the facility located in Upper Leacock Township, **Lancaster County**. The plan approval was extended.

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

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

08-00041A: Appalachia Midstream Services, LLC (PO Box 54382, Oklahoma City, OK 73154-1382) on September 24, 2014, to extend the authorization an additional 180 days from October 27, 2014 to April 25, 2015, in order to continue the compliance evaluation and permit operation pending issuance of an operating permit for the facility. The extension authorization allows continued operation of the facility located in Wyalusing Township, **Bradford County**. The plan approval has been extended.

55-00001E: Hummel Station, LLC (Old Trail Road, PO Box 517, Shamokin Dam, PA 17876) on September 26, 2014, for a change in ownership of the natural gas fired combined cycle natural gas project from Sunbury Generation, LP at the facility located in Shamokin Dam Borough, **Snyder County**.

55-00001F: Hummel Station, LLC (Old Trail Road, PO Box 517, Shamokin Dam, PA 17876) on September 26, 2014, for a change in ownership of the mechanical draft cooling tower project from Sunbury Generation, LP at the facility located in Shamokin Dam Borough, **Snyder County**.

55-00001G: Hummel Station, LLC (Old Trail Road, PO Box 517, Shamokin Dam, PA 17876) on September 26, 2014, for a change in ownership of the natural gas fired combined cycle natural gas project from Sunbury Generation, LP at the facility located in Shamokin Dam Borough, **Snyder 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

30-00195A: Eqitrans, LP (625 Liberty Avenue, Suite 1700, Pittsburgh, PA 15222) Plan Approval minor modification to reflect that the initial period of temporary operation to facilitate shakedown of the authorized sources and air cleaning devices commenced on October 1, 2014. Pursuant to 25 Pa. Code § 127.12b(d), this temporary operation period is valid for a limited time not to exceed 180 days but may be extended for additional limited periods, each not to exceed 180 days. The Plan Approval will expire on April 1, 2015. The Jefferson Compressor Station is a natural gas transmission station located in Jefferson Township, **Greene County**.

32-00055F: NRG Homer City Services, LLC (1750 Power Plant Rd., Homer City, PA 15748) on September 26, 2014, to extend the period of temporary operation of the 313 MMBtu/hr distillate oil-fired auxiliary boiler authorized under plan approval PA-32-00055F, until April 4, 2015, at Homer City Generating Station located in Black Lick and Center Townships, **Indiana County**.

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

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

25-179C: Erie City Sewer Authority (68 Port Access Road, Erie, PA 16507-2202) on September 29, 2014, effective September 30, 2014, will issue a plan approval extension for the replacement of incinerator burners and the emergency bypass stack, rehabilitation of the existing wet electrostatic precipitators and replacement of three existing dewatering belt filter presses. This facility is located in the City of Erie, **Erie County**.

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

Southcentral Region: Air Quality Program, 909 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.

36-05136: Granger Energy of Honeybrook, LLC. (16980 Wood Road, Lansing, MI 48909) on September 22, 2014, for their landfill gas-to-energy facility in Caernarvon Township, **Lancaster County**. The Title V permit underwent a major modification to remove the requirements for the pre-test sampling of HAPs at the inlet of the two (2) approved landfill gas-fired engine generator sets and also to remove the stack testing requirements for HAPs other than formaldehyde.

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

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

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

09-00080: Milford Enterprises, Inc. (450 Commerce Drive Quakertown, PA 18951) On September 16, 2014, located in Milford Township, **Bucks County**, for the manufacturing of custom display cases that are used for commercial, architectural, and other professional applications. This action is a renewal of a State Only Operating Permit (Synthetic Minor), which was issued on December 18, 2008. The permit is for a non-Title V (State Only) facility. The facility has elected to cap Volatile Organic Compounds (VOCs) to less than 25 tons per year making the facility a Synthetic Minor. The permit includes monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

23-00035: Community Light and Sound, Inc. (333 East 5th Street, Chester, PA 19013-4511) On September 18, 2014, for a renewal of a non-Title V, State-Only, Synthetic Minor Permit in Chester City, **Delaware County**. Community Light and Sound is a manufacturer of household audio and video equipment. The facility has taken site level restriction limits of 24.9 tons per year for VOC's and 9.9 tons per year for any single HAP and 24.9 tons per year for combined HAP's. The restrictions will ensure that Community Light and Sound remains under the emission thresholds. Monitoring, record keeping and reporting requirements have been added to the permit to address applicable limitations.

09-00199: Mars Fishcare, N.A., Inc. (50 East Hamilton St., Chalfont, PA 1891) On September 18, 2014, for a non-Title V, State Only, Natural Minor operating permit in Chalfont Borough, **Bucks County**. The permit is for the operation of an existing bulk material handling pneumatic conveying system, a dust collector and a vacuum filter receiver system. The system will emit 1.03 tons of particulate matter per year. The facility's potential to emit criteria pollutants is less than major thresholds; therefore the facility is a Natural Minor. This action is a renewal of the State Only Operating Permit. The initial permit was issued on 9-4-2009. The renewed permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

46-00231: Judson A. Smith Co. (857-863 Sweinhart Road, Boyertown, PA 19512) On September 23, 2014, 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_x, and 2.0 tpy for SO_x 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

54-00037: Copperhead Chemical Company, Inc. (120 River Road, Tamaqua, PA 18252) for the operation of a pharmaceutical preparation manufacturing facility in Walker Township, **Schuylkill County**. The sources at the facility consist of two (2) boilers fired on #2 fuel oil, acetone recovery system, and a pharmaceutical manufacturing process. The emissions from the acetone recovery unit are controlled by a vapor condenser. 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.

45-00019: Haines & Kibblehouse, Inc., Locust Ridge Quarry (PO Box 196, 2052 Lucon Road, Skippack, PA 19474-0196) for quarry operations in Tobyhanna Township, **Monroe County**. The primary sources consist of crushers, screens, and conveyors. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP), and volatile organic compounds (VOC) emissions. This is a renewal State-Only Natural Minor operating permit. The State-Only operating permit

includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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.

67-05136: Wellspan York Hospital (1001 S. George Street, PO Box 15198, York, PA 17405-7198) on September 22, 2014, for their boilers and generators at the York Hospital in York City, **York County**. The State-only permit was renewed.

67-03080: Aberdeen Road Company (PO Box 435, Emigsville, PA 17318-0435) on September 22, 2014, for their specialty fabric manufacturing facility in Manchester Township, **York County**. The State-only permit was renewed.

01-03017: Premier Magnesia LLC (103 Commerce Street, Waynesville, NC 28786) on September 24, 2014, for their mineral ore milling facility in Menallen Township, **Adams County**. The State-only permit was renewed.

67-05069: Pennsy Supply, Inc. (1001 Paxton Street, PO Box 3331, Harrisburg, PA 17105) on September 24, 2014, for their limestone crushing and processing facility in Jackson Township, **York County**. The State-only permit was renewed.

22-03084: Hoover Boyer Funeral Homes, Inc. (118 S. Market Street, Millersburg, PA 17061) on September 25, 2014, for the human cremation unit at their facility in Millersburg Borough, **Dauphin County**.

22-03085: Hoover Boyer Funeral Homes, Inc. (103 W. Main Street, Elizabethtown, PA 17023) on September 25, 2014, for the animal cremation unit at their facility located in Elizabethtown Borough, **Dauphin County**.

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

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

57-00003: Sullivan County School District (777 South Street, PA 18626-9800) on September 16, 2014 issued a state only operating permit for their facility located in Laporte Borough, **Sullivan County**. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

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

Permit No. 46-00031: Glaxosmithkline (1250 S. Collegeville Road, Upper Providence Township, **Montgomery County**) On September 16, 2014, submitted a Title V Operating Permit (TVOP) Minor Modification. The following changes were made to the permit:

1. Source ID 102. Name of source was changed from Pilot Plant Fac—(Bldg 8 Legacy Sec) to IMS Primary Fac (Legacy)—Bldg 8.

a. Under additional requirements, the source list has been revised.

2. Source ID 103. Name of source was changed from Pharm Sci Fac—Bldg 9 to IMS Secondary Fac—Bldg 9

a. Pressure drop range for the HEPA filters was changed to 0.1 to 3 inches w.g.

b. All references to the Glatt filters have been removed.

c. Under additional requirements, the source list has been revised.

3. Source ID 104. Name of source was changed from Hydrogenation Fac (Bldg 11) to IMS Hydrogenation Fac—Bldg 11.

4. Source ID 105. Name of source was changed from Chem Development Facility (B-8 Expansion Sec) to IMS Primary Fac (Expansion)—Bldg 8.

The modified TVOP includes monitoring, recordkeeping, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

Minor modification of TVOP No. 46-00031 is issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.462.

09-00187: Sims Metal East, LLC. (300 S Steel Rd, Morrisville, PA 19067-3614) On September 16, 2014, for operation of their metal recycling facility in Falls Township, **Bucks County**. The permit amendment is to address a typographical error in the name of the facility. Administrative Amendment and modification of State-Only Operating Permit issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.450 and 127.461.

09-00027: Fres-Co System USA, Inc. (3005 State Road, Telford, PA 18969) On September 18, 2014, for a Title V Administrative Amendment application in West Rockhill Township, **Bucks County**. The amendment incorporates a new Rotogravure Press and Solvent Distillation System and its conditions from Plan Approval 09-0027G and a Six (6) tons per year VOC emission increase on Press 203 and it's conditions from Plan Approval 09-0027H into the Title V Operating Permit. Administrative Amendment of State Only Operating Permit issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

23-00003: Monroe Energy, LLC (4101 Post Road, Trainer, PA 19061) On September 22, 2014, for the refinery in Trainer Borough, **Delaware County**. The operating permit was for minor modification to a Peabody Heater. The modified operating permit contains the applicable regulatory requirements including monitoring, recordkeeping, and emission limits.

15-00010: ArcelorMittal Plate, LLC (139 Modena Road, Coatesville, PA 19320; Attn: Mr. Ray Ajalli) On September 22, 2014, located in the Coatesville Borough, **Chester County**. This action is the amendment of the Title V Operating Permit, for the following: (1) Emission limits for the Cleaver-Brooks Boiler (Source ID 037) have been revised; (2) Fuel oil stack test requirements have been revised for the #2 Potassium Silicate Furnace

(Source ID 101); (3) Fuel oil stack test requirements have been revised for the #4 Sodium Silicate Furnace (Source ID 102); (4) Emission limits for the Spray Dryer G & GD (Source ID 103) have been revised; and, (5) Site-wide emission limits have been revised, consistent with the emission limit revisions to Source IDs 037 and 103. (1) Section C, Permit Condition #011, has been revised to be consistent with Condition #009 (under Section C), which requires monitoring only for “odors which may be objectionable”; (2) Section D, Source ID 104—requirements pertaining to 40 CFR Part 63, Subpart YYYYY, have been revised for clarity sake; (3) Section D, Source ID 254—the reference to 40 CFR Part 63, Subpart WWWW (6W) has been revised to fully include the exemption requirements of Subpart 6W; (4) Section D, Source ID 770—requirements pertaining to 40 CFR Part 63, Subpart ZZZZ, have been revised for clarity sake; (5) Section D, Source ID 769—requirements pertaining to 40 CFR Part 63, Subpart JJJJ, have been revised for clarity sake. These revisions neither allow any modification of any source nor allow any new emissions. The Operating Permit contains requirements to keep the facility operating within all applicable air quality requirements for this source.

46-00169: Constantia Colmar, Inc. (92 County Line Road, Colmar, PA 18915) On September 22, 2014, for an Administrative Amendment to State Only (Synthetic Minor) Operating Permit No. 46-00169 for its facility located in Hatfield Township, **Montgomery County**. The Administrative Amendment identifies a change to the responsible official and permit contact person for the facility, and incorporates the requirements of Plan Approval No. 46-0169D for the installation of a new flexographic press (Source ID 134).

The Administrative Amendment is issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

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.

36-05152: Kellogg USA, Inc. (2050 State Road, Caller Box 3006, Lancaster, PA 17604) on September 23, 2014, for their breakfast cereal manufacturing facility in East Hempfield Township, **Lancaster County**. The State-only permit was administratively amended in order to incorporate the requirements of Plan Approval No. 36-05152B.

36-05024: Bigbee Steel & Tank Company (1 Highland Road, Stoystown, PA 15563) on September 23, 2014, for their steel tank manufacturing facility in Rapho Township, **Lancaster County**. The Title V permit was administratively amended in order to correct a typographical error in the VOC reporting units.

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

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

18-00005: Dominion Transmission, Inc. (445 West main Street, Clarksburg, WV 26301-2843), issued a revised Title V operating permit on September 26, 2014, through an administrative amendment to incorporate terms and conditions from Plan Approval 18-00005D into

operating permit TVOP 18-00005, for the construction and operation of a 16,000 brake-horsepower (bhp) natural gas-fired turbine/compressor engine, a 690 bhp four-stroke, rich-burn natural gas-fired emergency generator engine, a 4.2 million Btu per hour boiler and a 2.5 million Btu per hour boiler at the Finnefrock Compressor Station located in Leidy Township, **Clinton County**. This revised Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

DeMinimis Emissions Increases Authorized under 25 Pa. Code §§ 127.449(i)

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.

67-03113: Advanced Industrial Services, Inc. (3250 Susquehanna Trail, York, PA 17406). Pursuant to 25 Pa. Code § 127.449(i), this PA Bulletin Notice is for the following de minimis emissions increases resulting from the construction of a plasma metal cutting table controlled by a settling chamber and cartridge collector in series at its metal fabrication job shop located in Manchester Township, **York County**: 0.04 TPY PM₁₀. 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

03-00027: NRG Energy, Inc. (121 Champion Way, Suite 200, Canonsburg, PA 15317). Per 25 Pa. Code § 127.449(i), this Notice is for the following de minimis emission increase at the GenOn Northeast Management Company, Keystone Power Plant, located in Plum Creek Township, **Armstrong County**: Project to apply additives to coal prior to combustion for mercury and NO_x emission control. Total emissions from this project will not exceed 0.3 tpy PM₁₀.

The list of de minimis increases for this facility includes only this project.

Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act and 25 Pa. Code §§ 127.431 and 127.461.

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

Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-616636

42-00206: Ilpea Industries Incorporated (700 1/2 N Elk Ave., Kane, PA 16735-1068) on September 25, 2014, for the primary metal products manufacturing facility in Kane Borough, **McKean County**. This facility was formerly known as Holm Industries. This State Operating Permit was revoked due to the permanent shutdown of equipment at the facility associated with this permit.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

Coal Permits Issued

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

32131303. Western Allegheny Energy, LLC, (301 Market Street, Kittanning, PA 16201). To operate the Crooked Creek Mine in Washington Township and Creekside Borough, **Indiana County** to operate a new underground coal mine. Underground Acres Proposed 6642.1, Subsidence Control Plan Acres Proposed 6642.1. No discharges. The application was considered administratively complete on April 23, 2013. Application received March 4, 2013. Permit issued September 26, 2014.

30831303 and NPDES No. PA0013511. Cumberland Coal Resources, LP, (158 Portal Rd., PO Box 1020, Waynesburg, PA 15370). To revise the permit for the Cumberland Mine in Wayne Township, **Greene County** and related NPDES permit to install fourteen gob-ventilation boreholes for Panels 63 & 64. Surface Acres Proposed 9.14. No additional discharges. The application was considered administratively complete on February 13, 2014. Application received October 29, 2013. Permit issued September 26, 2014.

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

Permit No. 56090107 and NPDES No. PA0262790. Fieg Brothers 3070 Stoystown Road, Stoystown, PA 15563, transfer of an existing bituminous surface and auger mine from Rosebud Mining Company—Meyersdale Division, 1117 Shaw Mines Road, Meyersdale, PA 15552, located in Stonycreek Township, **Somerset County** affecting 108.7 acres. Receiving stream: unnamed tributary to Stonycreek classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: March 14, 2014. Permit Issued: September 18, 2014.

Permit No. 32050104 and NPDES No. PA0249742. Mears Energy, LLC, 490 Clairvaux Drive, Indiana, Pa 15701, commencement, operation and restoration of a bituminous surface and auger mine to change the land use from Forestland to unmanaged natural habitat/wildlife habitat in West Mahoning Township, **Indiana County**, affecting 126 acres. Receiving stream: Carr Run classified for the following use: cold water fishery. There

are no potable water supply intakes within 10 miles downstream. Application received: June 23, 2014. Permit Issued: September 22, 2014.

Permit No. 11020103 and NPDES No. PA0249335. Gator Coal LP, P. O. Box 4181, Eldertown, PA 15736, permit renewal for reclamation only of a bituminous surface and auger mine in Susquehanna Township, **Cambria County**, affecting 324.5 acres. Receiving streams: Douglas Run; Peg Run; West Branch of Susquehanna River classified for the following uses: cold water fishery; warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: July 14, 2014. Permit issued: September 22, 2014.

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

03060103 and NPDES Permit No. PA0250911. Bedrock Mines, LP (111 Freeport Road, Pittsburgh, PA 15215). Permit renewal issued for reclamation only on an existing bituminous surface mine, located in Burrell Township, **Armstrong County**, affecting 75.3 acres. Receiving streams: unnamed tributaries to Crooked Creek. Application received: January 9, 2014. Permit issued: September 23, 2014.

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

Permit No. 49-305-003GP12. Mallard Contracting Co., Inc., (122 Wilburton Road, Mt. Carmel, PA 17851), general operating permit to operate a coal preparation plant on Surface Mining Permit No. 49663009 in Mt. Carmel and Conyngham Townships, **Northumberland and Columbia Counties**. Application received: December 13, 2012. Permit issued: September 23, 2014.

Permit No. 40990101R2 and NPDES Permit No. PA0225193. Hazleton Shaft Corp., (PO Box 435, Hazleton, PA 18201), renewal of an existing anthracite surface mine, coal refuse reprocessing, coal refuse disposal and preparation plant operation and NPDES Permit for discharge of treated mine drainage in Hazle Township and City of Hazleton, **Luzerne County** affecting 481.0 acres, receiving stream: Hazle Creek. Applications received: March 10, 2010 and December 6, 2011. Renewal and NPDES Permit issued: September 25, 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

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

63144004. KESCO, Inc. (215 South Main Street, Suite 2, Zelienople, PA 16063). Blasting activity permit issued July 30, 2014 for the construction of the Street of Meadow hotel, located in North Strabane Township, **Washington County** has been cancelled effective September 25, 2014.

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

Permit No. 36144152. Brubacher Excavating, Inc., (P. O. Box 528, Bowmansville, PA 17507), construction blasting for Twin Springs in East Earl Township,

Lancaster County with an expiration date of September 22, 2015. Permit issued: September 23, 2014.

Permit No. 36144153. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Titus Reiff Farm Shop in East Earl Township, **Lancaster County** with an expiration date of November 30, 2014. Permit issued: September 23, 2014.

Permit No. 38144113. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Nolt Service waste pit in Millcreek Township, **Lebanon County** with an expiration date of November 30, 2014. Permit issued: September 23, 2014.

Permit No. 48144107. Brubacher Excavating, Inc., (P. O. Box 528, Bowmansville, PA 17507), construction blasting at 5200 Jaendl Boulevard in Hanover Township, **Northampton County** with an expiration date of October 1, 2015. Permit issued: September 23, 2014.

Permit No. 58144167. Meshoppen Blasting, Inc., (P. O. Box 127, Meshoppen, PA 18630), construction blasting for Jones Road tank pad and access road in Middleton Township, **Susquehanna County** with an expiration date of December 31, 2014. Permit issued: September 23, 2014.

Permit No. 67144116. J Roy's, Inc., (P. O. Box 125, Bowmansville, PA 17507), construction blasting for a single dwelling at 916 Mill Road in Chanceford Township, **York County** with an expiration date of September 20, 2015. Permit issued: September 23, 2014.

Permit No. 58144166. DW Drilling & Blasting, (9990 Coconut Road, Bonita Springs, FL 34135), construction blasting for Reynen Gas Pad and Tank Farm in

Harford Township, **Susquehanna County** with an expiration date of September 16, 2015. Permit issued: September 25, 2014.

Permit No. 58144168. Meshoppen Blasting, Inc., (P. O. Box 127, Meshoppen, PA 18630), construction blasting for SWN RU 47 pad and access road in Jackson Township, **Susquehanna County** with an expiration date of January 31, 2015. Permit issued: September 25, 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 | |

*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* | | 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

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

NPDES No. PA0235601 (Mining Permit No. 11141301 (formerly 11031701)), ArcelorMittal Pristine Resources LLC, (129 Bethlehem Road PO Box 36, Revloc, PA 15948). A revision to the renewed NPDES permit issued January 4, 2013 for the Mine 31 AMD plant in Jackson Township, **Cambria County**. This NPDES draft permit is a revision to the NPDES draft permit originally published in the *PA Bulletin* on May 24, 2014. This NPDES draft permit is also being published in compliance with 25 Pa. Code § 92a.88, as a result of a settlement of an Environmental Hearing Board Appeal at EHB Docket No. 2013-021-R (consolidated with 2013-028-R) issued on September 16, 2014. Surface Acres Affected 72.82. Receiving stream: UNT to South Branch of Blacklick Creek, classified for the following use: CWF. Kiskiminetas—Conemaugh River Watersheds TMDL.

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

Outfall 001 discharges to: UNT South Branch of Blacklick Creek

The proposed effluent limits for Outfall 001 (Lat: 40° 27' 10.2" Long: 78° 49' 38.8") are:

| <i>Parameter</i> | <i>Minimum</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant. Maximum</i> |
|------------------------|----------------|---------------------------|--------------------------|-----------------------------|
| Flow | (mgd) | - | - | REPORT |
| Iron | (mg/l) | 1.5 | 3.0 | 3.8 |
| Manganese | (mg/l) | 1.0 | 2.0 | 2.5 |
| Aluminum | (mg/l) | 0.75 | 0.75 | 0.75 |
| Sulfates | (mg/l) | - | - | REPORT |
| Specific Conductance | (umho) | - | - | REPORT |
| Total Suspended Solids | (mg/l) | 35 | 70 | 90 |

NPDES No. PA0235512 (Mining Permit No. 11141302 (formerly 11031702)), ArcelorMittal Pristine Resources LLC, (129 Bethlehem Road PO Box 36, Revloc, PA 15948). A revision to the renewed NPDES permit issued January 28, 2013 for the Mine 77 AMD Plant in East Taylor Township, **Cambria County**. This NPDES draft permit is a revision to the NPDES draft permit originally published in the *PA Bulletin* on May 24, 2014. This NPDES draft permit is also being published in compliance with 25 PA Code § 92a.88, as a result of a settlement of an Environmental Hearing Board Appeal at EHB Docket No. 2013-028-R (consolidated with 2013-021-R) issued on September 16, 2014. Surface Acres Affected 22.84. Receiving stream: UNT to Little Conemaugh River, classified for the following use: CWF. Kiskiminetas—Conemaugh River Watersheds TMDL.

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

Outfall 001 discharges to: UNT to Little Conemaugh River

The proposed effluent limits for Outfall 001 (Lat: 40° 22' 48" Long: 78° 50' 58") are:

| <i>Parameter</i> | <i>Minimum</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant. Maximum</i> |
|------------------------|----------------|---------------------------|--------------------------|-----------------------------|
| Flow | (mgd) | - | - | REPORT |
| Iron | (mg/l) | 1.5 | 3.0 | 3.8 |
| Manganese | (mg/l) | 1.0 | 2.0 | 2.5 |
| Aluminum | (mg/l) | 0.75 | 0.75 | 0.75 |
| Sulfates | (mg/l) | - | - | REPORT |
| Specific Conductance | (umho) | - | - | REPORT |
| Total Suspended Solids | (mg/l) | 35 | 70 | 90 |

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

NPDES No. PA0269395 (Mining Permit No. 56130108), Coal Loaders, Inc., 210 East Main Street, Ligonier, PA 15648, new NPDES permit for surface coal mine operation in Summit Township and Garrett Borough, **Somerset County**, affecting 103.5 acres. Receiving streams: unnamed tributaries to/and Bigby Creek and Casselman River, classified for the following uses: cold water fishery and warm water fishery. This receiving stream is included in the Casselman River TMDL. Application received: March 28, 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 outfalls listed below discharge to unnamed tributaries to/and Bigby Creek and Casselman River.

| <i>Outfall Nos.</i> | <i>New Outfall (Y/N)</i> |
|----------------------|--------------------------|
| 001—Treatment Pond 1 | Y |
| 002—Treatment Pond 2 | Y |
| 003—Treatment Pond 3 | Y |
| 004—Sediment Pond 1 | Y |
| 005—Sediment Pond 2 | Y |
| 006—Sediment Pond 3 | Y |

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

| <i>Outfalls: 001, 002 and 003 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) | | | 1.8 |
| 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

| <i>Outfalls: 004, 005 and 006 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) | Monitor | Monitor | Monitor |
| Total Suspended Solids (mg/l) | Only | Only | Only |
| | 35.0 | 70.0 | 90.0 |

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times
Alkalinity must exceed acidity at all times

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to

the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E09-988. Doylestown Township, 425 Wells Road, Doylestown, PA 18901, Doylestown Township, **Bucks County**, ACOE Philadelphia District.

To construct and maintain a 72-foot long by 12-foot wide by 6-foot high pedestrian bridge in and along the 100-year floodway of Pine Run, for the purpose of the proposed new 10-foot wide paved trail system.

The bridge is located approximately 128 feet upstream of the existing Kelly Avenue covered bridge over Pine Run (Doylestown, PA Lat: 40.3110, Long. -75.1711), located in Doylestown and New Britain Townships, Bucks County.

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

E46-1103.FEF, Inc., 10 Schoolhouse Road, Suite 1, Souderton, PA 18964, New Hanover Township, **Montgomery County**, ACOE Philadelphia, District.

To place fill in an existing 0.36 acre of manmade pond in and along a UNT to Minister Creek (TSF, MF) due to liability concerns for children with special needs. This project also includes replacement of an existing 36-inch culvert and endwalls which will serve as a driveway crossing.

The site is located near the intersection of Big Road (S.R. 0073) and Church Road (Sassamanville, PA USGS map, Lat. 401845, Long. 753308).

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

E09-982.PA Turnpike Commission, P. O. Box 67676, Harrisburg, PA 17106-7676, Bensalem m Bristol, Middletown Townships, **Bucks County**, ACOE Philadelphia District.

To perform the construction work for Phase IV of Stage 1 (Design Section D20) includes the following water obstruction and encroachment activities:

1. To place fill for the construction of the roadway interchange of I-276 and I-95 in the emergent wetland

S10-PEM that drains to an unnamed tributary to Neshaminy Creek. The impacts are located under proposed I-95 NB, from Sta. 451+71 to 456+26 (Langhorne, PA Quadrangle N: 0.35 inches W: 1.75 inches; Latitude: 40° 7' 34.74", Longitude: 74° 53' 13.66"). Permanent impact of 0.221 acres of emergent wetland (S10-PEM).

2. To place fill for the construction of the roadway interchange of I-276 and I-95 in the scrub-shrub wetland S7-PSS that drains to an unnamed tributary to Neshaminy Creek. The impacts are located under proposed I-195, from Sta. 547+00 to 549+69 Lt. (Beverly, NJ—PA Quadrangle N: 22.75 inches W: 1.95 inches; Latitude: 40° 7' 28.47", Longitude: 74° 53' 19.41"). Permanent impact of 0.154 acres of scrub-shrub wetland (S7-PSS).

3. To place fill for the construction of the roadway interchange of I-276 and I-95 in the scrub-shrub wetland S6-PSS that drains to an unnamed tributary to Neshaminy Creek. The impacts are located under proposed I-195, from Sta. 549+62 to 552+33 Lt. (Beverly, NJ—PA Quadrangle N: 22.75 inches W: 2.00 inches; Latitude: 40° 7' 30.48", Longitude: 74° 53' 19.90"). Permanent impact of 0.081 acres and temporary impact of 0.153 acres of scrub-shrub wetland (S6-PSS).

4. To fill and relocate the intermittent stream S4B-R4 (1) within the proposed construction limits that drains to an unnamed tributary to Neshaminy Creek. The impacts are located on the east side of I-95, adjacent to the northbound lanes from Sta. 1542+46 to Sta. 1546+27 (Beverly, NJ—PA Quadrangle N: 22.50 inches W: 1.75 inches; Latitude: 40° 7' 23.64", Longitude: 74° 53' 18.53"). Permanent impact of 388 linear feet of intermittent stream channel. The existing channel will be filled and will not be relocated into a new channel [S4B-R4 (1)].

5. To fill and relocate the intermittent stream S9C-R4 (1) within the proposed construction limits that drains to an unnamed tributary to Neshaminy Creek. The impacts are located on the west side of I-95, adjacent to the southbound lanes from Sta. 381+80 to 387+00 (Beverly, NJ—PA Quadrangle N: 22.45 inches W: 1.80 inches; Latitude: 40° 7' 30.13", Longitude: 74° 53' 16.34"). Permanent impact of 480 linear feet of intermittent stream channel. The existing channel will be filled and relocated into a new channel 610 feet in length [S9C-R4 (1)].

6. To fill and relocate the intermittent stream S4A-R4 (1) within the proposed construction limits that drains to an unnamed tributary to Neshaminy Creek. The impacts are located on the east side of I-95, adjacent to the northbound lanes from Sta. 1553+25 to 1546+27 (Langhorne, PA Quadrangle N: 0.10 inches W: 1.80 inches; Latitude: 40° 7' 30.13", Longitude: 74° 53' 16.34"). Permanent impact of 711 linear feet of intermittent stream channel. The existing channel will be filled and relocated into a new channel 1,050 feet in length [S4A-R4 (1)].

7. To fill and relocate the intermittent stream S9B-R4 (1) within the proposed construction limits that drains to an unnamed tributary to Neshaminy Creek. The impacts are located on the west side of I-95, adjacent to the southbound lanes from Sta. 546+85 to 563+38 (Beverly, NJ—PA Quadrangle N: 22.80 inches W: 1.90 inches; Latitude: 40° 7' 35.17", Longitude: 74° 53' 21.24"). Permanent impact of 1,396 linear feet of intermittent stream channel. The existing channel will be filled and relocated into a new channel 560 feet in length [S9B-R4 (1)].

8. To fill and relocate the intermittent stream S9B-R4 (2) within the proposed construction limits that drains to

an unnamed tributary to Neshaminy Creek. The impacts are located on the east side of I-95, adjacent to the southbound lanes (Langhorne, PA Quadrangle N: 0.20 inches W: 2.00 inches; Latitude: 40° 7' 42.93", Longitude: 74° 53' 24.19"). Permanent impact of 250 linear feet of intermittent stream channel. The existing channel will be filled and will not be relocated into a new channel [S9B-R4 (2)].

9. To fill and relocate into a culvert and new channel, perennial stream S9A-R2 (2 and 3) within the proposed construction limits along I-95 that drains to Neshaminy Creek from station 446+29 to 446+79. Permanent impact of 167 linear feet of perennial stream channel; 87 linear feet (east side of NB I-95) and 80 linear feet (west side of SB I-95) (Beverly, NJ—PA Quadrangle N: 22.75 inches W: 1.75 inches; NB—Latitude: 40° 7' 32.7" Longitude: 74° 53' 16.01"; SB—Latitude: 40° 07' 28.03" Longitude: 74° 53' 22.25"). The existing channel will be placed into two culvert extensions, one east of and one west of I-95 for a permanent impact of 167 linear feet of new culvert. There will be a permanent loss of 167 linear feet of perennial stream channel [S9A-R2 (2 and 3)].

10. To place fill and grade perennial stream channel S1A-R2 (3 & 4) within the proposed construction limits that drains to Neshaminy Creek. The impacted stream channel is located on the west side of I-95 adjacent to Ramp AA from Sta. 309+82 to Ramp AA Sta. 311+81 (Beverly, PA—NJ Quadrangle N: 19.5 inches W: 3.0 inches; Latitude: 40° 06' 22.44" Longitude: 74° 53' 49.74"). Permanent impact of 160 linear feet and temporary impact of 180 linear feet of perennial stream channel [S1A-R2 (3 & 4)].

This Permit is Phase IV of an overall project for associated impacts; to construct the proposed I-276/I-95 Interchange Project which involves a high-speed, fully directional interchange between the Pennsylvania Turnpike (I-276) and Interstate 95 (I-95). The project also includes relocation of the Pennsylvania Turnpike barrier toll plaza (Interchange 359), widening of I-276 from four to six lanes between Interchange 351 and the Delaware River, and construction of an additional parallel bridge across the Delaware River. In addition, I-95 would be widened to accommodate ramps and merge lanes resulting from the construction of the interchange.

This permit is for roadway construction and widening along I-276 extend approximately 9.2 miles along I-276 from just west of Interchange 351, Bensalem Township, Bucks County, Pennsylvania (Langhorne, PA USGS Quadrangle N: 1.6 inches; W: 14.8 inches), across the Delaware River Turnpike Bridge into Burlington and Florence Townships, Burlington County, New Jersey (Bristol, PA-NJ USGS Quadrangle N: 20.2 inches; W: 8.3 inches). Approximately 1.3 miles of the study limits are located in New Jersey. The study limits along I-95 extend 3.2 miles from just south of Trenton Road in Middletown Township, Bucks County, Pennsylvania (Langhorne, PA USGS Quadrangle N: 3.4 inches; W: 2.9 inches), to the east bank of the Neshaminy Creek in Bristol Township, Bucks County, Pennsylvania (Beverly, PA USGS Quadrangle N: 18.8 inches; W: 3.8 inches).

The overall project proposes to permanently impact a total of 1.83 acres of wetlands (PEM/PSS/PFO) and 7,939 linear feet of perennial stream. The applicant proposes to create, restore, enhance and protect wetlands, streams and riparian habitat as compensatory mitigation for impacts. Compensatory wetland mitigation for the entire project will occur on land owned by the Pennsylvania Turnpike Commission (PTC) located at the corner of

Zimmerman Lane and Newportville Road in Middletown Township, Bucks County; and stream mitigation will occur along Mill Creek in the Plumbridge Community in Bristol Township, Bucks County.

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

Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-1915, Telephone 570-826-2511.

E39-530. City of Allentown, Department of Public Works, 641 South 10th Street, Allentown, PA 18103. City of Allentown, **Lehigh County**, Army Corps of Engineers Philadelphia District.

To abandon in place an existing storm water outfall and to construct and maintain an outfall in the floodway of Trout Creek (HQ-CWF, MF) consisting of an 18-inch diameter HDPE pipe, endwall and riprap apron. The project is located on Mack Boulevard, 650-foot north of Dixon Street (Allentown East Quadrangle Latitude: 40° 34' 57"; Longitude: -75° 28' 0.39"). Subbasin: 2C

E35-454. Pennsylvania Department of Transportation, Engineering District 4-0, 55 Keystone Industrial Park, Dunmore, PA 18512. City of Scranton, **Lackawanna County**, Army Corps of Engineers Baltimore District.

To construct and maintain a channel change along 671 feet of Roaring Brook (CWF-MF) with work consisting of grout bag placement along an existing undermined concrete retaining wall, lining the channel with a minimum depth of 3-foot of R-7 riprap, the placement of two cross vanes and one J-hook, and removal of an old masonry foundation. Portions of the project were previously authorized under EP3512407 which permitted approximately 230 feet of emergency grout bag placement to stabilize the existing retaining wall. The project is located along the Cedar Ave Ramp (SR 8025) off of the Central City Expressway (SR 0011) (Scranton Quadrangle Latitude: 41° 24' 14"; Longitude: -75° 39' 34").

E39-521. TGG/THC—Hamilton Crossing's, L.P., 350 Sentry Parkway, Building 630, Suite 300, Blue Bell, PA 19422. Lower Macungie Township, **Lehigh County**, Army Corps of Engineers Philadelphia District.

To fill three isolated water bodies totaling approximately 2-acres in size for the purpose of constructing a commercial subdivision. The project is located at the intersection of Hamilton Boulevard and Krock Road (Allentown West, PA Quadrangle Latitude: 40° 34' 1"; Longitude: -75° 33' 40"). Subbasin: 2C

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

E01-308: Gettysburg Municipal Authority, 601 East Main Street, PO Box 3307, Gettysburg, PA 17325-3307 in Gettysburg Borough and Cumberland Township, **Adams County**, U.S. Army Corps of Engineers Baltimore District

To 1) remove the existing structure and to install and maintain a 48.0-inch sanitary sewer line in and across an unnamed tributary to Rock Creek (WWF, MF); 2) install and maintain a 42.0-inch sanitary sewer line in and across an unnamed tributary to Rock Creek and 0.03 acre of its associated wetlands (WWF, MF); 3) remove the existing structure and to install and maintain a 36.0-inch sanitary sewer line in and across Stevens Run (WWF,

MF) all for the purpose of upgrading an existing sewage collection system. The project originates southeast of East Middle Street and South Sixth Street in the Borough of Gettysburg and extends north and east to the intersection of Hazel Alley and East Water Street in Gettysburg Borough and Cumberland Township, Adams County (Gettysburg, PA Quadrangle, Beginning at Latitude: 39° 50'2.4", Longitude: -77°13'42.2" and ending at Latitude: 39°20'7.4", Longitude: -77°13'34.3"). The permit was issued on September 17, 2014.

E36-930: Elizabethtown Borough, 600 South Hanover Street, Elizabethtown, PA 17022 in Elizabethtown Borough, **Lancaster County**, U.S. Army Corps of Engineers Baltimore District

to: 1) install and maintain a 33.0-foot long by 10.0-foot wide pedestrian bridge over Conoy Creek (TSF, MF); 2) to remove 1 cubic yard of fill from the floodway of Conoy Creek; and 3) to install and maintain an 80.0-foot long by 11.0-foot wide handicap accessible ramp and 1 cubic yard of fill in the floodway of Conoy Creek (TSF, MF), all for the purpose of relocating pedestrians from high traffic areas. The project is located approximately 0.06 miles southeast of the intersection of West High Street and Brown Street (Latitude: 40° 8' 55.28"N; Longitude: 76° 36' 34.43"W) in Elizabethtown Borough, Lancaster County. No wetlands will be impacted by this activity. The permit was issued on September 30, 2014.

Northwest Region: Oil and Gas Program Manager, 230 Chestnut Street, Meadville, PA 16335 814-332-6860

EA43-08-001, Halcon Field Service LLC, 2984 Kirila Blvd., Hermitage, Pa 16148, Colpetzer Surface Site in Perry Township, **Mercer County**, ACOE Pittsburgh District (Jackson Center, PA Quadrangle, N: 41° 22' 16.878"; W: 80° 13' 22.64"). To reduce the overall length of a 298 foot stream enclosure to 100 feet, for the purpose of stabilizing and restoring 198 linear feet of stream bank on UNT 36280 to Little Shenango River (TSF). The remaining 100 feet of culvert will be used as permanent access to the site off of Pa State Route 19. No wetlands will be impacted by this project.

ENVIRONMENTAL ASSESSMENTS

Southcentral Region: Watershed Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.

EA38-011: PA Army National Guard, Fort Indian-town Gap, Building 11-12 Utility Road, Annville, PA 17003 in East Hanover and Union Townships, **Lebanon County**, ACOE Baltimore District

To 1) removal of an existing structure; 2) placement and maintenance of fill in 0.33 acre of palustrine emergent wetlands; 3) construction and maintenance of a storm water detention facility, permanently impacting 0.03 acre of palustrine emergent wetlands; 4) placement and maintenance of fill in 847.0 feet of an unnamed tributary to Vesle Run (WWF, MF); 5) installation and maintenance of an 8.0-inch diameter ductile iron water main under Vesle Run (WWF, MF); 6) installation and maintenance of a 36.0-inch concrete outfall with rip rap apron in palustrine emergent wetlands, permanently impacting 0.01 acre of wetlands; 7) installation and maintenance of an 8.0-inch diameter PVC sanitary sewer line

with manhole in palustrine emergent wetlands, temporarily impacting 0.08 acre of wetlands, and permanently impacting 0.01 acre of wetlands, all for the purpose of constructing an aircraft maintenance instructional building. The project is located immediately east of the intersection of Range Road and Utility Road (Latitude: 40° 26' 11.2"N; Longitude: 76° 34' 30.6"W) in East Hanover Township, Lebanon County. To compensate for the wetland impacts 0.61 acre of replacement wetlands will be created onsite. The Environmental Assessment has been approved and deemed by DEP to be satisfied.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

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

ESCGP-2 # ESX09-053-0003A—Warrant 5504 & 5508
Project—Major Modification
Applicant Pennsylvania General Energy Co., LLC
Contact Robert Kuntz
Address 120 Market Street
City Warren State PA Zip Code 16365
County Forest Township(s) Green(s)
Receiving Stream(s) and Classification(s) Fox Run HQ-CWF / NRWTS, Big Weaver Run CWF, Little Coon Creek HQ-CWF, Coon Creek CWF

ESCGP-2 # ESX14-053-0001—Forest 2365 FWI
Applicant Pennsylvania General Energy Co, LLC
Contact Robert Kuntz
Address 120 Market Street
City Warren State PA Zip Code 16365
County Forest Township(s) Green(s)
Receiving Stream(s) and Classification(s) Zipp Run, Big Weaver Run, Coon Creek CWF

SPECIAL NOTICES

Notice of Certification to Perform Radon-Related Activities in Pennsylvania

In the month of September 2014 Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act, act of July 9, 1987, P. L. 238, No. 43 (63 P. S. Sections 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed below to perform radon-related activities in Pennsylvania. The period of certification is two years. (For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (1-800-23RADON).

| <i>Name</i> | <i>Address</i> | <i>Type of Certification</i> |
|--|--|------------------------------|
| A-1 Realty Services, Inc. | PO Box 179 Kutztown, PA 19530 | Testing |
| Terrance Best | 65 Johnson St. Pittston, PA 18640 | Testing |
| Matthew Beutman | 3446 Allegheny Rd. Manns Choice, PA 15550 | Testing |
| James Bucciarelli, Certified Testing Services, Inc. | 7031 Phillips Mill Rd. New Hope, PA 18938 | Testing |
| Camelot Inspections | 2905 Mill Rd. Milton, PA 17847 | Testing |
| J.L. Camp Inspections Services, Inc. | 6006 Forest Dr. Monaca, PA 15061 | Testing |
| Andrew Dionne | 421 W. Chocolate Ave. Hershey, PA 17033 | Testing |
| Stephen Fiorelli | 700 Braxton Rd. Ridley Park, PA 19078 | Testing |
| William Flannery | 5121 E. Creek Dr. Harrisburg, PA 17112 | Testing |
| John Fleenor | 312 Gist St. Pittsburgh, PA 15219 | Testing |
| Larry Frace | 3642 Ridge Rd. Bloomsburg, PA 17815 | Testing |
| Andrew Kimmich | 1653 Lititz Pk. #219 Lancaster, PA 17601 | Testing |
| Robert Klebanoff | 240 N. Bent Rd. Wyncote, PA 19096 | Testing |
| Richard D. Malin & Associates, Inc. | 2075 Haymaker Rd. Monroeville, PA 15146 | Testing |
| Deborah Mancini A Harmony Home Inspection, LLC | 9401 McKnight Rd. Ste. 308 Pittsburgh, PA 15237 | Testing |
| Wade Martin | 12228 Scott Rd. Waynesboro, PA 17268 | Mitigation |
| Dale Metzger | 3450 Lurman Dr. Macungie, PA 18062 | Mitigation |
| John Morek | 201 Cooper St. Courtdale, PA 18704 | Testing |
| David Mull | 14 Crestmont Ct. Lititz, PA 17543 | Testing |
| Gregory Newman Newman's Home | 4364 Vista Dr. Nazareth, PA 18064 | Testing |
| Penoco, Inc. | 485 E. College Ave. Pleasant Gap, PA 16823 | Testing |
| Jeffrey Schlaline | 800 Locust Grove Rd. York, PA 17402 | Testing |

| <i>Name</i> | <i>Address</i> | <i>Type of Certification</i> |
|----------------|--|------------------------------|
| James Wandless | 1424 W. 30th St. Erie, PA 16508 | Mitigation |
| Brody Webb | 3446 Allegheny Rd. Manns Choice, PA 15550 | Testing |

Environmental Assessment

Southcentral Regional Office, Clean Water Program, Maria Bebenek, P.E., 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone: 717-705-4707

Location: Middletown Borough Authority, 60 West Emaus Street, Middletown, PA 17057.

Description: The Pennsylvania Infrastructure Authority, which administers the Commonwealth's State Revolving Fund is intended to be the funding source for this project. The Middletown Borough Authority proposes the replacement/rehabilitation of the sanitary sewer along SR 230 between Apple Street and the Lower Swatara Township line. The Department's review of the project and the information received in the Environmental Report for the project has not identified any significant adverse environmental impact resulting from this proposal. The Department hereby approves the Environmental Assessment.

[Pa.B. Doc. No. 14-2099. Filed for public inspection October 10, 2014, 9:00 a.m.]

Cleanup Standards Scientific Advisory Board Rescheduled Meeting

The Cleanup Standards Scientific Advisory Board meeting for October 15, 2014, has been rescheduled to Wednesday, December 17, 2014, at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.

Questions concerning the rescheduled meeting should be directed to Troy Conrad at (717) 783-9480 or tconrad@pa.gov.

The agenda and meeting materials for this meeting will be available through the Land Recycling Program's web page on the Department of Environmental Protection's (Department) web site at www.dep.state.pa.us (DEP Keyword: "Land Recycling Program").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 772-3429 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

DANA K. AUNKST,
Acting Secretary

[Pa.B. Doc. No. 14-2100. Filed for public inspection October 10, 2014, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

Lease Office Space to the Commonwealth Lehigh County

Proposals are invited to provide the Department of General Services with 17,914 usable square feet of office space for the Pennsylvania State Police in Lehigh County. For more information on SFP No. 94646, which is due on

Friday, October 31, 2014, visit www.dgs.state.pa.us or contact David Weyandt at (717) 525-5255 or daweyandt@pa.gov.

SHERI PHILLIPS,
Secretary

[Pa.B. Doc. No. 14-2101. Filed for public inspection October 10, 2014, 9:00 a.m.]

Real Estate for Sale Schuylkill County

The Department of Conservation and Natural Resources will accept bids for the purchase of 0.94 acre +/- of land and buildings formerly known as the Weiser State Forest District Office located at 141 Gordon Nagle Trail, Cressona, PA 17929. Interested parties wishing to receive a copy of solicitation LRS-018-101397 should view the Department of General Services' web site at www.dgs.state.pa.us or call Dan Pierce at (717) 783-7943.

SHERI PHILLIPS,
Secretary

[Pa.B. Doc. No. 14-2102. Filed for public inspection October 10, 2014, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Allegheny General Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Allegheny General Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Health Care Facilities 2010*. The facility specifically requests an exemption from the following standards con-

tained in this publication: 2.2-2.5.2.6 and 2.1-2.2.6.1(1) (relating to toilet rooms; and patient toilet rooms).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 14-2103. Filed for public inspection October 10, 2014, 9:00 a.m.]

Application of Butler Memorial Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Butler Memorial Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Health Care Facilities 2010*. The facility specifically requests an exemption from the following standards contained in this publication: 2.2-3.10.2.2(1) and 2.2-3.10.2.2(2) (relating to area; and clearances).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or

hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984.

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 14-2104. Filed for public inspection October 10, 2014, 9:00 a.m.]

Application of Children's Hospital of Pittsburgh of UPMC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Children's Hospital of Pittsburgh of UPMC has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Health Care Facilities 2014*. The facility specifically requests an exemption from the following standards contained in this publication: 2.2-2.10.2 (relating to neonatal electrical outlets).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984.

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 14-2105. Filed for public inspection October 10, 2014, 9:00 a.m.]

Application of Children's Surgery Center of Malvern, LLC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Children's Surgery Center of Malvern, LLC has requested an exception to the requirements of 28 Pa. Code § 551.22(3)(ii) (relating to criteria for performance of ambulatory surgery on pediatric patients).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 14-2106. Filed for public inspection October 10, 2014, 9:00 a.m.]

Application of Crichton Rehabilitation Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Crichton Rehabilitation Center has requested exceptions to the requirements of 28 Pa. Code §§ 101.31(1) and (2), 107.1, 146.1(a), 149.1, 149.2 and 115.1—115.6.

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 14-2107. Filed for public inspection October 10, 2014, 9:00 a.m.]

Application of Milton S. Hershey Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Milton S. Hershey Medical Center has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires

compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Health Care Facilities 2014*. The facility specifically requests an exemption from the following standards contained in this publication: 2.2-3.11 (relating to gastrointestinal endoscopy services).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984.

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 14-2108. Filed for public inspection October 10, 2014, 9:00 a.m.]

Application of Mount Nittany Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Mount Nittany Medical Center has requested exceptions to the requirements of 28 Pa. Code §§ 553.1, 553.3(5), 555.1—555.3, 557.2—557.4, 567.2 and 567.3.

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 14-2109. Filed for public inspection October 10, 2014, 9:00 a.m.]

Application of Uniontown Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Uniontown Hospital has requested an exception to the requirements of 28 Pa. Code § 107.62(a) and (b) (relating to oral orders).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 14-2110. Filed for public inspection October 10, 2014, 9:00 a.m.]

Decisions on Requests for Exception to Health Care Facility Regulations

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), effective June 6, 1998, the Department of Health (Department) has published in the *Pennsylvania Bulletin* all requests by entities licensed under the Health Care Facilities Act (35 P. S. §§ 448.101—448.904b), for exceptions to regulations contained in 28 Pa. Code Part IV, Subparts B—G.

Section 51.33(d) of 28 Pa. Code provides that the Department will publish notice of all approved exceptions on a periodic basis. The Department has determined that it will publish notice of all exceptions, both approved and denied. The following list contains the decisions made on exception requests published in the *Pennsylvania Bulletin*. Publications of decisions on exception requests appear on a quarterly basis.

Requests for additional information on the exception request and the Department's decision should be made to the relevant division of the Department. Inquiries regarding hospitals, abortion facilities and ambulatory surgical facilities shall be addressed to Ann Chronister, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120. Inquiries regarding long-term care facilities shall be addressed to Susan Williamson, Director, Division of Nursing Care Facilities, Room 528, Health and Welfare Building, Harrisburg, PA 17120.

Hospitals

| <i>Facility Name</i> | <i>28 Pa. Code Regulation</i> | <i>Relating to</i> | <i>Request Published</i> | <i>Decision</i> |
|--|-------------------------------|-----------------------------|--------------------------|-----------------|
| Milton S. Hershey Medical Center | § 101.172 | Patient limits | 07/19/14 | granted |
| Wilkes Barre General Hospital | § 101.31(7) | Permanent onsite facilities | 08/09/14 | granted |
| LifeCare Hospitals of Pittsburgh— Alle-Kiski Campus | § 103.1 | Principle | 08/09/14 | granted |
| LifeCare Hospitals of Pittsburgh— Main | § 103.1 | Principle | 08/09/14 | granted |
| LifeCare Hospitals of Pittsburgh— Suburban Campus | § 103.1 | Principle | 08/09/14 | granted |
| LifeCare Hospitals of Pittsburgh— Alle-Kiski Campus | § 103.3 | Governing body bylaws | 08/09/14 | granted |
| LifeCare Hospitals of Pittsburgh— Main | § 103.3 | Governing body bylaws | 08/09/14 | granted |
| LifeCare Hospitals of Pittsburgh— Suburban Campus | § 103.3 | Governing body bylaws | 08/09/14 | granted |
| Children's Hospital of Pittsburgh of UPMC | § 103.31 | The chief executive officer | 07/12/14 | not nec. |
| Coordinated Health of Allentown, LLC d/b/a Surgical Specialty Center at Coordinated Health | § 103.31 | The chief executive officer | 08/09/14 | granted |
| Coordinated Health Orthopedic Hospital, LLC | § 103.31 | The chief executive officer | 08/09/14 | granted |
| LifeCare Hospitals of Pittsburgh— Alle-Kiski Campus | § 103.31 | The chief executive officer | 08/09/14 | granted |
| LifeCare Hospitals of Pittsburgh— Main | § 103.31 | The chief executive officer | 08/09/14 | granted |
| LifeCare Hospitals of Pittsburgh— Suburban Campus | § 103.31 | The chief executive officer | 08/09/14 | granted |

| <i>Facility Name</i> | <i>28 Pa. Code Regulation</i> | <i>Relating to</i> | <i>Request Published</i> | <i>Decision</i> |
|--|-----------------------------------|---|------------------------------|-----------------|
| UPMC Altoona | § 103.31 | The chief executive officer | 08/09/14 | granted |
| UPMC Bedford | § 103.31 | The chief executive officer | 08/09/14 | granted |
| UPMC East | § 103.31 | The chief executive officer | 07/12/14 | granted |
| UPMC McKeesport | § 103.31 | The chief executive officer | 07/12/14 | granted |
| UPMC Northwest | § 103.31 | The chief executive officer | 07/12/14 | not nec. |
| Pinnacle Health Hospitals | § 105.11(b) | When a hospital does not provide | 05/24/14 | withdrawn |
| LifeCare Hospitals of Pittsburgh— Alle-Kiski Campus | § 107.1 | Principle, Medical Staff | 08/09/14 | granted |
| LifeCare Hospitals of Pittsburgh— Main | § 107.1 | Principle, Medical Staff | 08/09/14 | granted |
| LifeCare Hospitals of Pittsburgh— Suburban Campus | § 107.1 | Principle, Medical Staff | 08/09/14 | granted |
| LifeCare Hospitals of Pittsburgh— Alle-Kiski Campus | § 107.11 | Principle, Medical Staff bylaws, rules and regulations | 08/09/14 | granted |
| LifeCare Hospitals of Pittsburgh— Main | § 107.11 | Principle, Medical Staff bylaws, rules and regulations | 08/09/14 | granted |
| LifeCare Hospitals of Pittsburgh— Suburban Campus | § 107.11 | Principle, Medical Staff bylaws, rules and | 08/09/14 | granted |
| Barix Clinics | § 107.25(b)(8) | Meet as necessary, at least 10 times | 07/12/14 | granted |
| LifeCare Hospitals of Pittsburgh— Alle-Kiski Campus | § 107.26(b)(1) | A credentials committee | 08/09/14 | granted |
| LifeCare Hospitals of Pittsburgh— Main | § 107.26(b)(1) | A credentials committee | 08/09/14 | granted |
| LifeCare Hospitals of Pittsburgh— Suburban Campus | § 107.26(b)(1) | A credentials committee | 08/09/14 | granted |
| LifeCare Hospitals of Pittsburgh— Alle-Kiski Campus | § 107.26(b)(3) | A medical records committee | 08/09/14 | granted |
| LifeCare Hospitals of Pittsburgh— Main | § 107.26(b)(3) | A medical records committee | 08/09/14 | granted |
| LifeCare Hospitals of Pittsburgh— Suburban Campus | § 107.26(b)(3) | A medical records committee | 08/09/14 | granted |
| LifeCare Hospitals of Pittsburgh— Alle-Kiski Campus | § 107.26(b)(4) | A medical care evaluation committee | 08/09/14 | granted |
| LifeCare Hospitals of Pittsburgh— Main | § 107.26(b)(4) | A medical care evaluation committee | 08/09/14 | granted |
| LifeCare Hospitals of Pittsburgh— Suburban Campus | § 107.26(b)(4) | A medical care evaluation committee | 08/09/14 | granted |
| LifeCare Hospitals of Pittsburgh— Alle-Kiski Campus | § 107.26(b)(5) | A pharmacy-therapeutics committee | 08/09/14 | granted |
| LifeCare Hospitals of Pittsburgh— Main | § 107.26(b)(5) | A pharmacy-therapeutics committee | 08/09/14 | granted |
| LifeCare Hospitals of Pittsburgh— Suburban Campus | § 107.26(b)(5) | A pharmacy-therapeutics committee | 08/09/14 | granted |
| LifeCare Hospitals of Pittsburgh— Alle-Kiski Campus | § 107.26(b)(7) | A bylaws committee | 08/09/14 | granted |
| LifeCare Hospitals of Pittsburgh— Main | § 107.26(b)(7) | A bylaws committee | 08/09/14 | granted |
| LifeCare Hospitals of Pittsburgh— Suburban Campus | § 107.26(b)(7) | A bylaws committee | 08/09/14 | granted |
| Allegheny General Hospital | § 107.62(a) | Oral orders | 08/09/14 | granted |
| Allegheny Valley Hospital | § 107.62(a) | Oral orders | 07/12/14 | granted |

| <i>Facility Name</i> | <i>28 Pa. Code Regulation</i> | <i>Relating to</i> | <i>Request Published</i> | <i>Decision</i> |
|---|-------------------------------|---|--------------------------|-----------------|
| Allied Services Institute of Rehabilitation Medicine | § 107.62(a) | Oral orders | 08/30/14 | granted |
| Children's Home of Pittsburgh, The | § 107.62(a) | Oral orders | 07/12/14 | granted |
| Forbes Hospital | § 107.62(a) | Oral orders | 08/30/14 | granted |
| Holy Redeemer Hospital | § 107.62(a) | Oral orders | 09/13/14 | granted |
| John Heinz Institute Rehabilitation Hospital | § 107.62(a) | Oral orders | 08/30/14 | granted |
| Lower Bucks Hospital | § 107.62(a) | Oral orders | 08/09/14 | granted |
| Mount Nittany Medical Center | § 107.62(a) | Oral orders | 08/30/14 | granted |
| Penn Highlands DuBois | § 107.62(a) | Oral orders | 08/09/14 | granted |
| Pottstown Memorial Medical Center | § 107.62(a) | Oral orders | 05/03/14 | granted |
| West Penn Hospital | § 107.62(a) | Oral orders | 07/12/14 | granted |
| Allegheny General Hospital | § 107.62(b) | The medical staff bylaws | 08/09/14 | granted |
| Allegheny Valley Hospital | § 107.62(b) | The medical staff bylaws | 07/12/14 | granted |
| Allied Services Institute of Rehabilitation Medicine | § 107.62(b) | The medical staff bylaws | 08/30/14 | granted |
| Children's Home of Pittsburgh, The | § 107.62(b) | The medical staff bylaws | 07/12/14 | granted |
| Forbes Hospital | § 107.62(b) | The medical staff bylaws | 08/30/14 | granted |
| Holy Redeemer Hospital | § 107.62(b) | The medical staff bylaws | 09/13/14 | granted |
| John Heinz Institute Rehabilitation Hospital | § 107.62(b) | The medical staff bylaws | 08/30/14 | granted |
| Lower Bucks Hospital | § 107.62(b) | The medical staff bylaws | 08/09/14 | granted |
| Mount Nittany Medical Center | § 107.62(b) | The medical staff bylaws | 08/30/14 | granted |
| Penn Highlands DuBois | § 107.62(b) | The medical staff bylaws | 08/09/14 | granted |
| Pottstown Memorial Medical Center | § 107.62(b) | The medical staff bylaws | 05/03/14 | granted |
| West Penn Hospital | § 107.62(b) | The medical staff bylaws | 07/12/14 | granted |
| LifeCare Hospitals of Pittsburgh—Alle-Kiski Campus | § 109.2 | Director of nursing services | 08/09/14 | granted |
| LifeCare Hospitals of Pittsburgh—Main | § 109.2 | Director of nursing services | 08/09/14 | granted |
| LifeCare Hospitals of Pittsburgh—Suburban Campus | § 109.2 | Director of nursing services | 08/09/14 | granted |
| York Hospital | § 117.30(1) | The primary responsibility of the paramedic | 08/09/14 | granted |
| Advanced Surgical Hospital | § 127.1 | Principle | 08/30/14 | not nec. |
| Hanover Hospital | § 138.15 | High Risk Cardiac Catheterizations | 08/02/14 | granted |
| Riddle Hospital | § 138.15 | High Risk Cardiac Catheterizations | 06/21/14 | granted |
| UPMC East | § 138.15 | High Risk Cardiac Catheterizations | 07/12/14 | granted |
| Children's Hospital of Philadelphia | § 153.1 | 2.1-8.4.4 Medical gas and vacuum systems | 08/16/14 | not nec. |
| Children's Hospital of Philadelphia | § 153.1 | 2.2-2.6.2.2(1) Area | 08/16/14 | not nec. |
| DuBois Regional Medical Center—Penn Highlands Dermatology, 90 Beaver Drive, Suite 122 D, DuBois | § 153.1 | 3.1-7.2.2.3(1)(a) The minimum door opening | 04/19/14 | granted |
| DuBois Regional Medical Center—Penn Highlands Dermatology, 90 Beaver Drive, Suite 122 D, DuBois | § 153.1 | 3.1-3.2.4.2(2) Clearance (treatment room) | 04/19/14 | granted |

| <i>Facility Name</i> | <i>28 Pa. Code Regulation</i> | <i>Relating to</i> | <i>Request Published</i> | <i>Decision</i> |
|---|-----------------------------------|--|------------------------------|-----------------|
| DuBois Regional Medical Center— Penn Highlands Dermatology, 90 Beaver Drive, Suite 122 D, DuBois | § 153.1 | 3.1-3.8.1 Toilet(s) for patient use | 04/19/14 | granted |
| DuBois Regional Medical Center— Penn Highlands Dermatology, 90 Beaver Drive, Suite 122 D, DuBois | § 153.1 | 3.1-6.1.1 Vehicular drop-off | 04/19/14 | granted |
| DuBois Regional Medical Center— Penn Highlands General Surgery, 123 South Street, Ridgway | § 153.1 | 3.1-7.2.2.3(1)(a) The minimum door opening | 04/19/14 | granted |
| DuBois Regional Medical Center— Penn Highlands General Surgery, 123 South Street, Ridgway | § 153.1 | 3.1-7.2.2.3(1)(b) If the outpatient facility serves | 04/19/14 | granted |
| DuBois Regional Medical Center— Penn Highlands General Surgery, 123 South Street, Ridgway | § 153.1 | 3.1-7.2.2.1(1) Public corridors | 04/19/14 | granted |
| DuBois Regional Medical Center— Penn Highlands OB/GYN, 807 Turnpike Ave., Suite 260, Curwensville | § 153.1 | 3.1-3.2.2.2(2) Clearances (exam/observation) | 04/19/14 | granted |
| DuBois Regional Medical Center— Penn Highlands Orthopedics, 807 Turnpike Ave., Suite 120, Clearfield | § 153.1 | 3.1-7.2.2.1(1) Public corridors | 04/19/14 | granted |
| DuBois Regional Medical Center— Penn Highlands Orthopedics, 807 Turnpike Ave., Suite 120, Clearfield | § 153.1 | 3.1-7.2.2.3(1)(a) The minimum door opening | 04/19/14 | granted |
| DuBois Regional Medical Center— Penn Highlands Orthopedics, 807 Turnpike Ave., Suite 120, Clearfield | § 153.1 | 3.1-7.2.2.3(1)(b) If the outpatient facility serves | 04/19/14 | granted |
| DuBois Regional Medical Center— Penn Highlands Orthopedics, 807 Turnpike Ave., Suite 120, Clearfield | § 153.1 | 3.1-3.2.2.2(1) Area (exam/observation) | 04/19/14 | granted |
| DuBois Regional Medical Center— Penn Highlands Orthopedics, 807 Turnpike Ave., Suite 120, Clearfield | § 153.1 | 3.1-3.2.2.2(2) Clearances (exam/observation) | 04/19/14 | granted |
| DuBois Regional Medical Center— Penn Highlands Orthopedics, 807 Turnpike Ave., Suite 120, Clearfield | § 153.1 | 3.1-3.2.4.2(2) Clearance (treatment room) | 04/19/14 | granted |
| DuBois Regional Medical Center— Penn Highlands Orthopedics, 807 Turnpike Ave., Suite 120, Clearfield | § 153.1 | 3.1-3.6.6.2 Sink | 04/19/14 | granted |
| DuBois Regional Medical Center— Penn Highlands Orthopedics, 807 Turnpike Ave., Suite 120, Clearfield | § 153.1 | 3.1-3.8.1 Toilet(s) for patient use | 04/19/14 | granted |
| DuBois Regional Medical Center— Penn Highlands Pediatrics, 135 B Midway Drive, DuBois | § 153.1 | 3.1-3.2.4.2(1) Area (treatment room) | 04/19/14 | granted |
| DuBois Regional Medical Center, 90 Beaver Drive, Suite 122 D, DuBois | § 153.1 | 3.1-7.2.2.1(1) Public corridors | 02/22/14 | granted |

| <i>Facility Name</i> | <i>28 Pa. Code Regulation</i> | <i>Relating to</i> | <i>Request Published</i> | <i>Decision</i> |
|--|-------------------------------|--|--------------------------|-----------------|
| DuBois Regional Medical Center, 90 Beaver Drive, Suite 122 D, DuBois | § 153.1 | 3.1-7.2.2.3(b) If the outpatient facility serves | 02/22/14 | granted |
| DuBois Regional Medical Center, 90 Beaver Drive, Suite 122 D, DuBois | § 153.1 | 3.1-3.2.4 Area | 02/22/14 | granted |
| Einstein Medical Center Montgomery | § 153.1 | 2.2-2.12.3.1(1)(b) When a rooming in program is used | 08/09/14 | denied |
| Einstein Medical Center Montgomery | § 153.1 | 2.2-2.12.3.3(1)(b) Location of continuing care infant stations | 08/09/14 | denied |
| Geisinger Health System | § 153.1 | 2.1-8.5.3.1 Size (technology distribution rooms) | 09/13/14 | granted |
| Grand View Hospital | § 153.1 | 3.12-3.2.2.1(5) Sinks in treatment rooms at outpatient | 09/13/14 | granted |
| Hanover Hospital | § 153.1 | 2.2-3.5.3.1(2) Location, pre-procedure and recovery areas | 07/12/14 | granted |
| Hanover Hospital | § 153.1 | 2.2-2.2.2.5(a) A hand-washing station shall | 08/09/14 | granted |
| Hanover Hospital | § 153.1 | 2.2-2.2.2.5(b) A hand-washing station shall | 08/09/14 | granted |
| Hanover Hospital | § 153.1 | 2.2-2.2.2.7(a) Number | 08/09/14 | not nec. |
| Hanover Hospital | § 153.1 | 2.2-2.2.2.7(b) Location | 08/09/14 | not nec. |
| Hanover Hospital | § 153.1 | 2.2-2.2.2.7(c) Toilet | 08/09/14 | granted |
| Meadville Medical Center | § 153.1 | 3.3-3.2.6.10 Soiled holding room | 07/26/14 | granted |
| Meadville Medical Center | § 153.1 | 3.3-1.1.2 Meeting all provisions | 07/26/14 | granted |
| Monongahela Valley Hospital | § 153.1 | 2.2-3.5.2 Cardiac Catheterization Lab (Table 2.1-6 Station outlets, medical air outlets) | 08/30/14 | denied |
| Moses Taylor Hospital | § 153.1 | 3.1-3.8.1 Toilet(s) for patient use | 07/12/14 | denied |
| OSS Orthopaedic Hospital | § 153.1 | 2.2-2.2.2.7(2)(a)(ii) If required by the functional program | 07/12/14 | granted |
| Penn Highlands Clearfield | § 153.1 | 3.1-7.2.2.3(1)(a) The minimum door opening | 08/30/14 | granted |
| Penn Highlands DuBois Internal Med., 757 Johnsonburg Road, Suite 100, St. Marys | § 153.1 | 3.1-7.2.2.1(1) Corridor width | 09/13/14 | granted |
| Penn Highlands DuBois Internal Med., 757 Johnsonburg Road, Suite 100, St. Marys | § 153.1 | 3.2-6.3(1) Support areas for staff | 09/13/14 | granted |
| Penn Highlands DuBois—Penn Highlands Family/Internal Med., 1095 Million Dollar Highway, St. Mary's | § 153.1 | 3.1-3.2.2.2(2) Clearances | 08/09/14 | granted |
| Penn Highlands DuBois—Penn Highlands Family/Internal Med., 1095 Million Dollar Highway, St. Mary's | § 153.1 | 3.1-3.2.2.2(1) Area | 08/09/14 | granted |
| Penn Highlands DuBois—Penn Highlands OB/GYN, 145 Hospital Ave, Suite 315, DuBois | § 153.1 | 3.1-3.2.4.2(1) Area | 07/12/14 | granted |
| Penn Highlands DuBois—Penn Highlands OB/GYN, 145 Hospital Ave, Suite 315, DuBois | § 153.1 | 3.1-3.2.4.2(2) Clearance | 07/12/14 | granted |

| <i>Facility Name</i> | <i>28 Pa. Code Regulation</i> | <i>Relating to</i> | <i>Request Published</i> | <i>Decision</i> |
|---|-----------------------------------|---|------------------------------|-----------------|
| Penn Highlands DuBois— Penn Highlands OB/GYN, 145 Hospital Ave, Suite 315, DuBois | § 153.1 | 3.1-7.2.2.3(1)(a) The minimum door opening | 07/12/14 | not nec. |
| Penn Highlands DuBois— Penn Highlands OB/GYN, 145 Hospital Ave, Suite 315, DuBois | § 153.1 | 3.1-7.2.2.3(1)(b) If the outpatient facility | 07/12/14 | granted |
| Penn Highlands DuBois— Penn Highlands OB/GYN, 145 Hospital Ave, Suite 315, DuBois | § 153.1 | 3.1-7.2.2.1(1) Public corridors | 07/12/14 | granted |
| Penn Highlands DuBois— Penn Highlands OB/GYN, 90 Beaver Drive, Suite 211D, DuBois | § 153.1 | 3.1-7.2.2.3(1)(a) The minimum door opening | 07/12/14 | not nec. |
| Penn Highlands DuBois— Penn Highlands OB/GYN, 90 Beaver Drive, Suite 211D, DuBois | § 153.1 | 3.1-7.2.2.3(1)(b) If the outpatient facility | 07/12/14 | granted |
| Penn Highlands DuBois— Penn Highlands OB/GYN, 90 Beaver Drive, Suite 211D, DuBois | § 153.1 | 3.1-7.2.2.1(1) Public corridors | 07/12/14 | granted |
| Penn Highlands DuBois— Penn Highlands OB/GYN, 90 Beaver Drive, Suite 211D, DuBois | § 153.1 | 3.1-3.6.6.2 Sink | 07/12/14 | granted |
| Penn Highlands DuBois— Penn Highlands OB/GYN, 90 Beaver Drive, Suite 211D, DuBois | § 153.1 | 3.1-6.1.1 Vehicular drop off | 07/12/14 | granted |
| Penn Highlands DuBois— Penn Highlands Pain Management/ Anesthesiology, 761 Johnsonburg Rd, Suite 120, St. Marys | § 153.1 | 3.1-3.2.4.2(1) Area | 08/09/14 | granted |
| Penn Highlands DuBois— Penn Highlands Pain Management/ Anesthesiology, 761 Johnsonburg Rd, Suite 120, St. Marys | § 153.1 | 3.1-3.6.10 Soiled holding | 08/09/14 | granted |
| Penn Highlands DuBois— Penn Highlands Pain Management/ Anesthesiology, 761 Johnsonburg Rd, Suite 120, St. Marys | § 153.1 | 3.1-3.8.1 Toilet(s) for patient use | 08/09/14 | granted |
| Penn Highlands DuBois— Penn Highlands Pain Management/ Anesthesiology, 761 Johnsonburg Rd, Suite 120, St. Marys | § 153.1 | 3.2-6.3 Support areas for staff | 08/09/14 | granted |
| Penn Highlands DuBois— Penn Highlands Pain Management/ Anesthesiology, 761 Johnsonburg Rd, Suite 120, St. Marys | § 153.1 | 3.1-3.6.6 Medication distribution systems | 08/09/14 | granted |
| Penn Highlands DuBois— Penn Highlands Pain Management/ Anesthesiology, 761 Johnsonburg Rd, Suite 120, St. Marys | § 153.1 | 3.1-7.2.2.3(1) Door openings | 08/09/14 | granted |

| <i>Facility Name</i> | <i>28 Pa. Code Regulation</i> | <i>Relating to</i> | <i>Request Published</i> | <i>Decision</i> |
|--|-----------------------------------|---|------------------------------|-----------------|
| Penn Highlands DuBois— Penn Highlands Plastic Surgery, 90 Beaver Drive, Suite 215 D, DuBois | § 153.1 | 3.1-3.2.4.2(1) Area | 07/12/14 | granted |
| Penn Highlands DuBois— Penn Highlands Plastic Surgery, 90 Beaver Drive, Suite 215 D, DuBois | § 153.1 | 3.1-3.2.4.2(2) Clearance | 07/12/14 | granted |
| Penn Highlands DuBois— Penn Highlands Plastic Surgery, 90 Beaver Drive, Suite 215 D, DuBois | § 153.1 | 3.1-7.2.2.3(1)(a) The minimum door opening | 07/12/14 | not nec. |
| Penn Highlands DuBois— Penn Highlands Plastic Surgery, 90 Beaver Drive, Suite 215 D, DuBois | § 153.1 | 3.1-7.2.2.3(1)(b) If the outpatient facility | 07/12/14 | granted |
| Penn Highlands DuBois— Penn Highlands Plastic Surgery, 90 Beaver Drive, Suite 215 D, DuBois | § 153.1 | 3.1-7.2.2.1(1) Public corridors | 07/12/14 | granted |
| Penn Highlands DuBois— Penn Highlands Plastic Surgery, 90 Beaver Drive, Suite 215 D, DuBois | § 153.1 | 3.1-6.1.1 Vehicular drop off | 07/12/14 | granted |
| PinnacleHealth Hospital | § 153.1 | 3.1-3.6.1 Nurse stations | 09/20/14 | granted |
| PinnacleHealth Hospital | § 153.1 | 3.1-3.6.6 Medication distribution rooms | 09/20/14 | granted |
| PinnacleHealth Hospital | § 153.1 | 3.1-3.6.7 Nourishment area | 09/20/14 | granted |
| PinnacleHealth Hospital | § 153.1 | 3.1-3.6.9 Clean storage rooms | 09/20/14 | granted |
| PinnacleHealth Hospital | § 153.1 | 3.1-6.2.5 Medical records file rooms | 09/20/14 | granted |
| PinnacleHealth Hospital | § 153.1 | 3.1-7.2.2.1 Corridor widths | 09/20/14 | granted |
| Reading Hospital | § 153.1 | 3.1-7.2.2.1(1) Corridor width | 07/12/14 | granted |
| Reading Hospital | § 153.1 | 3.1-3.2.2.2(2) Clearances | 07/12/14 | withdrawn |
| Reading Hospital | § 153.1 | 2.12-3.2.2.2(2) Space requirements | 08/09/14 | granted |
| Reading Hospital | § 153.1 | 3.12-3.2.2.1(2)(a) Area | 08/09/14 | granted |
| Reading Hospital | § 153.1 | 3.1-5.5.1.1 Environmental Services Room | 08/30/14 | granted |
| Reading Hospital | § 153.1 | 3.12-3.2.2.2(2) Individual therapy rooms | 08/30/14 | granted |
| Reading Hospital | § 153.1 | 3.12-3.2.2.1(2)(a) Therapy rooms | 08/30/14 | granted |
| Reading Hospital | § 153.1 | 3.1-3.6.5.1 Hand-washing stations | 09/13/14 | granted |
| Reading Hospital | § 153.1 | 3.1-3.2.4.2(1) Area | 09/13/14 | granted |
| Riddle Hospital | § 153.1 | 2.2-3.1.3.3(3)(b) At the point of entry | 06/14/14 | granted |
| Robert Packer Hospital | § 153.1 | 3.6-3.2.2.1 Area | 06/28/14 | granted |
| Robert Packer Hospital | § 153.1 | 3.6-3.6.10.1 A flushing-rim clinical sink | 06/28/14 | granted |
| Saint Vincent Hospital | § 153.1 | 2.1-2.6.6.2(1) Medication prep room | 08/09/14 | not nec. |
| Saint Vincent Hospital | § 153.1 | 2.2-3.12.6.12 Environmental services room | 08/09/14 | granted |

| <i>Facility Name</i> | <i>28 Pa. Code Regulation</i> | <i>Relating to</i> | <i>Request Published</i> | <i>Decision</i> |
|--|-------------------------------|---|--------------------------|-----------------|
| Saint Vincent Hospital | § 153.1 | 6.7.1 General, maintain the pressure relationships | 08/09/14 | not nec. |
| Saint Vincent Hospital | § 153.1 | 2.2-3.12.8.1(1) Toilet rooms | 08/09/14 | granted |
| Saint Vincent Hospital | § 153.1 | 2.2-3.12.8.1(2) Drinking fountain | 08/09/14 | granted |
| Saint Vincent Hospital | § 153.1 | 2.2-3.12.2.8(1) The nurse station shall be designed | 08/09/14 | granted |
| Somerset Hospital | § 153.1 | 2.2-3.1.4.4(2) Secure holding rooms | 09/13/14 | granted |
| St. Luke's Miners Hospital | § 153.1 | 3.12-3.8.5 Toilet room | 07/26/14 | granted |
| St. Mary Medical Center | § 153.1 | 2.2-2.6.2.2(2) Clearances | 09/13/14 | granted |
| St. Mary Medical Center | § 153.1 | 2.1-8.5.3.2 Size (TDR) | 09/13/14 | granted |
| UPMC Hamot | § 153.1 | 2.1-7.2.3.4(3)(a) Ceilings in restricted areas | 07/12/14 | not nec. |
| UPMC Hamot | § 153.1 | 2.2-3.3.3.3(2) In new construction, at least one | 07/12/14 | granted |
| UPMC Hamot | § 153.1 | 2.2-3.3.6.10(4) Soiled holding room | 07/12/14 | granted |
| UPMC Hamot | § 153.1 | 2.2-3.3.7.2 Staff clothing change areas | 07/12/14 | granted |
| UPMC Horizon—Shenango Campus | § 153.1 | 2.2-3.4.5.1(2) Clearances | 08/30/14 | granted |
| UPMC Horizon—Shenango Campus | § 153.1 | 2.2-3.4.5.3(1) A patient toilet | 09/27/14 | granted |
| UPMC Mercy Hospital | § 153.1 | 2.2-3.4.3.2 Tomography and radiography/fluoroscopy rooms | 07/12/14 | granted |
| UPMC Passavant | § 153.1 | 2.2-3.1.3.6(2)(a) Space requirements | 07/26/14 | granted |
| Warren General Hospital | § 153.1 | 2.1-8.2.2.5(4) See Part 6 (ASHARE 170) | 07/12/14 | granted |
| York Hospital | § 153.1 | 2.1-8.5.3.2 Size (TDR) | 07/12/14 | granted |
| York Hospital | § 153.1 | 2.1-3.2.1.1 Each single patient examination | 07/12/14 | granted |
| York Hospital | § 153.1 | 2.1-3.2.1.3(2) A hand-washing station | 07/12/14 | granted |
| Ambulatory Surgical Facilities | | | | |
| The Renaissance Center for Plastic Surgery | § 551.21 | Criteria for ambulatory surgery—specifically (A)(1) A total of 4 hours operating time | 03/22/14 | denied |
| Langhorne Access Center | § 551.21(d)(1) and (3) | Criteria for ambulatory surgery | 07/12/14 | granted |
| Apple Hill Surgery Center | § 551.21(a)(1) | A total of 4 hours operating time | 04/12/14 | denied |
| Apple Hill Surgery Center | § 551.21(a)(2) | A total of 4 hours recover time | 04/12/14 | denied |
| NextGen Endoscopy Centre, The | § 551.3 | Definitions (PS III patients) | 05/24/14 | denied |
| Blair Endoscopy Center, LLC d/b/a Allegheny Regional Endoscopy | § 551.3(ii) | Class B, Definitions (PS III patients) | 08/09/14 | granted |
| Southwestern Pennsylvania Eye Surgery Center | § 551.3(ii) | Class B, Definitions (PS III patients) | 08/30/14 | granted |
| Pinnacle Health—West Shore Pain Management Center | § 551.3(ii) | Class B, Definitions (PS III patients) | 07/12/14 | denied |
| Greater Erie Surgery Center, LLC | § 553.31 | Administrative Responsibilities | 07/12/14 | granted |
| East Stroudsburg Ambulatory Surgery Center | § 553.31(a) | A full time person in charge | 08/09/14 | granted |

| <i>Facility Name</i> | <i>28 Pa. Code Regulation</i> | <i>Relating to</i> | <i>Request Published</i> | <i>Decision</i> |
|--|-------------------------------|--|--------------------------|-----------------|
| Urologic Surgery Center, The | § 555.13 | Administration of drugs | 08/30/14 | granted |
| East Stroudsburg Ambulatory Surgery Center | § 555.31(d)(1) | A patient requiring anesthesia | 07/26/14 | denied |
| Greater Erie Surgery Center, LLC | § 559.2 | Director of Nursing | 07/12/14 | granted |
| Surgery Center at Penn Medicine University Center | § 569.35(7) | General safety precautions | 08/02/14 | granted |
| Wexford Surgery Center | § 569.35(7) | General safety precautions | 08/30/14 | granted |
| PA Vascular Institute LLC—Easton | § 571.1 | 3.7-7.2.2.1 Corridor width | 07/12/14 | granted |
| Nursing Care Facilities | | | | |
| Sugar Creek Station Skilled Nursing & Rehabilitation Complex | § 201.18(e) | management | 07/19/14 | granted |
| UPMC Northwest Transitional Care Unit | § 201.18(e) | management | 07/19/14 | granted |
| Moravian Manor | § 201.22(j) | prevention, control and surveillance of tuberculosis | 07/19/14 | granted |
| Canterbury Place | § 201.22(d) and (e) | prevention, control and surveillance of tuberculosis | 06/21/14 | granted |
| Seneca Place | § 201.22(d) and (e) | prevention, control and surveillance of tuberculosis | 06/21/14 | granted |
| Sherwood Oaks | § 201.22(d) and (e) | prevention, control and surveillance of tuberculosis | 06/21/14 | granted |
| Sugar Creek Station Skilled Nursing & Rehabilitation Complex | § 201.22(d) and (e) | prevention, control and surveillance of tuberculosis | 07/05/14 | granted |
| UMPC Northwest Transitional Care Unit | § 201.22(d) and (e) | prevention, control and surveillance of tuberculosis | 07/05/14 | granted |
| UPMC Cranberry Place | § 201.22(d) and (e) | prevention, control and surveillance of tuberculosis | 06/21/14 | granted |
| UPMC Magee—Women's Hospital Transitional Care Unit | § 201.22(d) and (e) | prevention, control and surveillance of tuberculosis | 08/02/14 | granted |
| UPMC McKeesport | § 201.22(d) and (e) | prevention, control and surveillance of tuberculosis | 07/05/14 | granted |
| UPMC Transitional Care Unit | § 201.22(d) and (e) | prevention, control and surveillance of tuberculosis | 08/02/14 | granted |
| Willowcrest | § 201.22(d), (j) and (k) | prevention, control and surveillance of tuberculosis | 09/06/14 | granted |
| Marian Manor Corporation | § 201.22(e), (j) and (k) | prevention, control and surveillance of tuberculosis | 07/19/14 | granted |
| Valley View Nursing Center | § 201.22(h) | prevention, control and surveillance of tuberculosis | 07/19/14 | granted |
| Masonic Village at Elizabethtown | § 201.22(j) | prevention, control and surveillance of tuberculosis | 09/13/14 | granted |
| Gettysburg Lutheran Nursing and Retirement Care | § 201.3 | definitions | 09/13/14 | granted |
| Lutheran Nursing & Rehabilitation Center—The Village at Sprenkle Drive | § 201.3 | definitions | 08/16/14 | granted |
| Lutheran Retirement Village at Utz Terrace | § 201.3 | definitions | 09/13/14 | granted |
| Allied Services Transitional Rehabilitation Unit | § 205.10(a) | doors | 07/12/14 | granted |
| Linwood Nursing and Rehabilitation Center | § 205.20(f) | resident bedrooms | 06/21/14 | granted |

| <i>Facility Name</i> | <i>28 Pa. Code Regulation</i> | <i>Relating to</i> | <i>Request Published</i> | <i>Decision</i> |
|---|-------------------------------|---|--------------------------|-----------------|
| Normandie Ridge | § 205.28(b) | nurses' stations | 06/21/14 | granted |
| Frey Village | § 205.28(c)(3) | nurses' station | 07/05/14 | withdrawn |
| Blough Healthcare Center, LLC | § 205.38(h) | bathing facilities | 08/02/14 | granted |
| Seneca Place | § 205.38(h) | toilet facilities | 07/26/14 | granted |
| Artman Lutheran Home | § 205.6(a) | function of building | 08/09/14 | granted |
| Golden LivingCenter—Monroeville | § 205.6(a) | function of building | 09/06/14 | granted |
| Normandie Ridge | § 205.67(j) | wireless call bell systems | 08/30/14 | granted |
| Artman Lutheran Home | § 205.67(j) and (k) | electrical requirements for existing and new construction | 08/09/14 | granted |
| The Wesley Village | § 205.67(k) | electrical requirements for existing and new construction | 08/09/14 | denied |
| Manchester Commons | § 205.82(b) | nurses' station | 07/05/14 | granted |
| Church of God Home, Inc. | § 205.9(a) | corridors | 08/16/14 | granted |
| Allied Services Skilled Nursing Center | § 211.9(g) | pharmacy services | 07/26/14 | granted |
| Allied Services Transitional Rehabilitation Unit | § 211.9(g) | pharmacy services | 07/12/14 | granted |
| Belle Haven Skilled Nursing and Rehabilitation Center | § 211.9(g) | pharmacy services | 07/19/14 | granted |
| Blough Healthcare Center, LLC | § 211.9(g) | pharmacy services | 07/26/14 | granted |
| Broad Acres Health and Rehabilitation Center | § 211.9(g) | pharmacy services | 07/12/14 | granted |
| Bucktail Medical Center | § 211.9(g) | pharmacy services | 07/05/14 | granted |
| Centre Crest | § 211.9(g) | pharmacy services | 06/28/14 | granted |
| Charles Cole Memorial Hospital, ECF | § 211.9(g) | pharmacy services | 07/12/14 | granted |
| Darway Elder Care Rehabilitation Center | § 211.9(g) | pharmacy services | 06/21/14 | granted |
| Dock Terrace | § 211.9(g) | pharmacy services | 08/16/14 | granted |
| Ephrata Manor | § 211.9(g) | pharmacy services | 09/13/14 | granted |
| Golden LivingCenter—East Mountain | § 211.9(g) | pharmacy services | 06/21/14 | granted |
| Golden LivingCenter—Gettysburg | § 211.9(g) | pharmacy services | 09/13/14 | granted |
| Golden LivingCenter—Lansdale | § 211.9(g) | pharmacy services | 07/26/14 | granted |
| Golden LivingCenter—Tunkhannock | § 211.9(g) | pharmacy services | 06/21/14 | granted |
| Golden LivingCenter—West Shore | § 211.9(g) | pharmacy services | 06/21/14 | granted |
| Golden LivingCenter—Doylestown | § 211.9(g) | pharmacy services | 07/05/14 | granted |
| Guy and Mary Felt Manor, Inc. | § 211.9(g) | pharmacy services | 06/21/14 | granted |
| Ivy Hill Rehabilitation and Nursing Center | § 211.9(g) | pharmacy services | 07/26/14 | granted |
| Kade Health and Rehabilitation | § 211.9(g) | pharmacy services | 08/16/14 | granted |
| Kirkland Village | § 211.9(g) | pharmacy services | 08/16/14 | granted |
| Locust Grove Retirement Village | § 211.9(g) | pharmacy services | 08/30/14 | granted |
| Lutheran Home at Topton | § 211.9(g) | pharmacy services | 07/19/14 | granted |
| Malta Home | § 211.9(g) | pharmacy services | 07/12/14 | granted |
| Manatawny Manor | § 211.9(g) | pharmacy services | 07/19/14 | granted |
| Manor at Penn Village | § 211.9(g) | pharmacy services | 07/12/14 | granted |
| Manor at Susquehanna Village, The | § 211.9(g) | pharmacy services | 08/30/14 | granted |
| ManorCare Health Services—Jersey Shore | § 211.9(g) | pharmacy services | 07/12/14 | granted |
| ManorCare Health Services—Allentown | § 211.9(g) | pharmacy services | 08/02/14 | granted |

| <i>Facility Name</i> | <i>28 Pa. Code Regulation</i> | <i>Relating to</i> | <i>Request Published</i> | <i>Decision</i> |
|---|-------------------------------|--------------------|--------------------------|-----------------|
| ManorCare Health Services— West Reading North | § 211.9(g) | pharmacy services | 08/23/14 | granted |
| ManorCare Health Services— Williamsport North | § 211.9(g) | pharmacy services | 06/21/14 | granted |
| ManorCare Health Services— Williamsport South | § 211.9(g) | pharmacy services | 06/21/14 | granted |
| Mountain View, A Nursing and Rehabilitation Center | § 211.9(g) | pharmacy services | 07/05/14 | granted |
| New Eastwood Healthcare and Rehabilitation Center | § 211.9(g) | pharmacy services | 08/02/14 | granted |
| Nottingham Village | § 211.9(g) | pharmacy services | 07/05/14 | granted |
| Obesson Manor | § 211.9(g) | pharmacy services | 07/05/14 | granted |
| Philadelphia Nursing Home | § 211.9(g) | pharmacy services | 07/05/14 | granted |
| Pleasant Ridge Manor—East | § 211.9(g) | pharmacy services | 08/23/14 | granted |
| Pleasant Ridge Manor—West | § 211.9(g) | pharmacy services | 08/16/14 | granted |
| River Run Rehabilitation and Nursing Center | § 211.9(g) | pharmacy services | 08/02/14 | granted |
| Riverwoods | § 211.9(g) | pharmacy services | 06/21/14 | granted |
| Rockhill Mennonite Community | § 211.9(g) | pharmacy services | 07/05/14 | granted |
| Rolling Hills Manor | § 211.9(g) | pharmacy services | 06/21/14 | granted |
| Sarah A. Todd Memorial Home | § 211.9(g) | pharmacy services | 06/21/14 | granted |
| Sayre Health Care Center | § 211.9(g) | pharmacy services | 07/12/14 | granted |
| Spirit of Mercy Skilled Nursing Center | § 211.9(g) | pharmacy services | 08/02/14 | granted |
| Sunbury Community Health and Rehabilitation Center | § 211.9(g) | pharmacy services | 06/21/14 | granted |
| Sweden Valley Manor | § 211.9(g) | pharmacy services | 07/12/14 | granted |
| Sycamore Manor Health Center | § 211.9(g) | pharmacy services | 07/19/14 | granted |
| The Green Home, Inc. | § 211.9(g) | pharmacy services | 07/12/14 | granted |
| The Hearthside Rehabilitation and Nursing Center | § 211.9(g) | pharmacy services | 07/05/14 | granted |
| The Lebanon Valley Home | § 211.9(g) | pharmacy services | 06/28/14 | granted |
| The Manor at Perry Village | § 211.9(g) | pharmacy services | 08/30/14 | granted |
| The Manor at St. Luke Village | § 211.9(g) | pharmacy services | 08/23/14 | granted |
| The Pavilion at St. Luke Village | § 211.9(g) | pharmacy services | 08/23/14 | granted |
| The Williamsport Home | § 211.9(g) | pharmacy services | 07/12/14 | granted |
| Twining Hall | § 211.9(g) | pharmacy services | 07/05/14 | granted |
| Valley View Haven, Inc. | § 211.9(g) | pharmacy services | 07/12/14 | granted |
| Vibra Rehabilitation Center | § 211.9(g) | pharmacy services | 07/05/14 | granted |
| Village at Pennwood | § 211.9(g) | pharmacy services | 08/02/14 | granted |
| Willowbrooke Court at Lima Estates | § 211.9(g) | pharmacy services | 07/19/14 | granted |
| Frederick Living—Cedarwood | § 211.9(g) | pharmacy services | 07/26/14 | granted |

Persons with a disability who require an alternative format of this notice (for example, large print, audiotope, Braille) should contact the Division of Acute and Ambulatory Care or the Division of Nursing Care Facilities at the previously referenced address or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 14-2111. Filed for public inspection October 10, 2014, 9:00 a.m.]

Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

Moravian Manor
300 West Lemon Street
Lititz, PA 17543
FAC ID # 135202

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.17 (relating to location):

Fair Acres Geriatric Center
340 North Middletown Road
P. O. Box 496
Lima, PA 19037-0496
FAC ID # 061002

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.36(h) (relating to bathing facilities):

Valley View Nursing Center
2140 Warrensville Road
Montoursville, PA 17754
FAC ID # 027602

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building):

Fair Acres Geriatric Center
340 North Middletown Road
P. O. Box 496
Lima, PA 19037-0496
FAC ID # 061002

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.67(j) and (k) (relating to electric requirements for existing and new construction):

Butler Valley Manor Health and Rehabilitation Center
463 North Hunter Highway
Drums, PA 18222
FAC ID # 283802

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. 14-2112. Filed for public inspection October 10, 2014, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Disproportionate Share Hospital Payments

The Department of Public Welfare (Department) is announcing its intended funding allocations for several classes of disproportionate share hospital (DSH) payments made to qualifying Medical Assistance (MA) enrolling acute care general hospitals. There is no change to the qualifying criteria or payment methodology for these DSH payments.

Background

The Department intends to allocate funding for certain classes of DSH payments to qualifying acute care general hospitals for Fiscal Year (FY) 2014-2015. Specifically, these classes of payments include DSH payments to critical access and qualifying rural hospitals, DSH payments for obstetrical and neonatal health care services, trauma DSH payments, DSH payments to certain burn centers, DSH payments to hospitals providing enhanced access to multiple types of medical care in economically distressed areas, DSH payments to hospitals providing a high volume of services to MA and low-income populations, DSH payments to certain academic medical centers and DSH payments to certain MA acute care general hospitals which participate in an academic medical program.

For FY 2014-2015, the Department intends to increase the funding allocations from FY 2013-2014 funding levels for DSH payments to critical access and qualifying rural hospitals. For FY 2014-2015, the Department's intended funding allocations will remain at the same levels as for FY 2013-2014 for DSH payments for obstetrical and neonatal health care services, trauma DSH payments, DSH payments to certain burn centers, DSH payments to qualifying acute care general hospitals that provide a high volume of services to MA eligible and low-income populations, payments to certain academic medical centers and DSH payments to qualifying acute care general hospitals which participate in an academic medical program. For FY 2014-2015, the Department intends to decrease funding for DSH payments to qualifying acute care general hospitals that provide enhanced access to multiple types of medical care in economically distressed areas of the Commonwealth.

DSH Payments to Critical Access Hospitals and Qualifying Rural Hospitals

For FY 2014-2015, the Department intends to allocate \$14.418 million (\$7.076 million in State general funds and \$7.342 million in Federal funds upon approval by the Centers for Medicare and Medicaid Services (CMS)) for DSH payments to critical access and qualifying rural hospitals. The Department does not intend to otherwise change its approved State Plan provisions addressing the qualifying criteria or payment methodology for these payments.

DSH Payments to Qualifying Acute Care General Hospitals for Obstetrical and Neonatal Health Care Services

For FY 2014-2015, the Department intends to allocate \$13.867 million (\$6.681 million in State general funds and \$7.186 million in Federal funds upon approval by the CMS) for DSH payments to qualifying hospitals providing obstetrical and neonatal health care services. The Department does not intend to otherwise change its approved State Plan provisions addressing the qualifying criteria or payment methodology for these payments.

Trauma DSH Payments

For FY 2014-2015, the Department intends to allocate \$17.966 million (\$8.656 million in State general funds and \$9.310 million in Federal funds upon approval by the CMS) for trauma DSH payments. The Department does not intend to otherwise change its approved State Plan provisions addressing the qualifying criteria or payment methodology for these payments.

DSH Payments to Qualified Acute Care General Hospital Burn Centers

For FY 2014-2015, the Department intends to allocate \$7.850 million (\$3.782 million in State general funds and \$4.068 million in Federal funds upon approval by the CMS) for this DSH payment to qualified burn centers. The Department does not intend to otherwise change its approved State Plan provisions addressing the qualifying criteria or payment methodology for this payment.

DSH Payments to Hospitals Providing Enhanced Access to Multiple Types of Medical Care in Economically Distressed Areas

For FY 2014-2015, the Department intends to allocate \$15.176 million (\$7.312 million in State general funds and \$7.864 million in Federal funds upon approval by the CMS) for this DSH payment to qualified hospitals providing enhanced access to multiple types of medical care in economically distressed areas. The Department does not intend to otherwise change its approved State Plan provisions addressing the qualifying criteria or payment methodology for this payment.

DSH Payments to Hospitals Providing a High Volume of Services to MA and Low-Income Populations

For FY 2014-2015, the Department intends to allocate \$1.645 million (\$0.792 million in State general funds and \$0.853 million in Federal funds upon approval by the CMS) for this DSH payment to qualified hospitals providing a high volume of services to MA and low-income populations. The Department does not intend to otherwise change its approved State Plan provisions addressing the qualifying criteria or payment methodology for this payment.

DSH Payments to Certain Academic Medical Centers

For FY 2014-2015, the Department intends to allocate \$23.518 million (\$11.331 million in State general funds and \$12.187 million in Federal funds upon approval by the CMS) for payments to academic medical centers. The Department does not intend to otherwise change its approved State Plan provisions addressing the qualifying criteria or payment methodology for this payment.

DSH Payments for Certain MA Acute Care General Hospitals which Participate in an Academic Medical Program

For FY 2014-2015, the Department intends to allocate \$4.151 million (\$2.000 million in State general funds and \$2.151 million in Federal funds upon approval by the CMS) for this payment to certain MA acute care general hospitals which participate in an academic medical pro-

gram. The Department does not intend to otherwise change its approved State Plan provisions addressing the qualifying criteria or payment methodology for this payment.

Fiscal Impact

The FY 2014-2015 fiscal impact, as a result of these payments is \$98.591 million (\$47.630 million in State general funds and \$50.961 million in Federal funds upon approval by the CMS).

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Office of Medical Assistance Programs, Attention, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

BEVERLY D. MACKERETH,
Secretary

Fiscal Note: 14-NOT-910. (1) General Fund;

(7) MA—Critical Access Hospitals; (2) Implementing Year 2014-15 is \$7,076,000; (3) 1st Succeeding Year 2015-16 through 5th Succeeding Year 2019-20 are \$0; (4) 2013-14 Program—\$4,076,000; 2012-13 Program—\$3,218,000; 2011-12 Program—\$4,677,000;

(7) MA—Obstetric and Neonatal Services; (2) Implementing Year 2014-15 is \$6,681,000; (3) 1st Succeeding Year 2015-16 through 5th Succeeding Year 2019-20 are \$0; (4) 2013-14 Program—\$3,681,000; 2012-13 Program—\$3,313,000; 2011-12 Program—\$4,815,000;

(7) Trauma Centers; (2) Implementing Year 2014-15 is \$8,656,000; (3) 1st Succeeding Year 2015-16 through 5th Succeeding Year 2019-20 are \$0; (4) 2013-14 Program—\$8,656,000; 2012-13 Program—\$7,790,000; 2011-12 Program—\$11,322,000;

(7) Hospital-Based Burn Centers; (2) Implementing Year 2014-15 is \$3,782,000; (3) 1st Succeeding Year 2015-16 through 5th Succeeding Year 2019-20 are \$0; (4) 2013-14 Program—\$3,782,000; 2012-13 Program—\$3,404,000; 2011-12 Program—\$4,946,000;

(7) MA—Academic Medical Centers; (2) Implementing Year 2014-15 is \$13,331,000; (3) 1st Succeeding Year 2015-16 through 5th Succeeding Year 2019-20 are \$0; (4) 2013-14 Program—\$12,618,000; 2012-13 Program—\$12,618,000; 2011-12 Program—\$18,871,000;

(7) MA—Inpatient; (2) Implementing Year 2014-15 is \$8,104,000; (3) 1st Succeeding Year 2015-16 through 5th Succeeding Year 2019-20 are \$0; (4) 2013-14 Program—\$268,112,000; 2012-13 Program—\$325,685,000; 2011-12 Program—\$243,809,000;

(8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 14-2113. Filed for public inspection October 10, 2014, 9:00 a.m.]

GAME COMMISSION

Temporary Closure of Hunting and Trapping Seasons Within Affected Portions of Wildlife Management Unit 3D and Temporary Closure of Affected Portions of State Game Lands 180, 183 and 221

Order

Whereas, Eric Matthew Frein is currently wanted by the Pennsylvania State Police (State Police) for, inter alia, his alleged involvement in the shooting death of one State Police Trooper and the wounding of another outside of the Blooming Grove Barracks in Pike County, Pennsylvania, on September 12, 2014; and

Whereas, Eric Matthew Frein is currently at large and is considered armed and extremely dangerous by the State Police; and

Whereas, the State Police have been actively seeking to apprehend Eric Matthew Frein in portions of Monroe and Pike Counties, Pennsylvania; and

Whereas, the State Police has just advised the Pennsylvania Game Commission (Commission) of recent developments in their investigation of Eric Matthew Frein that indicate severely hazardous conditions may exist in portions of Monroe and Pike Counties, especially in wooded areas, that can cause severe injury or death to persons; and

Whereas, the Commission anticipates a marked increase of hunting, trapping and scouting activities in the near future with the opening dates for prominent hunting and trapping seasons on the horizon; and

Whereas, in an effort to reduce or eliminate possible safety risks to hunters, trappers and to the general public, the Commission has authorized: 1) the temporary closure of all hunting and trapping seasons within affected portions of Wildlife Management Unit 3D; and 2) the temporary closure of all public access to affected portions of State Game Lands 180, 183 and 221; and

Whereas, the affected portions of Wildlife Management Area 3D and the affected portions of State Game Lands 180, 183 and 221 includes all lands and waters found within Price, Barrett and Paradise Townships, Monroe County and Blooming Grove, Porter, Lehman and Green Townships in Pike County; and

Whereas, Section 322 of the Game and Wildlife Code (34 Pa.C.S. § 322) authorizes the Commission to reduce or close any hunting or trapping season and otherwise take any necessary action to accomplish and assure the purposes of the Game and Wildlife Code, including assuring the health and safety of persons who hunt or take game or wildlife; and

Whereas, Section 135.41 (relating to state game lands) of Title 58 of the Pennsylvania Code (58 Pa. Code § 135.41) authorizes the Executive Director to close State Game Lands or portions thereof, when certain specified uses may conflict with the Commission's management or administration of State Game Lands.

Whereas, the Commission has determined that the health and safety of hunters, trappers and users of State Game Lands will take precedence to hunting, trapping and access to State Game Lands within the affected portions of Wildlife Management Area 3D and State Game Lands 180, 183 and 221 at this time.

Now Therefore, it is hereby ordered that:

1. All hunting and trapping seasons within those portions of Wildlife Management Unit 3D located within Price, Barrett and Paradise Townships, Monroe County and Blooming Grove, Porter, Lehman and Green Townships in Pike County are temporarily closed until further notice by the Commission.

2. All portions of State Game Lands 180, 183 and 221 located within Price, Barrett and Paradise Townships, Monroe County and Blooming Grove, Porter, Lehman and Green Townships in Pike County are temporarily closed to all public access until further notice by the Commission.

Given under my hand and seal of the Pennsylvania Game Commission on this 1st day of October 2014.

R. MATTHEW HOUGH,
Executive Director

[Pa.B. Doc. No. 14-2114. Filed for public inspection October 10, 2014, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Action Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10 a.m., Thursday, September 18, 2014, and announced the following:

Action Take—Regulation Disapproved:

Department of State #16-56: Lobbying Disclosure Registration Fee (51 Pa. Code Subsection 53.1(a))

Disapproval Order

Public Meeting Held
September 18, 2014

Commissioners Voting: John F. Mizner, Esq., Chairperson, George D. Bedwick, Vice Chairperson, W. Russell Faber, Dennis A. Watson, Esq., dissenting

*Lobbying Disclosure Registration Fee—
Department of State;
Regulation No. 16-56 (#3012)*

On May 20, 2013, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of State (Department). This rulemaking amends 51 Pa. Code Subsection 53.1(a). The proposed regulation was published in the June 1, 2013 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on August 29, 2014.

This regulation would raise the biennial fee for lobbying registration from \$200 to \$400 effective January 1, 2015. The Department states the fee increase is needed to help defray some of its costs of administering the Lobbying Disclosure Act (Act). As explained below, we find that the regulation does not sufficiently balance all of the provisions of the Lobbying Disclosure Act.

The Act includes the following statement of intent:

The Constitution of Pennsylvania recognizes that all free governments are founded upon the authority of the people The Constitution also guarantees the people the right to petition those invested with the powers of government for redress of grievances. The ability of the people to exercise their fundamental authority and to have confidence in the integrity of the processes by which laws are made and enforced in this Commonwealth demands that the identity and scope of activity of those who are paid to influence the actions of the General Assembly and the Executive Department be publicly and regularly disclosed.

65 P. S. §§ 13A02(a).

The Act also provides for a filing fee, exemptions and inflation of the dollar amount threshold for exemptions and fees:

Inflation adjustment.—On a biennial basis commencing in January 2009, the department shall review the threshold under section 13A06 (relating to exemption from registration and reporting) for registration under section 13A04 (relating to registration) and the threshold for reporting under section 13A05(d) (relating to reporting) and shall increase these amounts to rates deemed reasonable for assuring appropriate disclosure. On a biennial basis commencing in January 2009, the department shall review the filing fee established under section 13A10 (relating to registration fees; fund established; system; regulations) and may by regulation adjust this amount if the department determines that a higher fee is needed to cover the costs of carrying out the provisions of this chapter. The department shall publish adjusted amounts in the *Pennsylvania Bulletin* by June 1, 2009, and by June 1 every two years thereafter as necessary.

65 P. S. § 13A08(j).

The Act set an original fee of \$100 for registration, comprising a small portion of the overall program cost. The Department subsequently doubled the biennial fee from \$100 to \$200, effective January 1, 2011. In this proposed regulation, the Department proposed a fee of \$700 but, upon review and consideration of comments, reduced the fee to \$400 in the final regulation.

The provisions of the Act must be balanced in order to accomplish its intent to publicly disclose “the identity and scope of activity of those who are paid to influence the actions of the General Assembly and the Executive Department.” 65 P. S. §§ 13A02(a). While accomplishing disclosure, the Department must also heed the statement in the Act that, constitutionally, Pennsylvania citizens are guaranteed “the right to petition those invested with the powers of government for redress of grievances.” *Id.* Included in this balance is a fee that is sufficient to achieve lobbying disclosure while remaining consistent with the goals of the Act.

The Act, in a provision captioned “[i]nflation adjustment,” provides the Department with authority to charge and adjust a fee. As stated above, this regulation would increase the current biennial fee of \$200 to \$400, a 100% increase over the current fee and in reference to the original fee established by statute of \$100, a 400% increase, both of which are profoundly beyond an inflation adjustment based on the Consumer Price Index. Public comment, including letters from non-profit organizations which will be impacted by the increase, stated that the \$400 fee would inhibit some organizations from lobbying.

While the Department reduced its originally proposed fee of \$700 to \$400, we remain concerned with the impact of a flat fee of \$400 on small lobbying efforts and non-profit organizations, particularly relating to the participatory process envisioned by the Act.

The Department has the burden to establish that the fee is reasonable and will not hinder “the right to petition those invested with the powers of government for redress of grievances.” After consideration of all of the comments submitted on this regulation, the Department’s written responses and discussion during our public meeting, we find that the Department has not sufficiently established that the \$400 fee will not hinder “the right to petition those invested with the powers of government for redress of grievances.”

We are also concerned that, in attempting to adjust its registration fees, the Department has failed to adjust the registration and reporting thresholds which are similarly subject to the Act’s inflation provisions. The Act, at 65 P. S. §§ 13A06(4), 13A04(6) and 13A05(d), specifies exemptions from registration and reporting for activities that do not exceed \$2,500 in value in a reporting period. The Department included the \$2,500 thresholds in its regulation at 51 Pa. Code §§ 55.1(a), 55.1(b), 57.2(a)(4), and 57.2(a)(6).

Without adjustment for inflation, these thresholds are effectively more stringent today than the original thresholds specified in the statute. If they were to be adjusted for inflation, the Department estimates the thresholds would be \$2,849 today. Left unchanged, smaller lobbying efforts may be burdened with costs relating to lobbying when they could potentially be exempted. Raising the threshold by even a small amount may make a big difference to these small businesses and non-profit organizations. Additionally, by not raising the threshold, the Department may be incurring unnecessary costs to regulate small lobbying efforts beyond what the Act intended for disclosure. The Department has proposed raising the fee twice, but has not yet raised the threshold amount for inflation found in the same provision of the Act. Again, we find that the Department has not provided sufficient justification for retaining the original thresholds in the Act.

We have determined this regulation is consistent with the statutory authority of the Department (65 P. S. § 13A08(j)). However, we find that this regulation does not meet the criteria of legislative intent, reasonableness and protection of the public health, safety and welfare. 71 P. S. §§ 745.5b(a), (b)(2) and (b)(3). Therefore, we find that promulgation of this regulation is not in the public interest.

By Order of the Commission:

The regulation #16-56 (IRRC #3012) from the Department of State was disapproved on September 18, 2014.

JOHN F. MIZNER, Esq.,
Chairperson

**Dissenting Statement of Commissioner
Dennis A. Watson, Esq.**

Through this regulation, the Department is proposing to raise the biennial fee for lobbying registration from \$200 to \$400 effective January 1, 2015. The Department is confronted with a mandate to implement the Lobbying Disclosure Act (Act). The Department explained that it has not had any significant change in its budget from the general fund to meet the increasing costs of implementing the Act. In its responses to public comments, the Depart-

ment explained that it has decreased its staff and it reduced its originally proposed fee of \$700 to \$400. The Department also explained that it does not believe it has the statutory authority to charge anything but a flat fee. The Department is engaged in a balancing test and I believe it has struck an appropriate balance. Therefore, I

respectfully dissent from the majority vote to disapprove this regulation.

[Pa.B. Doc. No. 14-2115. Filed for public inspection October 10, 2014, 9:00 a.m.]

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the dates noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or a copy can be obtained from www.irrc.state.pa.us.

| <i>Final Reg. No.</i> | <i>Agency/Title</i> | <i>Received</i> | <i>Public Meeting</i> |
|---------------------------|--|-----------------|---------------------------|
| #12-99 | Department of Labor and Industry Special Rules of Administrative Practice and Procedure Before the Workers' Compensation Appeal Board and Workers' Compensation Judges | 9/30/14 | 11/6/14 |
| #57-294 | Pennsylvania Public Utility Commission Review of Long Term Infrastructure Improvement Plan | 10/1/14 | 11/6/14 |
| #57-303 | Pennsylvania Public Utility Commission Electronic Access to Pre-Served Testimony | 10/1/14 | 11/6/14 |

JOHN F. MIZNER, Esq.,
Chairperson

[Pa.B. Doc. No. 14-2116. Filed for public inspection October 10, 2014, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Approval to Redomesticate to the Commonwealth of Pennsylvania and Application for Approval to Acquire Control of Ashmere Insurance Company

Ashmere Insurance Company (Ashmere), a stock casualty insurance company, has submitted an application for redomestication, whereby it proposes to redomesticate from the State of Illinois to the Commonwealth of Pennsylvania. The filing was made under section 357 of The Insurance Company Law of 1921 (40 P. S. § 477e). Simultaneously, Agency Bonding Captives, Inc., a Delaware corporation, has filed an application to acquire control of Ashmere. The filing was made under Article XIV of The Insurance Company Law of 1921 (40 P. S. §§ 991.1401—991.1413). Both filings were received on September 26, 2014.

Persons wishing to comment on the redomestication and acquisition are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party, identification of the application to which the statement is addressed, and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Eric Baker, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, erbaker@pa.gov. Comments received will be part of the public record

regarding the filing and will be forwarded to the applicant for appropriate response.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 14-2117. Filed for public inspection October 10, 2014, 9:00 a.m.]

Genworth Life Insurance Company; Rate Increase Filing for Several LTC Forms

Genworth Life Insurance Company is requesting approval to increase the premium 20% on 3,279 policyholders with the following individual LTC policy form numbers: 7000 and 7020.

Unless formal administrative action is taken prior to December 25, 2014, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov. Under the tab "How to Find . . ." click on the link "PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Lavery, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA

17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 14-2118. Filed for public inspection October 10, 2014, 9:00 a.m.]

Genworth Life Insurance Company; Rate Increase Filing for Several LTC Forms

Genworth Life Insurance Company is requesting approval to increase the premium 20% on 5,198 policyholders with the following individual LTC policy form numbers: 6484, 50000, 50001, 50003N, 50003P, 60394, 60407, 50020, 50021, 50022, 60491, 60494, 7021, 62100D and 62100R.

Unless formal administrative action is taken prior to December 25, 2014, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov. Under the tab "How to Find . . ." click on the link "PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 14-2119. Filed for public inspection October 10, 2014, 9:00 a.m.]

Genworth Life Insurance Company; Rate Increase Filing for Several LTC Forms

Genworth Life Insurance Company is requesting approval to increase the premium 20% on 6,519 policyholders with the following individual LTC policy form numbers: 7030 and 7032.

Unless formal administrative action is taken prior to December 25, 2014, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov. Under the tab "How to Find . . ." click on the link "PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA

17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 14-2120. Filed for public inspection October 10, 2014, 9:00 a.m.]

Genworth Life Insurance Company; Rate Increase Filing for Several LTC Forms

Genworth Life Insurance Company is requesting approval to increase the premium 20% on 14,300 policyholders with the following individual LTC policy form number: 7035.

Unless formal administrative action is taken prior to December 25, 2014, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov. Under the tab "How to Find . . ." click on the link "PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 14-2121. Filed for public inspection October 10, 2014, 9:00 a.m.]

OFFICE OF OPEN RECORDS

Right-to-Know Law and Sunshine Law Annual Training

The Office of Open Records (OOR) will conduct its annual training on the Right-to-Know Law (RTKL) (65 P. S. §§ 67.101—67.3104) and 65 Pa.C.S. §§ 701—716 (relating to Sunshine Act) on October 22, 2014, from 10 a.m. to 12 p.m. in the State Museum Auditorium, 300 North Street, Harrisburg, PA 17120.

Representatives from the OOR will discuss OOR appeal procedures and time frames in the RTKL. The discussion will focus on various exemptions to the presumption that governmental records are public and what to expect during the appeal process before the OOR. The interplay between the Sunshine Act and RTKL will also be discussed. An overview of recent Commonwealth and Supreme Court rulings, current trends and OOR decisions impacting the RTKL and access to government records will be provided.

The training is free and open to everyone, including citizens, public officials, agency open records officers, attorneys and members of the media. The program is

pending approval for 1.5 CLE hours. Registration by October 17, 2014, is recommended as seating is limited. Registration forms are available at <http://openrecords.state.pa.us> or by calling (717) 346-9903.

TERRY MUTCHLER,
Executive Director

[Pa.B. Doc. No. 14-2122. Filed for public inspection October 10, 2014, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Natural Gas Service

A-2014-2445482. Corsica Gas Company, Inc. Application of Corsica Gas Company, Inc. for approval of the abandonment of its Certificate of Public Convenience as a supplier of natural gas service to the public in Eldred and Union Townships, Jefferson County, as well as the transfer of all of its customers, meters and pipelines and associated facilities to Sigel Gas, LLC.

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 October 27, 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 Commission's web site at www.puc.pa.gov and at the applicant's business address.

Applicant: Corsica Gas Company, Inc.

Through and By: Robert Wyant, Corsica Gas Company, Inc., 142 Blatt Road, P. O. Box 4, Fenelton, PA 19034

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 14-2123. Filed for public inspection October 10, 2014, 9:00 a.m.]

Natural Gas Service

A-2014-2445481. Sigel Gas, LLC. Application of Sigel Gas, LLC for approval to acquire the customers and pipelines and necessary related facilities of the Corsica Gas Company, Inc. and to expand the current service territory of Sigel Gas to include the area of Eldred Township, Jefferson County and to provide natural gas service to those customers presently served by Corsica Gas.

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 October 27, 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 Commission's web site at www.puc.pa.gov and at the applicant's business address.

Applicant: Sigel Gas, LLC

Through and By: Scott P. Gourley, Sigel Gas, LLC, 1990 Packing Road, New Bethlehem, PA 16242

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 14-2124. Filed for public inspection October 10, 2014, 9:00 a.m.]

Petition of Verizon Pennsylvania LLC and Verizon North LLC

P-2014-2446303 and P-2014-2446304. Verizon Pennsylvania LLC and Verizon North LLC. On October 6, 2014, Verizon Pennsylvania LLC and Verizon North LLC (Verizon companies) filed petitions under 66 Pa.C.S. § 3016(a) (relating to competitive services) wherein the Verizon companies request that the Pennsylvania Public Utility Commission (Commission) declare all protected or noncompetitive retail services offered by the Verizon companies as competitive services within the Philadelphia, Erie, Scranton, Harrisburg, Pittsburgh, Allentown and York regions. The petitions also request waivers of Commission regulations for competitive telecommunications services. For the Commission to approve the petitions, the Verizon companies must demonstrate the availability of like or substitute services for the protected or noncompetitive services offered by the Verizon companies in these geographic regions and other relevant information in accordance with the statutory criteria as provided in 66 Pa.C.S. § 3016.

Under 66 Pa.C.S. § 501(a) (relating to general powers), the Commission has determined to establish a 10-day period for the timing of formal protests from the October 11, 2014, publication date in the *Pennsylvania Bulletin*. The Commission will consider as timely filed formal protests, answers and petitions to intervene, as applicable, physically received by the Office of the Secretary either through the Commission's e-Filing system or hard copy no later than the close of business at 4:30 p.m. on Tuesday, October 21, 2014. No extensions will be given for postal or overnight delivery. All filings must otherwise conform to the requirements of 52 Pa. Code Chapter 1 (relating to rules of administrative practice and procedure).

This matter has been assigned to the Office of Administrative Law Judge for expedited process, which will result in a certification of the record to the full Commission after the submission of main and reply briefs. A prehearing conference has been scheduled for Thursday, October 23, 2014.

All filings must be made with the Secretary of the Pennsylvania Public Utility Commission, Commonwealth Keystone Building, 400 North Street, 2nd Floor, Harrisburg, PA 17120, with a copy served on the petitioner at the following address. Documents filed in support of the petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Commission's web site at www.puc.pa.gov and at the petitioner's business address.

Petitioner: Verizon Pennsylvania LLC, Verizon North LLC

Through and By Counsel: Suzan D. Paiva, Esquire, 1717 Arch Street, 3rd Floor, Philadelphia, PA 19103, suzan.d.paiva@verizon.com

Prehearing Conference

An initial prehearing conference on the previously-captioned case will be held as follows:

Date: Thursday, October 23, 2014
Time: 1 p.m.
Location: Hearing Room 1
 Commonwealth Keystone Building
 400 North Street
 Harrisburg, PA 17120

Presiding: Administrative Law Judge Joel Cheskis

Persons with a disability who wish to attend the hearing should contact the Commission to make arrangements for their special needs. Call the scheduling office at the Commission at least 5 business days prior to the hearing to submit a request.

Individuals representing themselves are not required to be represented by an attorney. All others (corporation, partnership, association, trust, or governmental agency or subdivision) must be represented by an attorney. Representing attorneys should file a Notice of Appearance before the scheduled hearing date.

If individuals filing consumer complaints are interested in receiving legal representation, they may contact the Widener Harrisburg Civil Law Clinic, 3605 Vartan Way, Harrisburg, PA 17110, (717) 541-0320, lawclinicb@mail.widener.edu. Based on the individual's income, legal representation may be available at no cost or a reduced fee. For additional information, see Widener Harrisburg's Civil Law Clinic's web site at <http://law.widener.edu/Academics/ClinicalProgramsandProfessionalTraining/Clinics/HarrisburgCivilLawClinic.aspx>.

For persons who require an interpreter to participate in the hearing, the Commission will make every reasonable effort to have an interpreter present. Call the scheduling office at the Commission at least 10 business days prior to the hearing to submit a request.

- Scheduling Office: (717) 787-1399
- Pennsylvania AT&T Relay Service number for persons who are deaf or hearing-impaired: (800) 654-5988

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 14-2125. Filed for public inspection October 10, 2014, 9:00 a.m.]

Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.

A-2014-2436696. Ray Eckert t/a R. Eckert Transportation (2451 Douglas Drive, Lancaster, Lancaster County, PA 17602) 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.

A-2014-2436822. Stacey A. McGarry t/a Stacey McGarry Amish Transport (14705 Tyrone Pike, Curwensville, Clearfield County, PA 16833) 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 Clearfield County, to points in Pennsylvania, and return. *Attorney:* Dwight L. Koerber, Esquire, Law Offices of Koerber & Cummings, LLC, 110 North Second Street, P. O. Box 1320, Clearfield, PA 16830.

Applications of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under each application.

A-2014-2438361. Gracie's Transportation Service, LLC (310 Anglessey Terrace, West Chester, Chester County, PA 19380) for the right to begin to transport as a common carrier, by motor vehicle, persons in limousine service, between points in the City of Hazleton, Luzerne County, and within an airline radius of 10 statute miles of the limits of the City of Hazleton, and from points in the said territory, to points in Pennsylvania, and return; and from points in the Borough of White Haven, Luzerne County, and the Borough of Nesquehoning, Carbon County, to points in Pennsylvania, and return, excluding service that is under the jurisdiction of the Philadelphia Parking Authority; which is to be a transfer of all the rights from A-00112317 issued to James A. Petrilli t/a Reliable Limousine Service.

ROSEMARY CHIAVETA,
Secretary

[Pa.B. Doc. No. 14-2126. Filed for public inspection October 10, 2014, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (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 October 28, 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.

Water Service

A-2014-2444517. 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 Buffalo 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 October 27, 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 Commission's web site at 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. 14-2127. Filed for public inspection October 10, 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 October 11, 2014, in the *Pennsylvania Bulletin*. The company has applied to transfer the rights held by Crossroad Cab Corp. (CPC No. 1000308-01, Medallion P-0303) 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.

Iggy's Taxi, LLC, 2351 South Swanson Street, Philadelphia, PA 19148, registered with the Commonwealth on August 14, 2014.

Attorney for Applicant: David Alperstein, Esq. 1080 North Delaware Avenue, Suite 505, Philadelphia, PA 19125.

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 October 27, 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. 14-2128. Filed for public inspection October 10, 2014, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Bids

The Philadelphia Regional Port Authority will accept sealed bids for Project No. 14-106.8, Cargo Elevator Door Replacements, Pier 84 South, until 2 p.m. on Friday, November 7, 2014. Information (including mandatory prebid information) can be obtained from the web site www.philaport.com under Procurement or call (215) 426-2600.

JAMES T. McDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 14-2129. Filed for public inspection October 10, 2014, 9:00 a.m.]

Request for Proposals

The Philadelphia Regional Port Authority will accept sealed proposals for Project No. 14-104.P, Request for Proposal for Design and Permitting Services of Paving Repairs at Packer Avenue Marine Terminal, until 2 p.m. on Thursday, November 6, 2014. Information (including mandatory prebid information) can be obtained from the web site www.philaport.com under Procurement, or call (215) 426-2600.

JAMES T. McDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 14-2130. Filed for public inspection October 10, 2014, 9:00 a.m.]

STATE BOARD OF NURSING

Bureau of Professional and Occupational Affairs v. Belinda Mead Worthington, LPN; File No. 13-51-11656; Doc. No. 1632-51-14

On September 23, 2014, Belinda Mead Worthington, LPN, license no. PN257478L, last known of Unityville, Lycoming County, had her license to practice practical nursing immediately suspended until the respondent provides proof of completion of 15 hours of continuing education credits.

Individuals may obtain a copy of the adjudication by writing to Judith Pachter Schulder, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

This order represents the final State Board of Nursing's (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

ANN M. COUGHLIN, MBA, MSN, RN,
Chairperson

[Pa.B. Doc. No. 14-2131. Filed for public inspection October 10, 2014, 9:00 a.m.]

STATE EMPLOYEES' RETIREMENT BOARD

Hearing Scheduled

The following hearing has been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to the State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of claimant's request concerning the indicated account.

The hearing will be held before a hearing officer at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17101:

October 30, 2014 Michael T. Toole 10 a.m.
 Pension Forfeiture

Parties in each respective case may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 4 Pa. Code § 250.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

DAVID E. DURBIN,
Secretary

[Pa.B. Doc. No. 14-2132. Filed for public inspection October 10, 2014, 9:00 a.m.]

STATE POLICE

Mobile Video Recording System Equipment Standards and Approved Mobile Video Recording Systems

The State Police, under 18 Pa.C.S. §§ 5704(16)(ii)(C) and 5706(b)(4) (relating to exceptions to prohibition of interception and disclosure of communications; and exceptions to prohibitions in possession, sale, distribution, manufacture or advertisement of electronic, mechanical or other devices), published at 44 Pa.B. 2147 (April 5, 2014) a notice of Mobile Video Recording System Equipment Standards and Approved Mobile Video Recording Systems for use until the next comprehensive list is published.

As an addendum to the listing of approved mobile video recording systems published at 44 Pa.B. 2147, the State Police, under the authority cited previously, has approved for use, until the next comprehensive list is published, subject to interim amendment, the following additional approved mobile video recording systems, which meet the minimum equipment standards published at 44 Pa.B. 2147:

Vehicle-Mounted Mobile Video Recording System:

DVR-704, PRO-VISION, Byron Center, MI

Non-Vehicle-Mounted Mobile Video Recording System:

BODYCAM BC-100, Byron Center, MI

Comments, suggestions or questions should be directed to the State Police, Bureau of Patrol, Department Headquarters, 1800 Elmerton Avenue, Harrisburg, PA 17110.

COLONEL FRANK NOONAN,
Commissioner

[Pa.B. Doc. No. 14-2133. Filed for public inspection October 10, 2014, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Actions Taken at September Meeting

As part of its regular business meeting held on September 4, 2014, in Corning, NY, the Susquehanna River

Basin Commission (Commission) took the following actions: 1) approved or tabled the applications of certain water resources projects; 2) accepted settlements instead of penalty from Carrizo (Marcellus), LLC, JKT Golf, LLC and Southwestern Energy Production Company; and 3) took additional actions, as set forth in the Supplementary Information as follows.

For further information, contact Jason E. Oyler, Regulatory Counsel, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.net; or regular mail inquiries may be sent to Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788. See also the Commission web site at www.srbc.net.

Supplementary Information

In addition to the actions taken on projects identified previously in the summary and the listings as follows, the following items were also presented or acted upon at the business meeting: 1) an informational presentation from the Upper Susquehanna Coalition Chairperson Jeffrey Parker on the current programs at the Upper Susquehanna Coalition; 2) release of proposed rulemaking to amend Commission regulations to clarify the water uses involved in hydrocarbon development that are subject to consumptive use regulations, as implemented by the Approval By Rule program; 3) rescission of unneeded or outdated policies; and 4) approval of a grant amendment ratification.

Compliance Matters

The Commission approved settlements instead of civil penalty for the following projects:

1. Carrizo (Marcellus), LLC (Meshoppen Creek), Washington Township, Wyoming County, PA—\$9,000.
2. JKT Golf LLC, Four Seasons Golf Club—Exeter, Exeter Township, Luzerne County, PA—\$7,000.
3. Southwestern Energy Production Company (Wyalusing Creek Withdrawal), Wyalusing Township, Bradford County, PA—\$5,000.

Project Applications Approved

The Commission approved the following project applications:

1. Project Sponsor and Facility: City of Aberdeen, Harford County, MD. Modification to extend the approval term of the surface water withdrawal approval (Docket No. 20021210) to be coterminous with the revised Maryland Department of the Environment State Water Appropriation and Use Permit for the Aberdeen Proving Ground—Aberdeen Area.
2. Project Sponsor and Facility: City of Aberdeen, Harford County, MD. Modification to extend the approval term of the consumptive water use approval (Docket No. 20021210) to be coterminous with the revised Maryland Department of the Environment State Water Appropriation and Use Permit for the Aberdeen Proving Ground—Aberdeen Area.
3. Project Sponsor and Facility: Anadarko E&P Onshore LLC (Lycoming Creek), McIntyre Township, Lycoming County, PA. Surface water withdrawal of up to 0.499 mgd (peak day).

4. Project Sponsor and Facility: Anadarko E&P Onshore LLC (Pine Creek), McHenry Township, Lycoming County, PA. Renewal of surface water withdrawal of up to 0.499 mgd (peak day) (Docket No. 20100902).

5. Project Sponsor and Facility: Cabot Oil & Gas Corporation (Tunkhannock Creek), Nicholson Township, Wyoming County, PA. Surface water withdrawal of up to 2.000 mgd (peak day).

6. Project Sponsor and Facility: Carrizo (Marcellus), LLC (East Branch Wyalusing Creek), Jessup Township, Susquehanna County, PA. Renewal of surface water withdrawal of up to 0.720 mgd (peak day) (Docket No. 20100601).

7. Project Sponsor and Facility: Inflection Energy (PA) LLC (Loyalsock Creek), Upper Fairfield Township, Lycoming County, PA. Surface water withdrawal of up to 1.700 mgd (peak day).

8. Project Sponsor: Lancaster County Solid Waste Management Authority. Project Facility: Susquehanna Resource Management Complex, City of Harrisburg, Dauphin County, PA. Consumptive water use of up to 0.700 mgd (peak day).

9. Project Sponsor: Leola Sewer Authority. Project Facility: Upper Leacock Township, Lancaster County, PA. Groundwater withdrawal of up to 0.075 mgd (30-day average) from Well 13.

10. Project Sponsor and Facility: Newport Borough Water Authority, Oliver and Howe Townships and Newport Borough, Perry County, PA. Groundwater withdrawal of up to 0.065 mgd (30-day average) from Well 1.

11. Project Sponsor and Facility: Sunbury Generation LP, Shamokin Dam Borough and Monroe Township, Snyder County, PA. Modification to project features and reduction of the surface water withdrawal from 354.000 mgd (peak day) to 10.000 mgd (peak day) (Docket No. 20081222).

12. Project Sponsor and Facility: Sunbury Generation LP, Shamokin Dam Borough and Monroe Township, Snyder County, PA. Modification to project features and reduction of the consumptive water use from 8.000 mgd (peak day) to 6.500 mgd (peak day) (Docket No. 20081222).

13. Project Sponsor and Facility: Talisman Energy USA Inc. (Susquehanna River), Terry Township, Bradford County, PA. Renewal of surface water withdrawal of up to 1.500 mgd (peak day) (Docket No. 20100613).

14. Project Sponsor and Facility: Talisman Energy USA Inc. (Wappasening Creek), Windham Township, Bradford County, PA. Surface water withdrawal of up to 0.999 mgd (peak day).

Project Applications Approved Involving Diversions

1. Project Sponsor and Facility: City of Aberdeen, Harford County, MD. Modification to extend the approval term of the out-of-basin diversion approval (Docket No. 20021210) to be coterminous with the revised Maryland Department of the Environment State Water Appropriation and Use Permit for the Aberdeen Proving Ground—Aberdeen Area.

2. Project Sponsor: DS Services of America, Inc. Project Facility: Bethany Children's Home, Heidelberg Township, Berks County, PA. Into-basin diversion from the Delaware River Basin of up to 0.200 mgd (peak day) from Bethany Children's Home bulk spring water source (Boreholes PWA and PWB).

Project Applications Tabled

The Commission tabled action on the following project applications:

1. Project Sponsor and Facility: Heidelberg Township Municipal Authority, Heidelberg Township, Lebanon County, PA. Application for renewal of groundwater withdrawal of up to 0.115 mgd (30-day average) from Well 5 (Docket No. 19820602).

2. Project Sponsor and Facility: IBM Corporation, Village of Owego, Tioga County, NY. Application for groundwater withdrawal of up to 0.002 mgd (30-day average) from Well 415.

3. Project Sponsor and Facility: Jay Township Water Authority, Jay Township, Elk County, PA. Application for groundwater withdrawal of up to 0.265 mgd (30-day average) from Byrnedale Well #1.

4. Project Sponsor and Facility: LHP Management, LLC (Muncy Creek), Muncy Creek Township, Lycoming County, PA. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20120607).

5. Project Sponsor and Facility: Millersville University of Pennsylvania, Millersville Borough, Lancaster County, PA. Application for renewal of consumptive water use of up to 0.253 mgd (peak day) (Docket No. 19820105).

6. Project Sponsor and Facility: Millersville University of Pennsylvania, Millersville Borough, Lancaster County, PA. Application for renewal and modification to increase groundwater withdrawal by an additional 0.055 mgd (30-day average) from Well 1, for a total of up to 0.320 mgd (30-day average) from Well 1 (Docket No. 19820105).

7. Project Sponsor: Pennsylvania Department of Environmental Protection—South-central Regional Office, City of Harrisburg, Dauphin County, PA. Facility Location: Leacock Township, Lancaster County, PA. Application for groundwater withdrawal of up to 0.590 mgd (30-day average) from Stoltzfus Well.

8. Project Sponsor: Pennsylvania Department of Environmental Protection—South-central Regional Office, City of Harrisburg, Dauphin County, PA. Facility Location: Leacock Township, Lancaster County, PA. Application for groundwater withdrawal of up to 0.432 mgd (30-day average) from Township Well.

9. Project Sponsor and Facility: Somerset Regional Water Resources, LLC (Salt Lick Creek), New Milford Township, Susquehanna County, PA. Application for renewal of surface water withdrawal of up to 0.720 mgd (peak day) (Docket No. 20100905).

10. Project Sponsor and Facility: Sugar Hollow Trout Park and Hatchery, Eaton Township, Wyoming County, PA. Application for renewal of groundwater withdrawal of up to 0.864 mgd (30-day average) from Wells 1, 2, and 3 (the Hatchery Well Field) (Docket No. 20100913).

11. Project Sponsor and Facility: SWEPI LP (Cowanesque River), Nelson Township, Tioga County, PA. Application for renewal of surface water withdrawal of up to 0.533 mgd (peak day) (Docket No. 20100604).

12. Project Sponsor and Facility: Upper Halfmoon Water Company, Halfmoon Township, Centre County, PA. Application for groundwater withdrawal of up to 0.396 mgd (30-day average) from Well 6.

13. Project Sponsor and Facility: Warwick Township Municipal Authority, Warwick Township, Lancaster

County, PA. Application for groundwater withdrawal of up to 0.288 mgd (30-day average) from Rothsville Well 2.

Authority: Pub. L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

Dated: September 30, 2014.

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 14-2134. Filed for public inspection October 10, 2014, 9:00 a.m.]

