

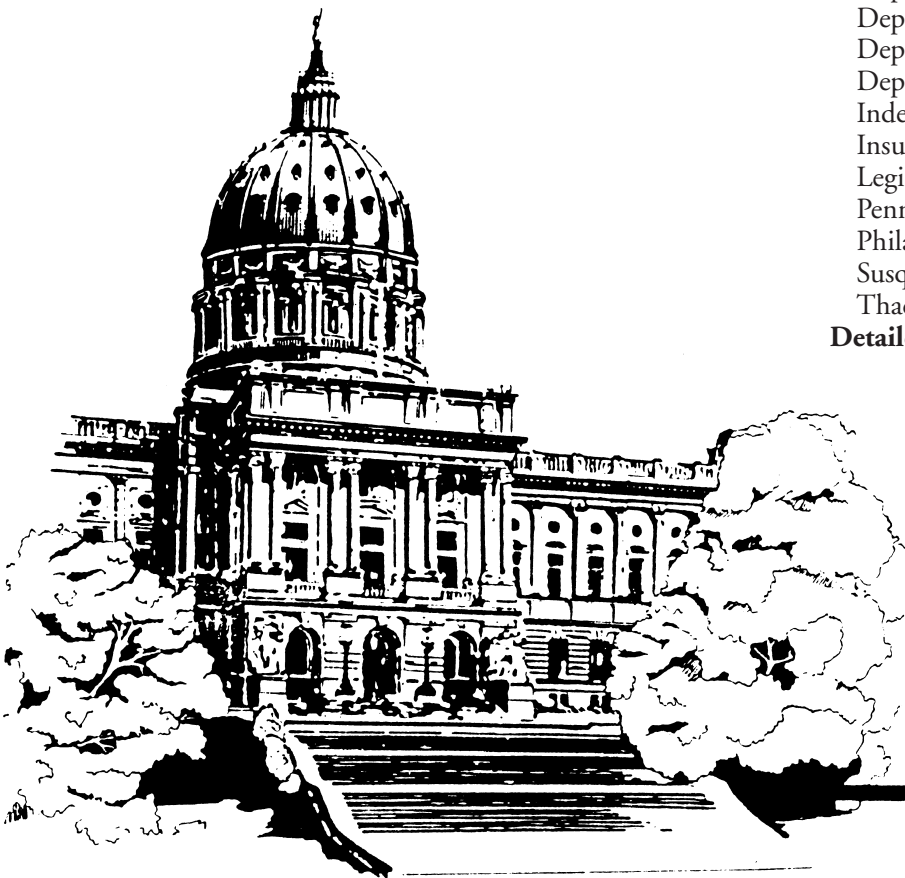
# PENNSYLVANIA BULLETIN

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## Agencies in this issue

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Department of Drug and Alcohol Programs  
Department of Education  
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Susquehanna River Basin Commission  
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**Latest Pennsylvania Code Reporter  
(Master Transmittal Sheet):**

**No. 479, October 2014**

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

## *Pennsylvania Bulletin*

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

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

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

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

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

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

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

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

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

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

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

### ***Pennsylvania Code***

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

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

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

### **How to Find Documents**

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

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

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

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

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#### **Printing Format**

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

#### **Fiscal Notes**

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

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

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## List of Pa. Code Chapters Affected

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

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# THE COURTS

## Title 249—PHILADELPHIA RULES

### PHILADELPHIA COUNTY

#### Bail Judgments Issued Pursuant to Pa.R.Crim.P. 536; No. 01 of 2014

##### Order

And now, this 30th day of September, 2014, the Court having been informed by the City of Philadelphia that it has decided to forego further collection of bail judgments which were issued before March 3, 2010, subject to this Court's approval, *It Is Hereby Ordered and Decreed* that the City of Philadelphia's request is *Granted* and effective immediately, further collection of bail judgments issued before March 3, 2010 shall cease.

It is further *Ordered and Decreed* that the Office of Judicial Records (heretofore the "Prothonotary") shall, as soon as practicable, remove bail judgments issued before March 3, 2010 from any and all judgment indices currently maintained by the Court or by the Office of Judicial Records.

It is further *Ordered and Decreed* that:

(1) all bail judgments issued pursuant to Pa.R.Crim.P. 536 on and after March 4, 2010 which have been docketed in the Common Pleas Case Management System ("CPCMS") shall also be docketed in the Banner case

management system and shall be listed in the judgment indices maintained by the Office of Judicial Records; and

(2) effective on December 31, 2014 the First Judicial District of Pennsylvania shall no longer receive payments towards the satisfaction of bail judgments issued on and after March 4, 2010; and

(3) effective on January 1, 2015, the collection of bail judgments issued on and after March 4, 2010 shall be undertaken by the City of Philadelphia, through the Department of Revenue or their designees.

This Order is issued in accordance with Pa.R.C.P. No. 239 and the April 11, 1986 Order of the Supreme Court of Pennsylvania, Eastern District, No. 55 Judicial Administration. The original order shall be filed with the Office of Judicial Records in a Docket maintained for orders issued by the Administrative Governing Board of the First Judicial District of Pennsylvania, and shall be submitted to the *Pennsylvania Bulletin* for publication. Copies of the order shall be submitted to the Administrative Office of Pennsylvania Courts, American Lawyer Media, *The Legal Intelligencer*, Jenkins Memorial Law Library, and the Law Library for the First Judicial District of Pennsylvania, and shall be posted on the website of the First Judicial District of Pennsylvania: <http://www.courts.phila.gov/regs>.

*By the Court*

HONORABLE JOHN W. HERRON,  
*Administrative Judge, Trial Division*

[Pa.B. Doc. No. 14-2135. Filed for public inspection October 17, 2014, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 28—HEALTH AND SAFETY

### DEPARTMENT OF DRUG AND ALCOHOL PROGRAMS

#### DEPARTMENT OF HEALTH

[ 28 PA. CODE CHS. 157 AND 710 ]

#### Transfer of Regulations

The Department of Drug and Alcohol Programs and the Department of Health jointly submit this notice for the purpose of renumbering certain existing regulations. This renumbering has been made necessary by the act of July 9, 2010 (P. L. 348, No. 50) (Act 50).

Among other things, Act 50 transferred regulations of the Department of Health regarding drug and alcohol services to the Department of Drug and Alcohol Programs.

Therefore, in recognition of section 13 of Act 50, the Department of Drug and Alcohol Programs and the Department of Health hereby request the Legislative Reference Bureau to transfer 28 Pa. Code Chapter 157 to 28 Pa. Code Chapter 710:

#### TITLE 28. HEALTH AND SAFETY

##### PART IV. Health Facilities

##### Subpart B. General and Special Hospitals

Chapter 157. [Reserved and Renumbered]

##### PART V. Department of Drug and Alcohol Programs

Chapter 710. Drug and Alcohol Services

#### TABLE OF REGULATIONS TO BE TRANSFERRED

The following chapters are transferred within Title 28:

<i>Former Pa. Code Reference</i>	<i>New Pa. Code Reference</i>
Title 28, Chapter 157	Title 28, Chapter 710

GAROLD E. TENNIS,  
*Secretary*

*Department of Drug and Alcohol Programs*

MICHAEL WOLF,  
*Secretary*

*Department of Health*

[Pa.B. Doc. No. 14-2136. Filed for public inspection October 17, 2014, 9:00 a.m.]

### DEPARTMENT OF DRUG AND ALCOHOL PROGRAMS

[ 28 PA. CODE CH. 701 ]

#### General Provisions

The Department of Drug and Alcohol Programs (Department) amends §§ 701.1, 701.3 and 701.13 (relating to general definitions; legal base; and contact person) to read as set forth in Annex A. The purpose of this final-omitted rulemaking is to bring clarity and consistency to the regulations.

This final-omitted rulemaking is a matter of housekeeping to bring these regulations in line with the act of July 9, 2010 (P. L. 348, No. 50) (Act 50). Effective July 1, 2011, the responsibility for all obligations related to drug and alcohol in this Commonwealth was transferred from the Department of Health to the Department.

This final-omitted rulemaking amends Chapter 701 (relating to general provisions) to clarify that the Department is the Commonwealth agency responsible for drug and alcohol treatment and prevention in this Commonwealth. Specifically, this final-omitted rulemaking changes the heading of Part V from “Drug and Alcohol Facilities and Services” to “Department of Drug and Alcohol Programs,” amends the definition of “Department” from the Department of Health to the Department in § 701.1, adds Act 50 to § 701.3 and updates the contact person in § 701.13 from the Department of Health to the Department.

##### A. *Effective Date*

The final-omitted rulemaking will be effective upon publication in the *Pennsylvania Bulletin*.

##### B. *Contact Persons*

For further information concerning the final-omitted rulemaking, contact Ronald G. Young, Director, Division of Program Licensure, 132 Kline Plaza, Harrisburg, PA, 17104, (717) 783-8675; or Tawny K. Mummah, Deputy General Counsel, Counsel to the Department of Drug and Alcohol Programs, 333 Market Street, 17th Floor, Harrisburg, PA 17101, (717) 783-6563. The final-omitted rulemaking is electronically available on the Department’s web site at [www.ddap.pa.gov](http://www.ddap.pa.gov).

##### C. *Statutory Authority*

This final-omitted rulemaking is authorized under Act 50, which created the Department. Specifically, Act 50 added section 2301-A of The Administrative Code of 1929 (71 P. S. § 613.1) and provided the Department with the power to promulgate rules and regulations necessary to carry out the provisions in paragraph (9) of this section.

##### D. *Background and Purpose*

Act 50 transferred the powers, duties and functions of the Department of Health concerning drug or alcohol abuse to the Department. The goal of this final-omitted rulemaking is to provide clarity and consistency to the regulations.

The Department is satisfied there is no reasonable alternative to proceeding with this final-omitted rulemaking. The Department is also satisfied the final-omitted rulemaking meets the requirements of Executive Order No. 1996-1, “Regulatory Review and Promulgation.”

##### E. *Summary of Regulatory Requirements*

The final-omitted rulemaking is needed to make the drug and alcohol regulations consistent with Act 50 and is in response to comments to the Department’s proposed rulemaking 74-1 by the Independent Regulatory Review Commission (IRRC). When reviewing the Department’s proposed rulemaking to amend Chapter 709 (relating to standards for licensure of freestanding treatment facilities), IRRC raised a concern that there was a need for clarity in the drug and alcohol regulations. See 44 Pa.B. 6660 (October 18, 2014) for final-form rulemaking 74-1.

Citizens in this Commonwealth will benefit as the regulations will now clearly reflect the General Assembly's decision to make the Department the agency responsible for drug and alcohol treatment and prevention.

This final-omitted rulemaking changes the heading of Part V from "Drug and Alcohol Facilities and Services" to "Department of Drug and Alcohol Programs."

The definition of "Department" in § 701.1 is amended to change the Department of Health to the Department.

Act 50 is added to the list of authorizing statutes in § 701.3.

The contact person in § 701.13 is changed from the Department of Health to the Department.

*F. Benefits, Cost and Compliance*

The sole benefit of this final-omitted rulemaking is to provide clarity and consistency between Act 50 and the drug and alcohol regulations. There is no cost or compliance associated with this final-omitted rulemaking because it merely reflects the transfer of the obligation for drug and alcohol treatment and prevention from the Department of Health to the Department.

*G. Regulatory Review*

Under section 5.1(c) of the Regulatory Review Act (71 P. S. § 745.5a(c)), on July 8, 2014, the Department submitted a copy of the final-omitted rulemaking and a copy of a Regulatory Analysis Form IRRC and to the Chairpersons of the House Human Services Committee and the Senate Committees on Public Health and Welfare. On the same date, the regulations were submitted to the Office of Attorney General for review and approval under the Commonwealth Attorneys Act (71 P. S. §§ 732-101—732-506).

Under section 5.1(j.2) of the Regulatory Review Act, on September 3, 2014, the final-omitted rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on September 4, 2014, and approved the final-omitted rulemaking.

*Findings*

The Department finds that:

(1) The adoption of the final-omitted rulemaking in the manner provided in this order is necessary and appropriate for the administration of the authorizing statute.

(2) Under section 204 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. § 1204), known as the Commonwealth Documents Law (CDL), the Department finds that the proposed rulemaking procedures in sections 201 and 202 of the CDL (45 P. S. §§ 1201 and 1202) are unnecessary because it is in the public interest to expedite these amendments.

*Order*

The Department, acting under the authorizing statute, orders that:

(a) The regulations of the Department, 28 Pa. Code Chapter 701, are amended by amending §§ 701.1, 701.3 and 701.13 to read as set forth in Annex A, with ellipses referring to the existing text of the regulations.

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

(d) The Secretary of the Department shall certify and deposit under this order and Annex A with the Legislative Reference Bureau as required by law.

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

GAROLD E. TENNIS,  
*Secretary*

*(Editor's Note:* See 44 Pa.B. 6660 (October 18, 2014) for a final-form rulemaking by the Department relating to this final-omitted rulemaking. See 44 Pa.B. 6658 (October 18, 2014) for a document transferring Department regulations.)

*(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:** 74-2. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 28. HEALTH AND SAFETY**

**PART V. DEPARTMENT OF DRUG AND ALCOHOL PROGRAMS**

**CHAPTER 701. GENERAL PROVISIONS**

**Subchapter A. DEFINITIONS**

**§ 701.1. General definitions.**

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

\* \* \* \* \*

*Department*—The Department of Drug and Alcohol Programs of the Commonwealth.

\* \* \* \* \*

**§ 701.3. Legal base.**

This part is issued under the authority contained in the following statutes:

(1) The act, as transferred to the Department by Reorganization Plan No. 4 of 1981 (P. L. 610) (71 P. S. § 759-4).

(2) The Controlled Substance, Drug, Device and Cosmetic Act (35 P. S. §§ 780-101—780-144).

(3) Articles IX and X of the Public Welfare Code (62 P. S. §§ 901—922 and 1001—1088), as transferred by Reorganization Plan No. 2 of 1977 (P. L. 372) (71 P. S. § 757-2) and No. 4 of 1981 (71 P. S. § 757-2).

(4) The Health Care Facilities Act (35 P. S. § 448.101—448.904b).

(5) The act of July 9, 2010 (P. L. 348, No. 50), codified in section 2301-A of The Administrative Code of 1929 (71 P. S. § 613.1).

**Subchapter B. EXCEPTIONS**

**§ 701.13. Contact person.**

Questions concerning this part should be directed to the Department of Drug and Alcohol Programs, Division of Program Licensure, 132 Kline Plaza, Harrisburg, Pennsylvania 17104.

[Pa.B. Doc. No. 14-2137. Filed for public inspection October 17, 2014, 9:00 a.m.]

**DEPARTMENT OF DRUG AND  
ALCOHOL PROGRAMS**

**[ 28 PA. CODE CH. 709 ]**

**Standards for Licensure of Freestanding Treatment Facilities**

The Department of Drug and Alcohol Programs (Department) amends §§ 709.21—709.26 and 709.28—709.32 and adds § 709.34 (relating to reporting of unusual incidents) to read as set forth in Annex A.

This final-form rulemaking reduces redundant and outdated requirements and maintains the elements regarding quality and safety. With the addition of § 709.34, the Department is requiring that all drug and alcohol facilities develop and implement policies and procedures to respond to and report specific unusual incidents. Some facilities are currently required by § 715.28 (relating to unusual incidents) to report unusual incidents and most other facilities are also providing these reports on a voluntary basis.

The preliminary proposed regulation was presented and discussed with the Department's stakeholders at a meeting on June 28, 2013, which was followed by a 30-day comment period. The proposed rulemaking was a result of comments and suggestions made at the stakeholder meeting and the comment period. Further revisions were made in the final-form rulemaking in response to comments by the Independent Regulatory Review Commission (IRRC) and the Pennsylvania Society of Physician Assistants (PSPA).

*A. Effective Date*

The final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin*.

*B. Contact Persons*

For further information concerning the final-form rulemaking, contact Ronald G. Young, Director, Division of Program Licensure, 132 Kline Plaza, Harrisburg, PA 17104, (717) 783-8675; or Tawny K. Mummah, Deputy General Counsel, Counsel to the Department of Drug and Alcohol Programs, 333 Market Street, 17th Floor, Harrisburg, PA 17101, (717) 783-6563. The final-form rulemaking is available on the Department's web site at [www.ddap.pa.gov](http://www.ddap.pa.gov).

*C. Statutory Authority*

This final-form rulemaking is authorized under the act of July 9, 2010 (P. L. 348, No. 50) (Act 50), which created the Department. Specifically, Act 50 added section 2301-A of The Administrative Code of 1929 (71 P. S. § 613.1) and provided the Department with the power to promulgate rules and regulations necessary to carry out the provisions in paragraph (9) of this section.

*D. Background and Purpose*

Act 50 transferred the powers, duties and functions of the Department of Health concerning drug or alcohol abuse to the Department. The goal of this final-form rulemaking is to eliminate redundant or outdated requirements and maintain or strengthen the elements regarding quality and safety.

The Department is satisfied there is no reasonable alternative to proceeding with the final-form rulemaking. The Department is also satisfied that the final-form rulemaking meets the requirements of Executive Order No. 1996-1, "Regulatory Review and Promulgation."

*E. Summary of Regulatory Requirements*

*Reduction of regulatory requirements*

Except for the addition of the reporting of unusual incidents in § 709.34, this final-form rulemaking reduces the burden on the regulated community currently imposed by Chapter 709 (relating to standards for licensure of freestanding treatment facilities). For instance, the Department is deleting regulatory requirements that specifically provide how the facility should be governed and how the facility should manage its personnel policies, procedures and records. The following is an explanation of why the Department has deleted certain requirements.

*§ 709.22. Governing body*

This final-form rulemaking deletes former subsections (b) and (c) and (e)(1)—(3) because these requirements are no longer necessary. Specifically, at the time these regulations were put into place, there were not credential or experiential requirements for individuals and staff operating the facility. As a result, regulatory guidance concerning how to run a business was needed. Now, under Chapter 704 (relating to staffing requirements for drug and alcohol treatment activities), individuals in key positions have credential and experiential requirements relative to operating a business. In addition, the Department of State is responsible for providing guidance for corporations. In final-form subsections (b) and (c), the Department clarifies the duties of the governing body. For example, in final-form subsection (c), it is no longer necessary to tell a business what should be included in an annual report.

*§ 709.23. Project director*

This final-form rulemaking deletes business-oriented requirements that are a normal part of business operation and no longer need to be dictated by Department regulations.

*§ 709.24. Treatment/rehabilitation management*

This final-form rulemaking deletes former subsection (b), which required projects to identify primary referral sources (entities that are most likely to refer clients in need of treatment services to the project) and provide proof by getting a letter agreement signed with that entity because it is no longer necessary to direct a project to establish these business relationships that are necessary to run a successful project. Former subsection (d) is no longer necessary due to the implementation and amendment of the Hill-Burton Act, in the late 1970s, which required hospitals to provide emergency services despite the inability to pay.

*§ 709.25. Fiscal management*

This final-form rulemaking makes clarifications to subsection (a) and deletes subsection (b) because in this age of managed care and sliding fee scales, there are no longer set fee schedules.

*§ 709.26. Personnel management*

For the most part requirements removed from the policies and procedures are governed by other State and Federal employment law. Concerning the deletion of former subsection (c), similar language appears in § 704.11(a) (relating to staff development program). Requirements retained in this section are for maintained for specific reasons. For example, the retention of the requirement concerning volunteers is necessary because the Department needs to ensure that the volunteers are adequately trained in areas of client confidentiality and client boundary issues. Also, see the response to comment

3. Concerning the subsections regarding personnel records, the Department revised the language by deleting requirements that are superfluous because the Department does not take action if a personnel record is less than satisfactory. For instance, in relation to former subsection (d)(2) and (4), if the project hired an individual with a negative prior employment reference or was paying its employees disparately, the Department would not have authority to object to those employment decisions, so review of those employment records did not serve a purpose.

§ 709.28. *Confidentiality*

§ 709.29. *Retention of client records*

The amendments to these sections are for clarification and in recognition of electronic recordkeeping.

§ 709.30. *Client rights*

Amendments to this section are for clarity and consistency.

§ 709.31. *Data collection system*

This section is amended to delete a reference in subsection (a) to the old data collection system (UDCS) and refer to the system generally because current software used for the Department's data collection system is likely to be replaced in the future and the regulation would be outdated. Subsection (b) was added to state the essential function of the recordkeeping system.

§ 709.32. *Medication control*

The Department amended this section to recognize that medical professionals other than physicians are authorized by law to give and receive verbal orders for medication. In addition, the inventory requirement was deleted because the projects have contractual agreements with pharmacies that are responsible for keeping inventories of bulk medication supplies. Lastly, individually prescribed medication for clients are not subject to the inventory requirements.

*Increase in regulatory requirements*

In most instances where it appears that the Department is increasing requirements, it is instead incorporating or restating Department of Health interpretive guidelines that did not have the force and effect of law but were used by the Department of Health to explain or augment the regulatory requirements.

§ 709.34. *Reporting of unusual incidents*

With the addition of § 709.34, the Department is requiring that drug and alcohol facilities develop and implement policies and procedures to respond to and report specific unusual incidents. This requirement is not overly burdensome as some treatment facilities are already required under § 715.28 to report unusual incidents and most other facilities are also providing these reports on a voluntary basis under a Department of Health-issued Licensing Alert, which, similar to interpretive guidelines, does not have the force and effect of law.

F. *Comments and Responses*

Notice of proposed rulemaking was published at 44 Pa.B. 1317 (March 8, 2014), affording the public, the General Assembly and IRRC the opportunity to offer comments.

Comments were received from IRRC and the PSPA. The comments and the Department's responses follow.

*Comment 1:* IRRC raised "concerns regarding the clarity of the regulation as proposed" because § 701.1 (relat-

ing to general definitions) defines "Department" as the Department of Health and not the Department. IRRC stated that this is likely to cause the reader confusion. Therefore, IRRC recommended that the Department "take appropriate action to modify, repeal or supersede existing regulations as necessary to ensure clarity within this proposed regulation and any future proposed regulations." In addition, IRRC recommended that the Department change the heading of Part V to "Department of Drug and Alcohol Programs" to avoid confusion and to more clearly distinguish the Department's regulations from those of the Department of Health.

*Response:* The Department has fully addressed IRRC's concerns. Specifically, in accordance with section 204 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. § 1204), known as the Commonwealth Documents Law (CDL) the Secretary of the Department requested and received approval from the Office of General Counsel and the Office of Attorney General to proceed with a final-omitted rulemaking that will serve several housekeeping functions.

Specifically, the final-omitted rulemaking provides clarity in § 701.1 by changing the definition of "Department" from the Department of Health to the Department, updating § 701.3 (relating to legal base) to include Act 50 and updating § 701.13 (relating to contact person) from the Department of Health to the Department. Lastly, to further provide clarity, the final-omitted rulemaking changes the heading of Part V from "Drug and Alcohol Facilities and Services" to "Department of Drug and Alcohol Programs" as suggested by IRRC. See 44 Pa.B. 6658 (October 18, 2014) for this final-omitted rulemaking.

*Comment 2:* IRRC requested that the Department comply with the Regulatory Review Act (71 P.S. §§ 745.1—745.12a) by providing more detailed information in the Regulatory Analysis Form (RAF) and the preamble to enable IRRC to determine whether the final-form rulemaking is in the public interest.

*Response:* The Department significantly revised the RAF and the preamble to provide IRRC with sufficient information to determine that the final-form rulemaking is in the public interest.

*Comment 3:* IRRC raised a concern that proposed amendments to § 709.26 (relating to personnel management) lack clarity.

*Response:* The Department addressed IRRC's concern and further revised this section for the sake of clarity. Specifically, additional language has been added to the second sentence of § 709.26(a).

*Comment 4:* IRRC and the PSPA requested that the Department revise the final-form rulemaking by specifically listing "physician assistants" as an authorized medical professional in § 709.32 (relating to medication control).

*Response:* The Department is not comfortable with specifically including physician assistants because the laws concerning medical professionals authorized to prescribe and receive prescriptions have been frequently revised over time. The Department does not want the regulation to be quickly outdated. However, for consistency, the Department further revised subsection (b) to delete references to "pharmacist" or "nurse" and therefore is not specifically referencing any authorized medical professionals.

*Comment 5:* IRRC requested that the Department revise the final-form rulemaking in accordance with the

*Pennsylvania Code & Bulletin Style Manual* by deleting the phrase “includes, but is not limited to” and instead use “includes.”

*Response:* The Department disagrees with this comment and uses the phrase “includes, but is not limited to” in the final-form rulemaking because the Department is setting the floor of what should be included in the project’s written policy and procedure, but not providing the exhaustive list. For instance, in a written treatment plan proscribed by § 709.24 (relating to treatment/rehabilitation management), the Department has identified elements that must be included in that document but knows that the project’s client will be well served by the inclusion of other elements not regulated by the Department.

The Department received a comment following the public comment period from Blue Cross of Northeastern Pennsylvania supporting the proposed rulemaking and urging the Department to amend 4 Pa. Code § 255.5 (relating to projects and coordinating bodies: disclosure of client-oriented information).

#### G. *Benefits, Cost and Compliance*

##### *Benefits*

The final-form rulemaking will benefit drug and alcohol facilities by reducing the Department’s inspection time at a facility. Specifically, the Division of Program Licensure will no longer be reviewing the policies, procedures and records that were reviewed under the former regulations.

##### *Compliance costs*

There are no compliance costs for drug and alcohol facilities associated with this final-form rulemaking.

##### *Paperwork requirements*

There are no additional paperwork requirements associated with this final-form rulemaking as the unusual incident reports required under § 709.34 are currently being submitted by the regulated community as explained in Section E of this preamble.

#### H. *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on February 26, 2014, the Department submitted a copy of the notice of proposed rulemaking, published at 44 Pa.B. 1317, to IRRC and the Chairpersons of the House Human Services Committee and the Senate Committees on Public Health and Welfare for review and comment.

Under section 5(c) of the Regulatory Review Act, IRRC and the House and Senate Committees 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 Department has considered all comments from IRRC, the House and Senate Committees 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 House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on September 4, 2014, and approved the final-form rulemaking.

##### *Findings*

The Department finds that:

(1) Public notice of the intention to adopt these regulations has been given under sections 201 and 202 of the

CDL (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 all comments were considered.

(3) The amendments to this final-form rulemaking do not enlarge the purpose of the proposed rulemaking published at 44 Pa.B. 1317.

(4) The adoption of the final-form rulemaking in the manner provided in this order is necessary and appropriate for the administration of the authorizing statute.

##### *Order*

The Department, acting under the authorizing statute, orders that:

(a) The regulations of the Department, 28 Pa. Code Chapter 709, are amended by adding § 709.34 and by amending §§ 709.21—709.26 and 709.28—709.32 to read as set forth in Annex A.

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

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

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

GAROLD E. TENNIS,  
*Secretary*

*(Editor’s Note:* See 44 Pa.B. 6658 (October 18, 2014) for both a final-omitted rulemaking by the Department relating to this final-form rulemaking and for a document transferring Department regulations.)

*(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 74-1 remains valid for the final adoption of the subject regulations.

### **Annex A**

#### **TITLE 28. HEALTH AND SAFETY**

#### **PART V. DEPARTMENT OF DRUG AND ALCOHOL PROGRAMS**

#### **CHAPTER 709. STANDARDS FOR LICENSURE OF FREESTANDING TREATMENT FACILITIES**

#### **Subchapter C. GENERAL STANDARDS FOR FREESTANDING TREATMENT ACTIVITIES**

##### **§ 709.21. Applicability.**

(a) The intake, evaluation and referral, inpatient nonhospital, partial hospitalization, outpatient and inpatient hospital activities shall comply with this chapter.

(b) A facility in which freestanding treatment activities are provided that has a valid full license from the Department of Public Welfare under 55 Pa. Code Chapters 5300 and 5310 (relating to private psychiatric hospitals; and community residential rehabilitation services for the mentally ill) is deemed to be in compliance with §§ 709.22—709.26, 709.29 and 709.32. This subsection shall remain in effect as long as the Department finds the standards in 55 Pa. Code Chapters 5300 and 5310 to be consistent with the requirements of this subchapter.

**§ 709.22. Governing body.**

(a) A project shall have a governing body and legal responsibility for the project rests in the governing body.

(b) The duties of the governing body include, but are not limited to, the following:

(1) Designating the position to serve as project director as the person officially responsible to the governing body either directly or indirectly.

(2) Identifying the project's purpose and philosophy directly related to drug and alcohol services.

(3) Documenting the project's organizational structure.

(c) If a facility is publicly funded, the governing body shall make available to the public an annual report which includes, but is not limited to, a statement disclosing the names of officers, directors and principal shareholders, when applicable.

**§ 709.23. Project director.**

Project directors shall prepare, annually update and sign a written manual delineating project policies and procedures.

**§ 709.24. Treatment/rehabilitation management.**

(a) The governing body shall adopt a written plan for the coordination of client treatment and rehabilitation services which includes, but is not limited to:

(1) Definition of the target population toward whom facility services are directed.

(2) Identification of the treatment models and practices utilized by the project.

(3) Written procedures for the management of treatment/rehabilitation services for clients.

(4) Written procedures for referral outlining cooperation with other service providers including, but not limited to, provisions for access to emergency services.

(b) The project shall maintain a current community resource listing of other health and social service agencies.

**§ 709.25. Fiscal management.**

The project shall obtain the services of an independent certified public accountant for an annual financial audit of activities associated with the project's drug/alcohol abuse services, in accordance with generally accepted accounting principles which include reference to the drug and alcohol treatment activities.

**§ 709.26. Personnel management.**

(a) The governing body shall adopt and have implemented written project personnel policies and procedures in compliance with State and Federal employment laws. In addition, the written policies and procedures must specifically include, but are not limited to:

(1) Utilization of volunteers.

(2) Rules of conduct.

(3) Supervision of staff.

(4) Orientation of new employees.

(b) The personnel records must include, but are not limited to:

(1) Application or resume for employment.

(2) Written verification of qualifying professional credentials.

(3) Annual written individual staff performance evaluations, copies of which shall be reviewed and signed by the employee.

(4) Disciplinary actions.

(c) There shall be written job descriptions for project positions.

**§ 709.28. Confidentiality.**

(a) A written procedure shall be developed by the project director which shall comply with 4 Pa. Code § 255.5 (relating to projects and coordinating bodies: disclosure of client-oriented information). The procedure must include, but not be limited to:

(1) Confidentiality of client identity and records. Procedures must include a description of how the project plans to address security and release of electronic and paper records and identification of the person responsible for maintenance of client records.

(2) Identification of project staff having access to records, and the methods by which staff gain access.

(b) The project shall secure hard copy client records within locked storage containers. Electronic records must be stored on secure, password protected data bases.

(c) The project shall obtain an informed and voluntary consent from the client for the disclosure of information contained in the client record. The consent must be in writing and include, but not be limited to:

(1) Name of the person, agency or organization to whom disclosure is made.

(2) Specific information disclosed.

(3) Purpose of disclosure.

(4) Dated signature of client or guardian as provided for under 42 CFR 2.14(a) and (b) and 2.15 (relating to minor patients; and incompetent and deceased patients).

(5) Dated signature of witness.

(6) Date, event or condition upon which the consent will expire.

(d) A copy of a client consent shall be offered to the client and a copy maintained in the client record.

(e) When consent is not required, the project personnel shall:

(1) Fully document the disclosure in the client records.

(2) Inform the client, as readily as possible, that the information was disclosed, for what purposes and to whom.

**§ 709.29. Retention of client records.**

(a) Client records, regardless of format, shall be readily accessible for a minimum of 4 years following the discharge of a client.

(b) If the project discontinues operation, it shall make known to the Department where its records are stored.

**§ 709.30. Client rights.**

The project shall develop written policies and procedures on client rights and document written acknowledgement by clients that they have been notified of those rights.

(1) A client receiving care or treatment under section 7 of the act (71 P. S. § 1690.107) shall retain civil rights and liberties except as provided by statute. No client may be deprived of a civil right solely by reason of treatment.

(2) The project may not discriminate in the provision of services on the basis of age, race, creed, sex, ethnicity, color, national origin, marital status, sexual orientation, handicap or religion.

(3) Clients have the right to inspect their own records. The project, facility or clinical director may temporarily remove portions of the records prior to the inspection by the client if the director determines that the information may be detrimental if presented to the client. Reasons for removing sections shall be documented in the record.

(4) Clients have the right to appeal a decision limiting access to their records to the director.

(5) Clients have the right to request the correction of inaccurate, irrelevant, outdated or incomplete information in their records.

(6) Clients have the right to submit rebuttal data or memoranda to their own records.

**§ 709.31. Data collection system.**

(a) A data collection and recordkeeping system shall be developed that allows for the efficient retrieval of data needed to measure the project's performance in relationship to its stated goals and objectives.

(b) The recordkeeping system must allow for the identification of clients' admissions and discharges within a specific time period.

**§ 709.32. Medication control.**

(a) Projects furnishing pharmaceutical services shall present a license from the Department of Health's Board of Examiners or the Department of State's State Board of Pharmacy and a DEA registration to Department employees. Other notices of review or inspection, or both, shall be made available upon request.

(b) Verbal orders for medication can be given only by a physician or other medical professional authorized by State and Federal law to prescribe medication and verbal orders may be received only by another physician or medical professional authorized by State and Federal law to receive verbal orders. When a verbal or telephone order is given, it has to be authenticated in writing by a physician or other medical professional authorized by State and Federal law to prescribe medication. In detoxification levels of care, written authentication shall occur no later than 24 hours from the time the order was given. Otherwise, written authentication shall occur within 3 business days from the time the order was given.

(c) The project shall have and implement a written policy and procedures regarding all medications used by clients which shall include, but not be limited to:

(1) Administration of medication, including the documentation of the administration of medication:

(i) By individuals permitted to administer by Pennsylvania law.

(ii) When self administered by the client.

(2) Drug storage areas including, but not limited to, the secure storage of controlled substances and other abusable drugs in accordance with State and Federal regulations and program requirements.

(3) Inspection of storage areas that ensures compliance with State and Federal laws and program policy. The policy must include, but not be limited to:

(i) What is to be verified through the inspection, who inspects, how often, but not less than quarterly, and in what manner it is to be recorded.

(ii) Disinfectants and drugs for external use are stored separately from oral and injectable drugs.

(iii) Drugs requiring special conditions for storage to insure stability are properly stored.

(iv) Outdated drugs are removed.

(v) Copies of drug-related regulations are available in appropriate areas.

(4) Methods for control and accountability of drugs, including, but not limited to:

(i) Who is authorized to remove drug.

(ii) The program's system for recording drugs, which includes the name of the drug, the dosage, the staff person, the time and the date.

(5) Security of drugs, including, but not limited to, the loss, theft or misuse of drugs.

(6) Medication errors and drug reactions shall be recorded in the client record. This may be the medical record if a separate medical record is maintained for all clients.

**§ 709.34. Reporting of unusual incidents.**

(a) The project shall develop and implement policies and procedures to respond to the following unusual incidents:

(1) Physical assault or sexual assault by staff or a client.

(2) Selling or use of illicit drugs on the premises.

(3) Death or serious injury due to trauma, suicide, medication error or unusual circumstances while in residential treatment or, when known by facility, for ambulatory services.

(4) Significant disruption of services due to disaster such as fire, storm, flood or other occurrence which closes the facility for more than 1 day.

(5) Theft, burglary, break-in or similar incident at the facility.

(6) Event at the facility requiring the presence of police, fire or ambulance personnel.

(7) Fire or structural damage to the facility.

(8) Outbreak of a contagious disease requiring Centers for Disease Control (CDC) notification.

(b) Policies and procedures must include the following:

(1) Documentation of the unusual incident.

(2) Prompt review and identification of the causes directly or indirectly responsible for the unusual incident.

(3) Implementation of a timely and appropriate corrective action plan, when indicated.

(4) Ongoing monitoring of the corrective action plan.

(5) Reporting mechanism to ensure that reporting of an unusual incident to an entity is in compliance with State and Federal confidentiality laws.

(c) To the extent permitted by State and Federal confidentiality laws, the project shall file a written unusual incident report with the Department within 3 business days following an unusual incident involving:

(1) Physical or sexual assault by staff or a client.

(2) Death or serious injury due to trauma, suicide, medication error or unusual circumstances.



(3) Significant disruption of services due to a disaster such as a fire, storm, flood or other occurrence that results in the closure of a facility for more than 1 day.

(4) Event at the facility requiring the presence of police, fire or ambulance personnel.

(5) Outbreak of a contagious disease requiring CDC notification.

[Pa.B. Doc. No. 14-2138. Filed for public inspection October 17, 2014, 9:00 a.m.]

## Title 52—PUBLIC UTILITIES

### PHILADELPHIA PARKING AUTHORITY

[ 52 PA. CODE CHS. 1001, 1011 AND 1051 ]

#### Annual Filing Requirements

The Philadelphia Parking Authority (Authority), on July 30, 2014, adopted a final-form rulemaking order to modify existing annual filing requirements to eliminate reference to the term “expire” when used in conjunction with a certificate of public convenience and that filing requirement. While the Authority’s regulations do not provide for the expiration of certificates of public convenience, some industry members have expressed confusion over the use of this term. The final regulation is intended only for those clarification purposes.

*Philadelphia Taxicab and Limousine Regulations; Annual Information Review; Doc. No. 126-9*

#### Final Rulemaking Order

*By the Authority:*

The Authority is the sole regulator of all taxicab and limousine service in Philadelphia.<sup>1</sup> In furtherance of those regulatory functions, the Authority issued a proposed regulation at this docket number on March 25, 2014. The initial public comment period for this rulemaking proceeding concluded on June 9, 2014, the Independent Regulatory Review Commission (“IRRC”) submitted its comments on July 9, 2014. The Authority has completed its review of the comments and now issues the final-form regulation.

#### *Purpose of the Final-Form Regulation*

The Authority’s existing regulations require all regulated parties to make an annual information filing (renewal) with the Authority to ensure that the individual or business entity is in continuing compliance with the act and the Authority’s orders and regulations. This annual update or “renewal” process was an issue during the promulgation of the regulations because of the regulations use of the term “expired” regarding certificates of public convenience. See 41 Pa.B. 6499, 6526 (December 11, 2011).

In order to eliminate confusion, the final-form regulation will eliminate the use of the word expired as to taxicab, limousine and dispatcher certificates of public convenience. Because driver certificates and broker registrations do expire, the term will continue to apply in that context. Driver certificates and broker registrations will continue to be subject to an annual review process that will include the potential for expiration of those authorizations.

<sup>1</sup> The act of July 16, 2004, (P.L. 758, No. 94), 53 Pa.C.S. §§ 5701 et seq., as amended (the “act”).

#### *Discussion*

The Authority has reviewed IRRC’s comments to the proposed regulation and has adopted each recommended change. There were no public comments.

#### *§ 1011.4. Annual assessments and renewal fees.*

This section remains unchanged from the proposed regulation, except where changed in subsections (b) and (c) to clarify that a certificate holder has 30 days from the date of an assessment notice to make either the entire payment or an installment payments, as permitted. IRRC suggested these clarifications, which will also be more closely aligned with the language of the statute. See 53 Pa.C.S. § 5707.1(a). We agree with IRRC’s comment and have also made this clarification applicable to limousine CPC holders in § 1051.4 (relating to annual assessments and renewal fees).

#### *§ 1051.3. Annual rights renewal process.*

This section remains unchanged from the proposed regulation, except where changed in subsections (g)(6). The term “TLD Inspection” sticker is amended and replaced with “Limousine Rights” sticker, which is the name of the annual sticker issued to limousine companies. The term limousine rights sticker is defined in § 1055.1. The Authority does not issue an “Inspection Sticker” annually to each limousine, because only a portion of the fleet of limousines in Philadelphia is inspected each year, whereas taxicabs are inspected twice each year.

Also, in the same sentence, IRRC correctly noted that the term “taxicab” is used instead of “limousine.” That error has been corrected.

#### *§ 1051.4. Annual assessment and renewal fees.*

This section remains unchanged from the proposed regulation, except where we have corrected an inaccurate cross reference noted by IRRC. The reference to § 1051.3(c)(4) has been corrected to “§ 1051.3(c)(3).”

#### *Affected Parties*

The regulation will affect the holders of an Authority certificate of public convenience or renewable authority rights, but will not create any new obligation or burden. The filing requirements at issue predate the final-form regulation.

#### *Fiscal Impact*

The final-form regulation will have no fiscal impact or increase any paperwork obligation as to any party, the Commonwealth, any political subdivisions, private sector person or the general public.

#### *Effective Date and Conclusion*

The final-form rulemaking will become effective upon publication in the *Pennsylvania Bulletin*. Accordingly, under sections 13 and 17 of the Act (53 Pa.C.S. §§ 5722 and 5742); section 5505(d)(17), (23) and (24) of the Parking Authorities Act, act of June 19, 2001 (P.L. 287, No. 22) (53 Pa.C.S. § 5505(d)(17), (23) and (24)); 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 at 1 Pa. Code §§ 7.1, 7.2 and 7.5; section 204(b) of the Commonwealth Attorneys Act (71 P.S. § 732.204(b)); section 745.5 of the Regulatory Review Act (71 P.S. § 745.5); section 612 of The Administrative Code of 1929 (71 P.S. § 232) and the regulations promulgated at 4 Pa. Code §§ 7.231—7.234, the Authority proposes adoption of the final regulations set forth in Annex A; *Therefore,*

*It Is Ordered That:*

1. The regulations of the Authority, 52 Pa. Code Chapters 1001, 1011 and 1051, are amended by amending §§ 1001.43, 1011.3, 1011.4, 1051.3 and 1051.4 to read as set forth in Annex A.

2. The Executive Director shall cause this order and Annex A to be submitted to the Office of Attorney General for approval as to legality.

3. The Executive Director shall cause this order and Annex A to be submitted for review by the designated standing committees of both Houses of the General Assembly, and for formal review by the Independent Regulatory Review Commission.

4. The Executive Director shall cause this order and Annex A to be submitted for review by the Governor's Budget Office for review of fiscal impact.

5. The Executive Director shall cause this order and Annex A to be deposited with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

6. The Executive Director shall serve copies of this order and Annex A upon each of the commentators and take all other actions necessary to successfully complete the promulgation of this regulation.

7. The regulations embodied in Annex A shall become effective upon publication in the *Pennsylvania Bulletin*.

8. The contact person for this rulemaking is Dennis G. Weldon, Jr., General Counsel, (215) 683-9630.

VINCENT J. FENERTY, Jr.,  
*Executive Director*

*(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 126-9 remains valid for the final adoption of the subject regulations.

**Annex A****TITLE 52. PUBLIC UTILITIES****PART II. PHILADELPHIA PARKING AUTHORITY****Subpart A. GENERAL PROVISIONS****CHAPTER 1001. RULES OF ADMINISTRATIVE PRACTICE AND PROCEDURE****Subchapter E. FEES****§ 1001.43. Authority fee schedule.**

(a) *Issuance.* The Authority will issue a new fee schedule for each fiscal year under section 5710(a) of the act (relating to fees).

(b) *Notice.* The Authority will provide general notice of the new fee schedule through publication in the *Pennsylvania Bulletin*. The Authority will provide direct notice of the fee schedule by email to each certificate holder within 5 days of its effective date. The current fee schedule may be obtained from the Authority's web site at [www.philapark.org/tld](http://www.philapark.org/tld).

(c) *Supersession.* Subsection (a) supersedes 1 Pa. Code §§ 33.21(b) and 33.23 (relating to filing fees; and copy fees).

**Subpart B. TAXICABS****CHAPTER 1011. GENERAL PROVISIONS****§ 1011.3. Annual rights renewal process.**

(a) *Expiration of driver and broker rights.* All driver and broker rights will expire annually as follows:

(1) A taxicab driver's certificate will expire 1 year from its date of issuance or renewal.

(2) Except as provided in subsection (f), a broker registration will expire on June 30 of each year.

*(b) Expired rights.*

(1) Expired rights will be placed out of service by the Authority as provided in § 1003.32 (relating to out of service designation).

(2) Taxicab driver certificates that have been expired for 1 year or more will be deemed cancelled.

*(c) Renewal forms.*

(1) Rights in subsection (a) shall be renewed by completing and filing the required renewal form with the Manager of Administration. Renewal forms may be obtained on the Authority's web site at [www.philapark.org/tld](http://www.philapark.org/tld) or from TLD Headquarters.

(2) The renewal forms may require the submission of additional information or documents to confirm continuing eligibility under the act or this part.

(3) The renewal forms must be verified as provided in § 1001.36 (relating to verification and affidavit) and filed as follows:

(i) For taxicab drivers' certificates, Form DR-3 "Driver Renewal" shall be filed between 60 and 90 days before the expiration date printed on the taxicab driver's certificate.

(ii) For broker registrations, a Form BR-4 "Broker Renewal" shall be filed on or before February 15 of each year.

(d) *Renewal denial.* The Authority will deny renewal of rights in the following circumstances:

(1) If the owner of the rights subject to renewal fails to complete the renewal process.

(2) The renewal process reveals information about the renewing person that would have resulted in a denial of an initial application for the rights.

(3) The renewing person fails to comply with § 1011.4 (relating to annual assessments and renewal fees).

(e) *Suspended driver and broker rights.* Rights subject to suspension for any reason must be renewed on the dates and in the manner provided by subsection (c)(3) regardless of the suspended status.

(f) *New certificates and registrations.* A certificate or broker registration will not be subject to the renewal or annual information filing requirements in this section during the calendar year in which it is first issued.

*(g) Taxicab and dispatcher information filing.*

(1) The owner of taxicab or dispatcher rights shall complete the annual information filing required under this subsection to ensure continued compliance with the act, this part and the orders of the Authority.

(2) The annual information filing required under this subsection must be verified as provided in § 1001.36 and filed with the Manager of Administration as follows:

(i) For medallion taxicab certificates, Form TX-1 "Medallion Renewal" shall be filed on or before February 15 of each year.

(ii) For partial-rights taxicab certificates, Form PR-1 "Partial Rights Renewal" shall be filed on or before March 31 of each year.

(iii) For dispatcher certificates, Form DSP-6 “Dispatcher Renewal” shall be filed on or before March 31 of each year.

(3) The forms identified in paragraph (2) may require the submission of additional information or documents in furtherance of that review and may be obtained on the Authority’s web site at [www.philapark.org/tld](http://www.philapark.org/tld) or from TLD Headquarters.

(4) The filing requirements of this subsection apply to rights subject to suspension for any reason.

(5) The failure to file Form LM-1 will subject the applicable rights to an out of service designation as provided in § 1003.32.

(6) The TLD will not issue a TLD inspection sticker to a vehicle operated through a taxicab certificate if the review of the information required under this section reveals information about the certificate holder that would have resulted in a denial of an initial application for the rights. This paragraph does not relieve a certificate holder of any other penalty that may result from noncompliance, nor the obligation to appear at inspections as directed by the TLD.

**§ 1011.4. Annual assessments and renewal fees.**

(a) *Assessments and renewal fees.* The owners of rights issued by the Authority shall pay an annual assessment or renewal fee in an amount established each year under section 5707(a) and (c) of the act (relating to budget and assessments) and as set forth in the Authority’s annual fee schedule as provided in § 1001.43 (relating to Authority fee schedule).

(b) *Payment of assessments by certificate holders.* Assessment payments shall be made by each certificate holder within 30 days after service of the notice of assessment as provided in section 5707.1(a) of the act (relating to assessment notice and hearings).

(c) *Installment payments.* Upon request by a taxicab certificate holder through the annual renewal form required under § 1011.3(g) (relating to annual rights renewal process), the Director may permit certificate holders to pay the assessment in two equal installments within 30 days after service of the notice of assessment as provided in section 5707.1(a) of the act and December 15 of each year, as limited under subsections (d) and (e).

(d) *Assessment payment by appointment.*

(1) In person appointments to make installment payments for annual assessments may be scheduled by the Director any time after the renewal form is filed. The Director may reschedule appointment times to accommodate the availability of the certificate holder. Notice of appointment times will be provided at least 10 days in advance and as provided in § 1001.51 (relating to service by the Authority).

(2) The scheduled appointment will become the new due date for the installment assessment payment.

(3) The Authority will provide notice of assessment payment appointments as provided in § 1001.51.

(e) *Eligibility.* A certificate will be ineligible for assessment installment payments if the certificate holder or any person having a controlling interest in the certificate holder has done any of the following in the previous 2 years:

(1) Failed to pay an assessment to the Authority on schedule.

(2) Failed to begin and complete the annual rights renewal process on schedule.

(3) Been subject to suspension or cancellation of any rights issued by the Authority under the act, this part or an order of the Authority.

(f) *Payment of renewal fees by taxicab drivers.* The annual renewal fee for taxicab drivers is due with the filing of the DR-3 as provided in § 1011.3(c)(3)(i).

(g) *Payment of renewal fees by brokers.* The annual renewal fee for brokers is due with the filing of the BR-4 as provided in § 1011.3(c)(3)(ii).

(h) *Late assessment or renewal fee payments.*

(1) An installment assessment payment will be considered late if not paid at the appointed time and date for payment.

(2) Rights issued by the Authority may be placed out of service at the time an assessment or renewal fee payment becomes late, as provided in § 1003.32 (relating to out of service designation).

**Subpart C. LIMOUSINES**

**CHAPTER 1051. GENERAL PROVISIONS**

**§ 1051.3. Annual rights renewal process.**

(a) *Expiration of driver’s certificate.* A limousine driver’s certificate will expire 1 year from its date of issuance or renewal.

(b) *Expired rights.*

(1) Expired rights will be placed out of service by the Authority as provided in § 1003.32 (relating to out of service designation).

(2) Limousine driver certificates that have been expired for 1 year or more will be deemed cancelled.

(c) *Renewal forms.*

(1) Limousine driver certificates shall be renewed by completing and filing the Form DR-3 “Driver Renewal” with the Manager of Administration. Renewal forms may be obtained on the Authority’s web site at [www.philapark.org/tld](http://www.philapark.org/tld) or from TLD Headquarters.

(2) Form DR-3 may require the submission of additional information or documents to confirm continuing eligibility under the act, this part and orders of the Authority and must be verified as provided in § 1001.36 (relating to verification and affidavit).

(3) Form DR-3 shall be filed between 90 and 60 days before the expiration date printed on the limousine driver’s certificate.

(d) *Renewal denial.* The Authority will deny renewal of a limousine driver certificate in the following circumstances:

(1) If the owner of the rights subject to renewal fails to complete the renewal process.

(2) The renewal process reveals information about the renewing person that would result in a denial of an initial application for the rights.

(3) The renewing person fails to comply with § 1051.4 (relating to annual assessments and renewal fees).

(e) *Suspended driver rights.* Rights subject to suspension for any reason shall be renewed on the dates and in the manner provided by this section regardless of the suspended status.

(f) *New certificates.* A certificate will not be subject to the information filing requirements of subsection (g) during the calendar year in which it is first issued.

(g) *Limousine information filing.*

(1) The owner of limousine rights shall complete on an annual basis Form LM-1 "Limousine Renewal" to ensure continued compliance with the act, this part and the orders of the Authority.

(2) Form LM-1 shall be verified as provided in § 1001.36 and filed with the Manager of Administration on or before March 31 of each year.

(3) Form LM-1 may require the submission of additional information or documents and may be obtained on the Authority's web site at [www.philapark.org/tld](http://www.philapark.org/tld) or from TLD Headquarters.

(4) The filing requirements of this subsection apply to rights subject to suspension for any reason.

(5) The failure to file Form LM-1 will subject the applicable rights to an out of service designation as provided in § 1003.32.

(6) The TLD will not issue a limousine rights sticker to a vehicle operated through a limousine certificate if the review of the information required under this section reveals information about the certificate holder that would have resulted in a denial of an initial application for the rights. This paragraph does not relieve a certificate holder of any other penalty that may result from

noncompliance, nor the obligation to appear at inspections as directed by the TLD.

**§ 1051.4. Annual assessments and renewal fees.**

(a) *Assessments and renewal fees.* The owners of rights issued by the Authority shall pay an annual assessment or renewal fee in an amount established each year under section 5707(a) and (c) of the act (relating to budget and assessments) and as set forth in the Authority's annual fee schedule as provided in § 1001.43 (relating to Authority fee schedule).

(b) *Payment of assessments by certificate holders.* The annual assessment for certificate holders is due within 30 days after service of the notice of assessment as provided in section 5707.1(a) of the act (relating to assessment notice and hearings).

(c) *Payment of renewal fees by limousine drivers.* The annual renewal fee for limousine drivers is due with the filing of the DR-3 as provided in § 1051.3(c)(3) (relating to annual rights renewal process).

(d) *Late assessment or renewal fee payments.* Rights issued by the Authority may be placed out of service at the time an assessment or renewal fee payment becomes late as provided in § 1003.32 (relating to out of service designation).

[Pa.B. Doc. No. 14-2139. Filed for public inspection October 17, 2014, 9:00 a.m.]

# NOTICES

## DEPARTMENT OF BANKING AND SECURITIES

### Maximum Lawful Rate of Interest for Residential Mortgages for the Month of November 2014

The Department of Banking and Securities (Department), under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), determines that the maximum lawful rate of interest for residential mortgages for the month of November, 2014, is 5 1/2%.

The interest rate limitations under the State's usury statute were preempted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub. L. No. 96-221). Further preemption was instituted with the signing of Pub. L. No. 96-399, which overrode State interest rate limitations on any individual who finances the sale or exchange of residential real property which the individual owns and which the individual occupies or has occupied as his principal residence.

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 2.93 to which was added 2.50 percentage points for a total of 5.43 that by law is rounded off to the nearest quarter at 5 1/2%.

GLENN E. MOYER,  
*Secretary*

[Pa.B. Doc. No. 14-2140. Filed for public inspection October 17, 2014, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Application for University Status by Delaware Val- ley College; Correction

An error occurred in the notice published at 44 Pa.B. 6100 (September 27, 2014). The effective date of the change to university status was incorrect. The correct date follows.

Under the act of June 18, 2014 (P. L. 769, No. 67), the Department of Education (Department) is publishing the application by Delaware Valley College to become a university.

The Department received notification of the intent to make the change to university status on September 2,

2014. The effective date of the change to university status is December 1, 2014. The Department has reviewed and accepted the notification.

CAROLYN C. DUMARESQ, Ed.D.,  
*Acting Secretary*

[Pa.B. Doc. No. 14-2141. Filed for public inspection October 17, 2014, 9:00 a.m.]

### Application of Jeffrey J. Hayden for Reinstatement of Teaching Certificates; Doc. No. RE 14-03

#### Notice of Hearing

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

On or about June 2, 2014, Jeffrey J. Hayden filed an application for reinstatement of his teaching certificates under section 16 of the act (24 P. S. § 2070.16), 1 Pa. Code §§ 35.1 and 35.2 (relating to applications) and 22 Pa. Code § 233.123 (relating to reinstatements). Under section 16 of the act, the Department of Education on September 9, 2014, opposed the application.

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

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

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

CAROLYN ANGELO,  
*Executive Director*

[Pa.B. Doc. No. 14-2142. Filed for public inspection October 17, 2014, 9:00 a.m.]

# DEPARTMENT OF ENVIRONMENTAL PROTECTION

## Applications, Actions and Special Notices

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### APPLICATIONS

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#### 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

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0085511— Sewage	West Hanover Township Water & Sewer Authority 7901 Jonestown Road Harrisburg, PA 17112	Dauphin County / West Hanover Township	UNT Manada Creek / 7-D	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0039144 (IW)	PA Fish and Boat Commission Oswayo State Fish Hatchery 96 State Route 244 East Coudersport, PA 16915-9646	Potter County Oswayo Township	Oswayo Creek (16-C)	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0097730	Kost SR STP 329 Beagle Club Road Cowansville, PA 16218	Armstrong County Sugarcreek Township	UNT to Huling Run (17-C)	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed#)	EPA Waived Y/N?
PA0239178 (sewage)	David J Mays SFTF 13 Church Street Westline, PA 16751	McKean County Lafayette Township	Un-named tributary of Kinzua Creek (16-B)	Y
PA0220876 (sewage)	Country Greens STP 8850 Pa Route 18 Girard, PA 16417	Erie County Elk Creek Township	East Branch Conneaut Creek (15-A)	Y

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

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

**PA0252468**, SIC Code 4941, **Kittanning Borough Suburban Joint Water Authority Armstrong County**, 710 Tarrtown Road, Adrian, PA 16210-1220. Facility Name: Kittanning Suburban Joint Water Authority. This existing facility is located in East Franklin Township, **Armstrong County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated industrial wastewater from Kittanning Borough Suburban Joint Water Authority water treatment plant.

The receiving stream(s), Unnamed Tributary to Allegheny River, is located in State Water Plan watershed 17-E and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0614 MGD.

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

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

The EPA Waiver is in effect.

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

**PA0244473**, Storm Water, SIC Code 3272, **Delaware Valley Concrete Co. Inc.**, 248 E County Line Road, Hatboro, PA 19040-2116. Facility Name: Delaware Valley Concrete Kennett Square Facility. This existing facility is located in Kennett Square Borough, **Chester 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), an Unnamed Tributary to East Branch Red Clay Creek, is located in State Water Plan watershed 31 and is classified for Trout Stocking 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 stormwater flows.

<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>Annual Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Ambient	XXX	XXX	Report	XXX	XXX	Report
Downstream Monitoring	XXX	XXX	Report	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	50	100	100
Oil and Grease	XXX	XXX	XXX	Report	Report	XXX

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

Preparedness, Prevention and Contingency (PPC) Plan; Annual inspection; Stormwater sampling; Property Rights; Collected screenings; Instream pH.

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.

**PA0011274**, IW, SIC Code 4941, **Aqua Pennsylvania Inc.**, 762 W Lancaster Avenue, Bryn Mawr, PA 19010-3402. Facility Name: Neshaminy Falls Water Filtration Plant. This existing facility is located in Middletown Township, **Bucks County**.

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

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

The proposed effluent limits for Outfall 001 are based on a treated backwash water of 0.364 MGD.

<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
Total Residual Chlorine	XXX	XXX	XXX	0.11	XXX	0.34
Total Suspended Solids	58	117	XXX	30	60	75
Total Phosphorus	1.9	3.9	XXX	1.0	2.0	2.5
Total Aluminum	1.6	3.2	XXX	0.82	1.64	2.05
Total Manganese	1.9	3.9	XXX	1.0	2.0	2.5

The proposed effluent limits for Outfall 002 are based on treated backwash wastewater.

<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
Total Residual Chlorine	XXX	XXX	XXX	XXX	XXX	0.28
Total Suspended Solids	XXX	XXX	XXX	XXX	60	75
Total Aluminum	XXX	XXX	XXX	XXX	1.2	1.5
Total Iron	XXX	XXX	XXX	XXX	3.1	3.9
Total Manganese	XXX	XXX	XXX	XXX	3.0	3.75
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003 are based on the leaf screen backwash water.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.0



The proposed effluent limits for Outfall 004.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Instant. Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.2
Total Suspended Solids	XXX	XXX	XXX	30	60	75
Total Phosphorus	XXX	XXX	XXX	Report	Report	XXX
Total Aluminum	XXX	XXX	XXX	4.0	8.0	10.0
Total Manganese	XXX	XXX	XXX	1.0	2.0	2.5
Total Iron	XXX	XXX	XXX	2.0	4.0	5.0

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

Other Requirements:

- A. Property Rights
- B. Sludge Disposal
- C. WQM requirements
- D. BAT/BCT
- E. Finished/Drinking water
- F. PPC 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.

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

**PA0260126**, Sewage, SIC Code 4952, **Hamm Equities LLC**, 2520 Renaissance Boulevard, King Of Prussia, PA 19406. Facility Name: Buffalo Crossing Development STP. This proposed facility is located in Howe Township, **Perry County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated Sewage.

The receiving stream(s), Unnamed Tributary to Juniata River, is located in State Water Plan watershed 12-B and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.05 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2000	XXX	10000
UV Intensity (mjoules/cm <sup>2</sup> )	XXX	XXX	Report	Geo Mean XXX	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	1.8	XXX	3.6
Nov 1 - Apr 30	XXX	XXX	XXX	5.4	XXX	10.8

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

Parameters	Mass (lbs)			Concentration (mg/l)	
	Monthly	Annual	Minimum	Monthly Average	Maximum
Ammonia—N		Report	XXX		XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX
Net Total Nitrogen	Report	0	XXX	XXX	XXX

Parameters	Mass (lbs)			Concentration (mg/l)	
	Monthly Report	Annual	Minimum	Monthly Average	Maximum
Net Total Phosphorus	Report	0	XXX	XXX	XXX

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

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

The EPA Waiver is in effect.

*Northwest Regional Office: Regional Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481, Telephone: 814.332.6942.*

**PA0002666**, Industrial Waste, SIC Code 2999, **Sonneborn, Inc.**, 100 Sonneborn Lane, Petrolia, PA 16050. Facility Name: Sonneborn. This existing facility is located in Fairview Township, **Butler County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated industrial waste, treated stormwater, and untreated stormwater from a producer of surface active agents.

The receiving stream(s), South Branch Bear Creek, is located in State Water Plan watershed 17-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 003 are based on a design flow of 0.000000 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Annual Average	Daily Maximum	Minimum	Annual Average	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	Report	XXX	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Total Aluminum	XXX	XXX	XXX	Report	XXX	XXX
Total Iron	XXX	XXX	XXX	Report	XXX	XXX
Total Manganese	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 007 are based on a design flow of 0.000000 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	Report	XXX	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Total Aluminum	XXX	XXX	XXX	Report	XXX	XXX
Total Barium	XXX	XXX	XXX	Report	XXX	XXX
Total Iron	XXX	XXX	XXX	Report	XXX	XXX
Total Manganese	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 010 are based on a design flow of 0.479 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Daily Average	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5	XXX	XXX	XXX
Temperature (°F)						
Jan 1-31	XXX	XXX	XXX	75	XXX	XXX
Feb 1-29	XXX	XXX	XXX	75	XXX	XXX
Mar 1-31	XXX	XXX	XXX	81	XXX	XXX
Apr 1-15	XXX	XXX	XXX	83	XXX	XXX
Apr 16-30	XXX	XXX	XXX	97	XXX	XXX
May 1-15	XXX	XXX	XXX	89	XXX	XXX
May 16-31	XXX	XXX	XXX	108	XXX	XXX
Jun 1-15	XXX	XXX	XXX	104	XXX	XXX

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Daily Average</i>	<i>Daily Maximum</i>	
Jun 16-30	XXX	XXX	XXX	106	XXX	XXX
Jul 1-31	XXX	XXX	XXX	98	XXX	XXX
Aug 1-31	XXX	XXX	XXX	94	XXX	XXX
Sep 1-15	XXX	XXX	XXX	95	XXX	XXX
Sep 16-30	XXX	XXX	XXX	86	XXX	XXX
Oct 1-15	XXX	XXX	XXX	84	XXX	XXX
Oct 16-31	XXX	XXX	XXX	80	XXX	XXX
Nov 1-15	XXX	XXX	XXX	80	XXX	XXX
Nov 16-30	XXX	XXX	XXX	75	XXX	XXX
Dec 1-31	XXX	XXX	XXX	77	XXX	XXX
CBOD <sub>5</sub>						
May 1 - Oct 31	46	91	XXX	13	26	32
				Avg Mo		
Nov 1 - Apr 30	91	182	XXX	26	52	65
				Avg Mo		
Total Suspended Solids	175	350	XXX	50	150	150
				Avg Mo		
Total Dissolved Solids	Report	XXX	XXX	Report	XXX	XXX
	Avg Quarterly			Avg Quarterly		
Oil and Grease	52	105	XXX	15	30	30
				Avg Mo		
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	XXX
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	XXX
				Geo Mean		
Ammonia-Nitrogen						
May 1 - Oct 31	4.6	9.1	XXX	1.3	2.6	3.25
				Avg Mo		
Nov 1 - Apr 30	13.7	27.3	XXX	3.9	7.8	9.75
				Avg Mo		
Total Aluminum	2.3	4.6	XXX	Report	Report	XXX
				Avg Mo		
Total Iron	5.2	10.3	XXX	Report	Report	XXX
				Avg Mo		
Total Manganese	4.0	8.0	XXX	1.0	2.0	2.5
				Avg Mo		
Sulfate	Report	XXX	XXX	Report	XXX	XXX
	Avg Quarterly			Avg Quarterly		
Chloride	Report	XXX	XXX	Report	XXX	XXX
	Avg Quarterly			Avg Quarterly		
Bromide	Report	XXX	XXX	Report	XXX	XXX
	Avg Quarterly			Avg Quarterly		

The proposed effluent limits for Outfall 021 are based on a design flow of 0.000000 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Minimum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Minimum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	Report	XXX	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Total Aluminum	XXX	XXX	XXX	Report	XXX	XXX
Total Iron	XXX	XXX	XXX	Report	XXX	XXX
Total Manganese	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 022 are based on a design flow of 0.000000 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Annual Average</i>	<i>Minimum</i>	<i>Minimum</i>	<i>Annual Average</i>	<i>Minimum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	Report	XXX	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	Report	XXX	XXX

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Annual Average</i>		<i>Minimum</i>	<i>Annual Average</i>		
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Total Aluminum	XXX	XXX	XXX	Report	XXX	XXX
Total Iron	XXX	XXX	XXX	Report	XXX	XXX
Total Manganese	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 023 are based on a design flow of 0.000000 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>		<i>Minimum</i>	<i>Average Monthly</i>		
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	Report	XXX	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Total Aluminum	XXX	XXX	XXX	Report	XXX	XXX
Total Iron	XXX	XXX	XXX	Report	XXX	XXX
Total Manganese	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 024 are based on a design flow of 0.000000 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Annual Average</i>		<i>Minimum</i>	<i>Annual Average</i>		
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	Report	XXX	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	Report	XXX	XXX
Total Aluminum	XXX	XXX	XXX	Report	XXX	XXX
Total Iron	XXX	XXX	XXX	Report	XXX	XXX
Total Manganese	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 025 are based on a design flow of 0.000000 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Annual Average</i>		<i>Minimum</i>	<i>Annual Average</i>		
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	Report	XXX	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	Report	XXX	XXX
Total Aluminum	XXX	XXX	XXX	Report	XXX	XXX
Total Iron	XXX	XXX	XXX	Report	XXX	XXX
Total Manganese	XXX	XXX	XXX	Report	XXX	XXX

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

- Chemical Additives
- Requirements Applicable to Stormwater Outfalls

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

The EPA Waiver is not in effect.

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

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

**WQM Permit No. 3814402**, Sewerage, **South Londonderry Township Municipal Authority**, 20 West Market Street, PO Box 3, Campbelltown, PA 17010.

This proposed facility is located in South Londonderry Township, **Lebanon County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of a new sewage treatment plant.

**WQM Permit No. 2209401, Amendment #2**, Sewerage, **Gratz Borough Municipal Authority**, 125 North Center Street, PO Box 276, Gratz, PA 17030.

This proposed facility is located in Gratz Borough, **Dauphin County**.

Description of Proposed Action/Activity: Seeking permit approval for the addition of a dewatering dumpster and associated pump and piping at their existing wastewater treatment.

**WQM Permit No. 0614201**, CAFO, **Skyline Acres, Inc.**, 477 Skyline Drive, Bernville, PA 19506.

This proposed facility is located in Upper Bern Township, **Berks County**.

Description of Proposed Action/Activity: Proposal to build a 94' x 12' circular concrete manure storage tank with a total capacity of 623,000 gallons.

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

**WQM Permit No. 468S017 A-1**, Sewage, **Franklin Township Municipal Sanitary Authority Westmoreland County**, 3001 Meadowbrook Rd, Murrysville, PA 15668.

This existing facility is located in Export Borough, **Westmoreland County**.

Description of Proposed Action/Activity: Reconstruction of two (2) CSO regulator structures within portions of the interceptor system within Export Borough.

**WQM Permit No. 6372404**, Sewage, **Carroll Township Authority**, PO Box 661, Donora, PA 15033.

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

Description of Proposed Action/Activity: The Authority proposes to replace the pumps and add a new comminutor to their existing El Dora pump station.

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

**WQM Permit No. WQG01251410**, Sewage, **Matthew W. Kuffer**, 6741 Route 6 N, Edinboro, PA 16412.

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

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

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

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI023914017	Joseph Iudicello International Custom Built Homes, Inc. 6500 Chapmans Road Allentown, PA 18106	Lehigh	Lower Macungie Township	Swabia Creek (HQ-CWF, MF)

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

*Centre County Conservation District: 414 Holmes Avenue, Suite 4, Bellefonte, PA 16823, (814) 355-6817*

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI041414005	Patton Township 100 Patton Plz State College PA 16803	Centre	Patton Twp	Spring Creek CWF Spruce Creek HQ-CWF Buffalo Run HQ-CWF

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

*Clarion Conservation District, 330 West Main Street, Room 9, Clarion PA 16214*

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI061614001	Knox Borough PO Box 366, 620 Main Street Knox PA 16232	Clarion	Knox Township	UNT Canoe Creek HQ-CWF

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

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

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

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

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

**APPLICATIONS**

**NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/New</i>
Lance Heberlig 24 Shuman Road Newburg, PA 17240	Cumberland	96.59	436.62	Swine / Veal	N/A	New
Brook-Corner Holsteins Reid & Diane Hoover 400 Mt. Wilson Road Lebanon, PA 17042	Lebanon	251.4	752.32	Dairy	NA	Renewal
Laverne Rohrer 118 Bentz Mill Road East Berlin PA 17316	York	6	573.73	Turkey	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  
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. 3014514MA, Minor Amendment.**

Applicant	<b>Southwestern Pennsylvania Water Authority</b> 1442 Jefferson Road PO Box 187 Jefferson, PA 15344
[Township or Borough]	Franklin Township
Responsible Official	John W. Golding, Manager Southwestern Pennsylvania Water Authority 1442 Jefferson Road PO Box 187 Jefferson, PA 15344
Type of Facility	Water system
Consulting Engineer	Bankson Engineers, Inc. 267 Blue Run Road Suite 200 Cheswick, PA 15024
Application Received Date	October 3, 2014
Description of Action	Installation of approximately 815 feet of 8-inch diameter waterline.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 1

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

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

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

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

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

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

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

**Juniata Locomotive Repair Shop**, 200 North Fourth Avenue, Altoona, PA 16601, City of Altoona, **Blair County**. URS Corporation, 681 Andersen Drive, Pittsburgh, PA 15220, on behalf of Norfolk Southern Railway Company, 200 North Fourth Avenue, Altoona, PA 16601, submitted a Notice of Intent to Remediate site soils contaminated with diesel fuel released from a ruptured locomotive's saddle tank. The site will be remediated to a combination of Residential Statewide Health and Site Specific Standards. Future use of the site remains industrial. The Notice of Intent to Remediate was published in the *Altoona Mirror* on September 4, 2014.

#### **INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSES**

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#### **Applications received or withdrawn under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and Act 93 of June 28, 1988 (P. L. 525, No. 93) and regulations to transport infectious and chemotherapeutic waste.**

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*Central Office: Bureau of Waste Management, Division of Hazardous Waste Management, PO Box 69170, Harrisburg, PA 17106-9170*

##### *New Applications Received*

**Sioux Services, LLC**, 2912 Filbert Avenue, Reading, PA 19606. License No. PA-HC 0221. Received on June 30, 2014.

##### *Renewal Applications Received*

**Veolia ES Technical Solutions, LLC**, 1 Eden Lane, Flanders, NJ 07836. License No. PA-HC 0221. Received on July 30, 2014.

**Environmental Transport Group, Inc.**, P. O. Box 296, Flanders, NJ 07836. License No. PA-HC 0023. Received on August 4, 2014.

**Clym Environmental Services, LLC**, 1539 Tilco Drive, Suite 123, Frederick, MD 21704. License No. PA-HC 0253. Received on August 21, 2014.

**Cole Care, Inc.**, 1001 East Second Street, Coudersport, PA 16915. License No. PA-HC 0178. Received on August 26, 2014.

**Moran Environmental Recovery, LLC**, 75D York Avenue, Randolph, MA 02368. License No. PA-HC 0250. Received on September 3, 2014.

**HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES**

**Applications received under the Solid Waste Management Act and Regulations to Operate a Hazardous Waste Treatment, Storage or Disposal Facility.**

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

**PAR000544486. Elcon Recycling Service, LLC**, Keystone Industrial Port Complex, 100 Dean Sievers Place, Morrisville, PA 19067. A Phase I siting application has been submitted by Elcon Recycling Service, LLC for a proposed commercial hazardous waste treatment facility to be located at 100 Dean Sievers Place, Morrisville PA 19067, within the Keystone Industrial Port Complex, formerly US Steel Site, in Falls Township, **Bucks County**. The Phase I siting application includes the Part A application and the exclusionary siting criteria materials for the proposed facility. The Phase I siting application was determined to be administratively complete by the Southeast Regional Office on March 26, 2014. Subsequent notice of an informational meeting and/or public hearing will be provided at a later date.

**OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE**

**Application Received Under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

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

**Permit Application No. 400459. Merck Sharp & Dohme Corp.**, 770 Sumneytown Pike, West Point PA 19486-0004. This application is for renewal of solid waste permit No. 400459 for Merck Sharp & Dohme Corp.—West Point, a municipal waste resource recovery facility, located in Upper Gwynedd Township, **Montgomery County**. The application was received by the Southeast Regional Office on September 16, 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 re-

view 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.**

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

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

**48-00006B: ESSROC Italcementi Group** (Route 248 & Easton Road, Nazareth, PA 18064) for use of engineered fuel as an alternative fuel for the existing Kiln No.



1 at their facility located in Lower Nazareth Twp. & Nazareth Borough, **Northampton 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.*

**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 notice for East Penn Manufacturing Co., Inc. intent to issue plan approval 06-05069W is being amended to include intent to authorize transfer and use of 59.46 tons of NO<sub>x</sub> Emission Reduction Credits (ERCs) for offset purposes from Kelman Bottles, LLC (formerly known as Port Glenshaw Glass, LLC), Allegheny County, to East Penn Manufacturing Co., Inc. This notice was to be published in the 10/11/14 edition of the *Pennsylvania Bulletin*. If that occurred, then a 30-day public comment period would exist from 10/11/14. If publication of this notice did not occur in the 10/11/14 edition of the *Pennsylvania Bulletin*, then a 30-day public comment period would exist from 10/18/14.

**36-05053A: Buck Company Inc.** (897 Lancaster Pike, Quarryville, PA 17556) for authorization to install a new fabric collector at their foundry in Providence Township, **Lancaster County**. The expected facility emissions are: 0.21 tpy of PM and 0.15 tpy of PM<sub>10</sub>. The facility is subject to the operating permit requirements of Title V of the Federal Clean Air Act. 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 the facility's Title V Operating Permit.

**06-03117I: Custom Processing Services, Inc.** (2 Birchmont Drive, Reading, PA 19606) for construction of an additional micro milling unit (i.e., Mill No. 12) and associated collection. The mill is being added to micronize (which reduces to ultra-fine size) powders such as wax, flame retardants, slip agents, matting agents, et cetera. The facility is located in Exeter Township, **Berks County**. The expected facility emissions are: 3.94 tons per year (tpy) of particulate matter (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.

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

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

**20-040J: Advanced Cast Products, Inc.** (18771 Mill Street Meadville, PA 16335) for the construction and operation of a PM emission source at their existing facility located in Vernon Township, **Crawford County**. The facility currently has a Title V permit No. TV-20-00040. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date.

This is a Title V facility which has a potential to emit PM<sub>10</sub> emissions at a rate which exceeds the Title V threshold. This plan approval (20-040J) concerns the construction and operation of a silo used to store pre-mix material which is consumed in the casting mold making process. PM emissions will be emitted as a result of this project however they will be controlled by a Torit cartridge dust collector which is considered BAT. This source, after the emission control device, has the potential to emit 0.08 tpy of filterable particulate matter.

This Plan Approval will contain emission restrictions along with testing, monitoring, recordkeeping, reporting, work practice, and additional requirements, which will satisfy 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology for the source.

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 Edward Orris, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332-6636.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown below. The Department will consider any written comments received within 30 days of the publication of this notice. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit [Plan Approval No. 20-040J] and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Northwest Regional Office, 230 Chestnut St., Meadville, PA 16335.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations

to do so should by contacting Edward Orris or the Pennsylvania AT&T relay service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate your needs.

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

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### PUBLIC HEARINGS

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

*Contact: James Parette, New Source Review Chief—Telephone: 570-826-2531*

Notice is hereby given under 25 Pa. Code §§ 127.44(b)(5) and 127.424, that the Department of Environmental Protection (Department) is soliciting comments on the proposed Air Quality Plan Approval **48-00001A** for **Columbia Gas Transmission Corp.** (the Permittee), 1700 MacCorkle Avenue, SE, Charleston, WV 25314 to modify their existing Easton Compressor Station, which is located in Forks Twp., Northampton County as described in the Permittee's January 17, 2014 Plan Approval Application and any other subsequent supplemental submissions.

Plan Approval No. 48-00001A is for the installation and operation of two new Solar Taurus natural gas fired compressor turbines, an emergency generator, ancillary heating source, and miscellaneous insignificant above ground storage tanks at the Easton Compressor Station. The VOC emissions from the facility will be permitted up to 16.1 TPY, based on a 12-month rolling sum. The NO<sub>x</sub> emissions from the facility will be permitted up to 61.8 TPY, based on a 12-month rolling sum. The CO emissions from the facility will be permitted up to 84.5 TPY, based on a 12-month rolling sum. Total PM emissions from the facility will be permitted up to 12.7 TPY, based on a 12-month rolling sum. The SO<sub>x</sub> emissions from the facility will be permitted up to 0.6 TPY, based on a 12-month rolling sum. The HAPs from the facility will be permitted for less than 10 TPY of any single HAP and permitted for less than 25 TPY of all aggregated HAPs, based on a 12-month rolling sum. The Plan approval and Operating Permit will include testing, monitoring, record keeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements. One (1) existing Waukesha reciprocating engine/compressor will remain in service, and the rest of the currently permitted engines and associated equipment will be removed as part of the project.

The facility is subject to NSPS Subpart KKKK, JJJJ and 25 Pa. Code § 127.12(a)(5) Best Available Technology (BAT) requirements. The visible emission opacity will be equal to or less than 20% at any time. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions.

Emissions from the turbines will meet BAT & NSPS Subpart KKKK requirements. Emissions from the emergency generator engine will meet BAT & NSPS Subpart JJJJ requirements. 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.

Persons wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of the Plan Approval, may submit the information to the address shown below. The Department will consider any written comments received

within 30 days of the publication of this notice. Each written comment must contain the following: name, address and telephone number of the person submitting the comments; identification of the proposed Plan Approval No. 48-00001A and a concise statement regarding the relevancy of the information or any objections to the issuance of the Plan Approval.

A public hearing will be held for the purpose of receiving comments on the proposed air quality plan approval. The hearing will be held on Monday, November 10th, 2014 at 5 p.m. at the Easton Area Middle School, located at 1010 Echo Trail, Easton, PA (610) 250-2460.

Persons interested in commenting are invited to appear.

Copies of the applications, the Department's technical reviews and other supporting documents are available for public inspection between the hours of 8 a.m. and 4 p.m. at the Department's Wilkes-Barre Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915. Appointments for scheduling a review may be made by calling (570) 826-2511.

The general procedures for the hearing are as follows:

To develop an agenda for the hearing, the Department requests that individuals wishing to testify at the hearing submit a written notice of their intent. The notice should be sent to Mark Wejkszner, Air Quality Program Manager, Department of Environmental Protection, Air Quality Program, Wilkes-Barre Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915. The Department will accept notices up to the day of the public hearing.

This written notice should include the person's name, address, telephone number and a brief description as to the nature of the testimony. Individuals who submit a notice of intent to testify will be given priority on the agenda. If time permits, the Department will allow individuals who have not submitted a notice of intent to testify to present their comments.

Each individual will have up to 5 minutes to present testimony. The Department requests that individuals present written copies of their testimony in addition to their oral presentations.

To insure that all speakers have a fair and equal opportunity to present their testimony, relinquishing of time will be prohibited. Further details relating to the procedures to be followed at the hearing will be outlined at the beginning of the hearing.

Persons unable to attend the hearing can submit written testimony to the Department through November 24th, 2014.

The Department will address comments from the public before any final actions are taken on the proposals. A summary report addressing the concerns raised by the public will be released should the Department decide to issue the Plan Approval. Send written comments to Mark Wejkszner, Air Quality Program Manager, Department of Environmental Protection, Air Quality Program, Wilkes-Barre Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations should contact the Department at the address shown above, or the Pennsylvania AT&T relay service at (800) 654-5984 (TDD) to discuss how the Department may address their needs.

For additional information regarding the above, contact Mark Wejkszner at (570)-826-2511 or write to the Department at the Wilkes-Barre address given previously.

## 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.*

**36-05009: JL Clark, Inc.** (303 North Plum Street, Lancaster, PA 17604) to issue a Title V Permit renewal for their can coating and printing operations in the City of Lancaster, **Lancaster County**. The potential annual emissions are 25.8 tons of VOCs, 2.25 tons of CO, 2.68 tons of NO<sub>x</sub>, 1.19 ton of HAPs, 0.20 ton of PM, and 0.02 ton of SO<sub>x</sub>. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with all the applicable air quality regulations. Among other items, the permit conditions include provisions derived from 40 CFR Part 64—Compliance Assurance Monitoring Rule, and 25 Pa. Code §§ 129.52, 129.63 and 129.67b (relating to surface coating processes; degreasing operations; and control of VOC emissions from offset lithographic printing presses).

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

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

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

**46-00160: BASF Corp.** (300 Brookside Avenue, Ambler, PA 19002), located in Lower Gwynedd Township, **Montgomery County**, for a renewal of State Only (Natural Minor) Operating Permit No. 46-00160. The facility's main sources of air contaminant emissions are four boilers, nine indirect-fired water heaters, and eighteen space heaters. All of these units consume natural gas except for one of the indirect-fired water heaters (No. 2 fuel oil) and one of the space heaters (propane). Three of the four boilers may also consume No. 2 fuel oil. Since the State Only Operating Permit (SOOP) was renewed in 2009, a Maximum Achievable Control Technology (MACT) standard was promulgated for boilers. BASF Corp. has stated that the three dual-fuel boilers will only consume No. 2 fuel oil during periods of gas curtailment or supply interruption, startups, or periodic testing not to exceed 48 hours per year; as such, each of these boilers will meet the definition of the term "gas-fired boiler" indicated in 40 C.F.R. § 63.11237 and not be subject to the provisions of 40 C.F.R. Part 63, Subpart JJJJJJ (though this requirement will be included in the renewal SOOP). The renewed SOOP will continue to include monitoring, recordkeeping, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

**46-00174: Montgomery County SPCA** (19 E. Ridge Pike, Conshohocken, PA 19428-0222), located in Whitmarsh Township, **Montgomery County**, for a renewal of State Only (Natural Minor) Operating Permit No. 46-00174. The Montgomery County SPCA operates and maintains an animal crematory unit, from which the main pollutants emitted are nitrogen oxides (NO<sub>x</sub>) and particulate matter (PM). The actual emission rates of

NO<sub>x</sub> and PM from the crematory unit are each less than one ton per year. No changes have occurred at the facility since the State Only Operating Permit (SOOP) was previously renewed in 2009. The renewed SOOP will continue to include monitoring, recordkeeping, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

**58-00002: Diaz Manufacturing Co., LLC** (747 Grow Avenue, Montrose Avenue) for wood window and door manufacturing in Bridgewater Township, **Susquehanna County**. The sources consist of a wood fired boiler and wood working equipment with a dual multi-clone and baghouse as the control devices. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. This is a renewal of the State-Only Natural Minor operating permit. The State-Only operating permit includes applicable state and federal requirements, work practice standards, testing, monitoring, recordkeeping and reporting requirements.

*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.*

**21-05064: Atlas Roofing Corp.** (817 Spangler Road, Camp Hill, PA 17011) to issue a State Only Operating Permit for their foam insulation operation located in Camp Hill Borough, **Cumberland County**. The primary emissions from the facility are VOC; the actual 2013 emissions from the facility were 44.4 tons. 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 for the source derived from 25 Pa. Code §§ 127.441, 127.444 and 135.21 for monitoring, recordkeeping, and reporting of the blowing agents.

**07-03062: Sunoco Pipeline LP** (525 Fritztown Road, Sinking Spring, PA 19608) to issue a State Only Operating Permit for their natural gas liquid (ethane, propane, butane or a mixture of these) pumping station located in Allegheny Township, **Blair County**. The potential emissions from the facility are estimated at 0.25 tpy 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.

**36-03037: New Enterprise Stone & Lime** (P. O. Box 550, Blue Ball, PA 17506) to issue a State Only Operating Permit for their stone crushing and concrete plants at the Kurtz Quarry in East Cocalico Township, **Lancaster County**. The facility's potential to emit particulate matter is estimated at 31.7 tpy with PM<sub>10</sub> emissions estimated at approximately 11.6 tpy. 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 000—Standards of Performance for Nonmetallic Mineral Processing Plants.

**67-03083: Utz Quality Foods, Inc.** (900 High Street, Hanover, PA 17331) to issue a State Only Operating Permit for their snack food manufacturing facility located in Hanover Borough, **York County**. The actual emissions from the facility in 2013 are estimated at 20.2 tons NO<sub>x</sub>; 16.9 tons CO; 1.5 ton PM<sub>10</sub>; 1.5 ton PM<sub>2.5</sub>; 1.1 ton VOC; 0.1 ton SO<sub>x</sub>; 0.4 ton hexane; 0.4 ton total HAPs; 24,184.6 tons CO<sub>2</sub>; 0.46 ton CH<sub>4</sub>; 0.44 ton N<sub>2</sub>O; and 24,327.2 tons CO<sub>2</sub>e. 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 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

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

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

**53-00015: SMC Powder Metallurgy** (1251 US Route 6 West, Galeton, PA 16922) to issue a renewal State Only Operating Permit for their Galeton facility located in Pike Township, **Potter County**. The facility is currently operating under State Only Operating Permit 53-00015. The facility's main sources include eight (8) sintering furnaces, one emergency generator, two parts washer and a sizing operation.

The facility has potential emissions of 5.25 tons per year of nitrogen oxides, 1.29 ton per year of carbon monoxide, 0.01 ton per year of sulfur oxides, 5.37 tons per year of particulate matter, 0.70 ton per year of volatile organic compounds, and 2.60 tons per year of total hazardous air pollutants (HAPs). No emission or equipment changes are being proposed by this action.

The emergency generator is subject to 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

The emission limits, throughput limitations and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145 as well as 40 CFR Part 63.

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

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

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

**32-00424: Western Allegheny Energy, LLC** (301 Market Street, Kittanning, PA 16201) for bituminous coal underground mining activities at the Brush Valley Mine Coal Prep Plant in Center Township, **Indiana County**. This is an initial State-Only Operating Permit application submittal.

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

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

**62-00171: Meridien Hardwoods of PA Inc.** (2595 Old Pittsfield Road, PO Box 227, Pittsfield, PA 16340), to issue a renewal State Only Operating Permit for wood manufacturing operations at the facility located in Pittsfield Township, **Warren County**. The facility is a Natural Minor. The primary sources at the facility include a natural gas/waste oil boiler and a backup natural gas boiler for providing steam for the wood drying kilns. The facility also has various woodcutting and trimming operations. The facility oil boiler was converted to natural gas and will not be subject to 40 CFR 63 Subpart JJJJJJ because they will burn oil for a combined total of 48 hours or less during any calendar year for periodic testing. The actual emissions from the facility are less than: PM<sub>10</sub>—1.2 TPY; PM<sub>2.5</sub>—1.1 TPY; SO<sub>x</sub>—0.02 TPY; NO<sub>x</sub>—4.5 TPY; VOC—0.85 TPY; and CO—3.8 TPY. The permit contains the requirements of the previous plan approval 62-171A.

**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: PM<sub>10</sub>—1.31 Ton per year (TPY), VOC—0.04 TPY, and HAP—0.03 TPY.

**25-00996: Advanced Finishing USA**, (7401 Klier Drive, Fairview, PA 16415) to issue the renewal of the State Only Operating Permit for the coating facility located in Fairview Township, **Erie County**. The primary sources at the facility include 2 paint booths; 10 natural gas fueled process ovens; and a 475,000 Btu/hr natural gas fueled burn off oven. The facility is a Natural Minor. Potential emissions are 8.17 tpy VOC, 17.19 tpy for PM, and less than 1 tpy for CO, SO<sub>x</sub>, NO<sub>x</sub>, & all HAPs. The renewal permit contains emission restrictions, record-keeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

## 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 Withdrawn*

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

**30841307, Emerald Coal Resources, LP**, (158 Portal Road, PO Box 1020, Waynesburg, PA 15370), to revise the permit for the Emerald Mine No. 1 in Franklin and Washington Townships, **Greene County** to add underground permit and subsidence control plan area acres for development mining. Underground Acres Proposed 5,200, Subsidence Control Plan Acres Proposed 5,200, no additional discharges. The Application was considered administratively complete on February 10, 2011. Application received October 25, 2010. Application withdrawn September 29, 2014.

#### *Coal Applications Received*

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

**17831601 and NPDES No. PA0215317. River Hill Coal Company, Inc.**, (PO Box 141, Kylertown, PA 16847). To renew the permit for the Belford Siding in Karthaus Township, **Clearfield County** and related NPDES permit. No additional discharges. The application was considered administratively complete on October 2, 2014. Application received May 19, 2014.

**30831303 and NPDES No. PA0013511. Cumberland Coal Resources, LP**, (158 Portal Road, PO Box 1020, Waynesburg, PA 15370). To revise the permit for the Cumberland Mine in Center and Franklin Townships, **Greene County** to add underground mine and subsidence control plan acres for No. 3 Slope Bottom. Underground Acres Proposed 45.9, Subsidence Control Plan Acres Proposed 45.9. No additional discharges. The appli-

cation was considered administratively complete on October 2, 2014. Application received August 5, 2014.

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

**Permit No. 11130104 and NPDES No. PA0279331. Rampside Collieries, Inc.**, 527 Slate Hill Road, Berlin, PA 15530, commencement, operation and restoration of a bituminous surface mine in Richland Township, **Cambria County**, affecting 18.0 acres. Receiving stream: Solomon Run classified for the following use: warm water fishery. The first downstream potable water supply intake from the point of discharge is Buffalo Township Municipal Authority intake at Freeport, PA on Allegheny River. Application received: September 18, 2014.

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

**33940102. Mahoning Mining, Inc.** (P. O. Box 44, New Bethlehem, PA 16242) Renewal of an existing bituminous surface and auger mine in Knox Township, **Jefferson County**, affecting 101.0 acres. Receiving streams: Two unnamed tributaries to Lick Run, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. This renewal is for reclamation only. Application received: September 29, 2014.

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

**17980115 and NPDES PA 0238074. Junior Coal Contracting, Inc.** (2330 Six Mile Road, Philipsburg, PA 16866). Renewal of an existing bituminous surface and auger mine located in Decatur and Woodward Townships, **Clearfield County** affecting 60.5 acres. Receiving streams: Unnamed Tributary to Beaver Run and Beaver Run classified for the following use(s): Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: September 30, 2014.

#### *Noncoal Applications Received*

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

**Permit No. 7976SM1C10 and NPDES Permit No. PA0118389. Eureka Stone Quarry, Inc.**, (PO Box 249, Chalfont, PA 18914), renewal and modification of NPDES permit for discharge of treated mine drainage from a quarry operation in Warrington Township, **Bucks County** affecting 403.0 acres, receiving stream: unnamed tributary to Mill Creek, classified for the following uses: trout stock fishes and migratory fishes. Application received: September 17, 2014.

## **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**

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

**E06-697, PA Department of Transportation Engineering District 5-0**, 1002 Hamilton Street Allentown, PA 18101, in Pike Township, **Berks County**, U.S. Army Corps of Engineers, Philadelphia District

To remove the existing structure and to construct and maintain 1) approximately 1,800 lineal feet of new roadway alignment, 2) a dual span pre-stressed concrete bridge with normal spans of 96.18 and 94.78 feet on a curve having a radius of 1,800 feet, out to out distance of 35.38 feet and an under clearance of 15.10 feet in and across Maiden Creek (WWF-MF), 3) permanently filling and impacting 0.03 acre of Exceptional Value (EV) Palustrine Emergent (PEM) wetlands and temporary impacts of 0.02 acre of PEM wetlands. 4) Construct and maintain a 18 inch diameter outfall with R-4 riprap apron in the floodway of Maiden Creek (WWF-MF). 5) Place 2,031.00 cubic yards in the flood plain of Maiden Creek (WWF-MF). 6) Various stages of causeways in

Maiden Creek. This project proposes 0.05 acre of EV PEM wetland impacts (0.03 acre permanent and .02 temporary) and 218.00 feet of watercourse impacts, all for the purpose of improving transportation safety and roadway standards along SR 622. This project is located in Perry Township, Berks County (Latitude: 40°30'03", Longitude: -75°53'12"). The applicant proposes de minimus permanent EV wetland impacts and compensatory mitigation is not required.

**E05-379. East Providence Township Municipal Authority**, 244 Municipal Road, PO Box 83, Breezewood, PA 15533-0083 in East Providence Township, **Bedford County**, U.S. Army Corps of Engineers, Baltimore District.

Sewage Treatment Facility Upgrade (Wells Tannery, PA Quadrangle Latitude: 40° 0' 11", Longitude -78° 14' 26.3"). The applicant proposed to remove (1) one (1) existing culvert road crossing, (2) 11 wastewater treatment facilities and infrastructure, (3) 3 utility line crossing, (4) 1 storm drain, (5) one (1) effluent outfall, and to install and maintain (6) two (2) outfalls for storm water and effluent 13-feet by 4-feet, (7) one (1) 7-foot-3 inch by 5-foot 11-inch CMP arch pipe with 11-inch uniform depression 40-feet with R-5 rip rap scour protection, (8) place 42-feet by 5-feet of R-5 rip rap for stream bank stabilization, and (9) place one wastewater treatment facility with infrastructure in the floodway 20-feet by 20-feet in UNT to Mill Run (WWF, MF). The project proposed to directly affect 108-linear feet of stream and .01 acre of floodway.

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

**E12-188. Enterprise TE Products Pipeline Company, LLC**, PO Box 4324, Houston, TX 77210-4324. Enterprise Products Operating P-40/Segment 696 Gas Transmission Inspection, Repair, Operation and Maintenance Project, Gibson and Grove Townships, **Cameron County**, ACOE Baltimore District (Driftwood, PA Quadrangle, Southwest Termini Latitude: 41° 15' 41.93"; Longitude: -78° 14' 09.40" and Hammersley Fork, PA Quadrangle, Northeast Termini Latitude: 41° 25' 51.06"; Longitude -77° 59' 20.19").

The applicant is seeking authorization to repair, operate and maintain 17.9 miles of the existing P-40/Segment 696 pipeline. Annual inspection, repair, modification, section replacement and maintenance activities along the existing gas transmission pipeline and within the 35-foot maintained right-of-way will require the following ten (10) wetland and/or stream encroachments at the given location:

<i>Feature ID</i>	<i>Regulated Feature</i>	<i>Activity</i>	<i>Latitude</i>	<i>Longitude</i>	<i>Activity Length</i>	<i>Water Quality</i>
41SA	Unnamed Tributary Sinnemahoning Creek	Temporary Construction Access	41° 18' 56.43"	78° 07' 12.96"	2'	WWF
48SA	Joes Run	Temporary Construction Access	41° 23' 23.22"	78° 02' 21.55"	5'	EV, MF
52WA	Wetland	Temporary Construction Access	41° 23' 49.41"	78° 01' 23.22"	496'	EV

<i>Feature ID</i>	<i>Regulated Feature</i>	<i>Activity</i>	<i>Latitude</i>	<i>Longitude</i>	<i>Activity Length</i>	<i>Water Quality</i>
52SA	Unnamed Tributary First Fork	Temporary Construction Access	41° 23' 50.03"	78° 01' 21.47"	2'	EV, MF
52WB	Wetland	Temporary Construction Access	41° 23' 51.88"	78° 01' 17.63"	4'	EV
52WC	Wetland	Temporary Construction Access	41° 23' 54.27"	78° 01' 12.15"	100'	EV
52SB	Woodcock Run	Temporary Construction Access	41° 23' 57.81"	78° 01' 04.22"	24'	EV, MF
53WA	Wetland	Temporary Construction Access	41° 24' 12.48"	78° 00' 32.39"	65'	EV
55SA	Unnamed Tributary Short Bend Run	Temporary Construction Access	41° 25' 13.72"	77° 59' 50.40"	12'	EV
55WA	Wetland	Temporary Construction Access	41° 25' 07.89"	77° 59' 54.70"	115'	EV

All temporary construction access crossing streams and wetlands shall be performed by temporary bridges, timber mats or an equally effective low impact crossing method. No ford crossing of streams or construction equipment traversing through wetlands is authorized by this permit. Any pipeline repair, modification or section replacement being conducted in-stream shall be performed in dry work conditions by boring, dam and pumping, fluming or diverting stream flow around the section where activities are to be conducted. In-stream inspection, repair, replacement or maintenance activities on P-40 pipeline shall not be conducted in any Cameron County wild trout stream between October 1 and December without prior written approval of the Pennsylvania Fish & Boat Commission. Enterprise P-40 Pipeline is located along the northern and southern right-of-ways of SR 0120 approximately 1.9 miles west of SR 0872 and SR 0120 intersection.

**E17-488. Enterprise TE Products Pipeline Company, LLC**, PO Box 4324, Houston, TX 77210-4324. Enterprise Products Operating P-40/Segment 697 Gas Transmission Inspection, Repair, Operation and Maintenance Project, Bell, Brady, Goshen, Pine and Union Townships, **Clearfield County**, ACOE Baltimore District (Mc Gees Mills, PA Quadrangle, Southwest Termini Latitude: 41° 55' 42.04"; Longitude: -78° 48' 16.35" and The Knobs, PA Quadrangle, Northeast Termini Latitude: 41° 13' 59.05"; Longitude -78° 17' 12.92").

The applicant is seeking authorization to repair, operate and maintain 35.3 miles of the existing P-40/Segment 697 pipeline. Annual inspection, repair, modification, section replacement and maintenance activities along the existing gas transmission pipeline and within the 35-foot maintained right-of-way will require the following nineteen (19) wetland and/or stream encroachments at the given location:

<i>Feature ID</i>	<i>Regulated Feature</i>	<i>Activity</i>	<i>Latitude</i>	<i>Longitude</i>	<i>Activity Length</i>	<i>Water Quality</i>
52SB	Unnamed Tributary Little Anderson Creek	Temporary Construction Access	41° 00' 24.36"	78° 41' 05.04"	11'	CWF
52SC	Unnamed Tributary Little Anderson Creek	Temporary Construction Access	41° 00' 26.93"	78° 34' 03.60"	10'	CWF
66SA	Unnamed Tributary Coupler Run	Temporary Construction Access	41° 05' 21.04"	78° 34' 45.17"	15'	HQ-CWF, MF
66SB	Coupler Run	Temporary Construction Access	41° 04' 51.01"	78° 35' 20.48"	14'	HQ-CWF, MF
66WA	Wetland	Temporary Construction Access	41° 04' 59.40"	78° 35' 08.98"	184'	EV

<i>Feature ID</i>	<i>Regulated Feature</i>	<i>Activity</i>	<i>Latitude</i>	<i>Longitude</i>	<i>Activity Length</i>	<i>Water Quality</i>
97SA	Unnamed Tributary Irish Run	Temporary Construction Access	41° 58' 55.02"	78° 42' 58.44"	3'	CWF,MF
97SB	Unnamed Tributary Irish Run	Temporary Construction Access	41° 58' 55.70"	78° 42' 57.49"	3'	CWF, MF
103WA	Wetland	Temporary Construction Access	41° 07' 39.34"	78° 32' 16.16"	167'	EV
103WA	Wetland	Pipeline Inspection & Repair (Dig #103)	41° 07' 39.34"	78° 32' 16.16"	30'	EV
104SA	Unnamed Tributary Lick Run	Temporary Construction Access	41° 08' 08.32"	78° 30' 24.54"	2'	HQ-CWF, MF
104WA	Wetland	Temporary Construction Access	41° 08' 08.30"	78° 30' 24.78"	55'	EV
104 WA	Wetland	Pipeline Inspection & Repair (Dig #104)	41° 08' 08.30"	78° 30' 24.78"	30'	EV
107SA	Trout Run	Pipeline Inspection & Repair (Dig #107)	41° 10' 30.62"	78° 24' 27.54"	30'	HQ-CWF, MF
107SB	Trout Run	Temporary Construction Access	41° 10' 31.05"	78° 24' 26.78"	74'	HQ-CWF, MF
107SC	Unnamed Tributary Trout Run	Temporary Construction Access	41° 11' 00.97"	78° 23' 34.10"	6'	HQ-CWF, MF
107WA	Wetland	Temporary Construction Access	41° 11' 01.06"	78° 23' 33.94"	292'	EV
110WA	Wetland	Temporary Construction Access	41° 13' 53.70"	78° 17' 21.71"	741'	EV
110WA	Wetland	Pipeline Inspection & Repair (Dig #83)	41° 13' 55.20"	78° 17' 19.74"	30'	EV
110WA	Wetland	Pipeline Inspt & Repair (Dig #110)	41° 13' 59.70"	78° 17' 12.30"	40'	EV

All temporary construction access crossing streams and wetlands shall be performed by temporary bridges, timber mats or an equally effective low impact crossing method. No ford crossing of streams or construction equipment traversing through wetlands is authorized by this permit. Any pipeline repair, modification or section replacement being conducted in-stream shall be performed in dry work conditions by boring, dam and pumping, fluming or diverting stream flow around the section where activities are to be conducted. In-stream inspection, repair, replacement or maintenance activities on P-40 pipeline shall not be conducted in any Clearfield County wild trout stream between October 1 and December without prior written approval of the Pennsylvania Fish & Boat Commission.

Enterprise P-40 Pipeline is located along the northern and southern right-of-ways of SR 0080 (Interstate 80) approximately 1-mile west of Exit 111.

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

**E5729-020: Appalachia Midstream, LLC**, 400 IST Center, Horseheads, NY 14845, Forks Township, **Sullivan County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 16 inch diameter natural gas line impacting 5 linear feet of Streby Run (EV, MF) (Overton, PA Quad-



range, Latitude: 41°33'24", Longitude: -76°31'02");

2. a 16 inch diameter natural gas line and a timber mat bridge impacting 126 linear feet of an unnamed tributary to Streby Run (EV, MF) (Overton, PA Quadrangle, Latitude: 41°33'09", Longitude: -76°31'14");

3. a 16 inch diameter natural gas line and a timber mat bridge impacting 3,212 square feet of a Palustrine Emergent Wetland (EV) (Overton, PA Quadrangle, Latitude: 41°32'55", Longitude: -76°31'25");

The project will result in 131 linear feet or 887 square feet of temporary stream impacts and 3,212 square feet (0.07 acre) of temporary PEM wetland impacts all for the purpose of installing a natural gas pipeline with associated access roadways for Marcellus shale development in Forks Township, Sullivan County. This project is associated with permit application number E0829-031.

**ENVIRONMENTAL ASSESSMENTS**

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

**EA10-050, PMF Rentals**, 124 Plunkett Drive, Zelienople PA 16063. PMF Rentals—Tomlinson Drive, in Jackson Twp, **Butler County**, ACOE Pittsburgh District (Evans City, PA Quadrangle N: 40° 45' 22.68"; W: 80° 06' 36.50").

Applicant proposes to conduct 2,234 LF of stream restoration on UNT Likens Run under Chapter 105 Waiver 16. The stream is severely degraded and has highly eroded, unstable banks for much of this reach. Proposed restoration measures include: coir logs and mats, stream plantings, bank grading, toe protection, and invasive vegetation removal.

**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**

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0060551 (Sewage)	Rivercrest WWTF Route 92 And Black Diamond Beach Road Tunkhannock Township, PA 18657	Wyoming County Tunkhannock Township	Susquehanna River (4-G)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0035688 (Sewage)	Potter Township Country Club Estates 124 Short Road Centre Hall, PA 16828	Centre County Potter Township	Cedar Run (9-C)	Y
PA0228281 (Sewage)	Tabernacle of The Living God Properties Tracydale Road Milesburg, PA 16853	Centre County Boggs Township	Unnamed Tributary to Bald Eagle Creek (9-C)	Y
PA0112534 (Sewage)	The Meadows at Watsontown 100 Seagrave Drive Watsontown, PA 17777	Northumberland County Delaware Township	Delaware Run (10-D)	N
PA0008737 (Sewage)	Dominion Transmission, Inc. Leidy Station 5000 Dominion Boulevard Glen Allen, VA 23060-3308	Clinton County Leidy Township	Unnamed Tributary of Kettle Creek (9-B)	Y
PA0111929 (Sewage)	Lawrenceville Borough Authority Cherry Street Lawrenceville, PA 16929	Tioga County Lawrenceville Borough	Tioga River (4-A)	Y
PA0009431 (Industrial)	White Deer Water Filtration Plant White Deer Pike White Deer, PA 17887	Union County White Deer Township	White Deer Creek (10-C)	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 &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0217832 Sewage	Perrine Bldg 112 Pfeffer Road Export, PA 15632-9412	Westmoreland County Washington Township	Unnamed Tributary to Thorn Run (18-B)	Y
PA0205796 (sewage)	Wilpen Fire Co. STP 379 Wilpen Road Ligonier, PA 15658	Westmoreland County Ligonier Township	Unnamed Tributary of Hannas Run (18-C)	Y
PA0092517 (Sewage)	Allegheny Plaza Leechburg, PA 15656	Westmoreland County Allegheny Township	UNT of Pine Run (18-B)	N
PA0253065 (SRSTF)	Brode SR STP 1000 Small Road Jeannette, PA 15644	Westmoreland County Penn Township	Unnamed Tributary of Bushy Run (19-A)	Y
PA0095478 (Sewage)	Jefferson Estates STP Rt 201 & Jefferson Drive Fayette City, PA 15401	Fayette County Jefferson Township	Unnamed Tributary to Little Redstone Creek (19-C)	Y
PA0204161 (Sewage)	Valley School of Ligonier Linn Run Road Rt 381 Ligonier, PA 15658	Westmoreland County Ligonier Township	Linn Run (18-C)	N
PA0254126 (sewage)	Hensel Community STP 115 Hamel Lane Johnstown, PA 15909	Cambria County Upper Yoder Township	Unnamed Tributary to Dalton Run (18-E)	Y

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0254061 (Sewage)	Opalewski SRSTF 130 Chiccarello Drive Clinton, PA 15026	Beaver County Hanover Township	Unnamed Tributary of Traverse Creek (20-D)	Y
PA0218111 (Sewage)	Tire Hill WWTP 1120 Tire Hill Road Johnstown, PA 15905-7707	Somerset County Conemaugh Township	Stony Creek (18-E)	N
PA0203700 (Sewage)	Bruderhof Communities of PA, Inc. P O Box 260 Farmington, PA 15437	Fayette County Wharton Township	Deadman Run (19-E)	Y

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

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

**NPDES Permit No. PA0244635**, Storm Water, **International Salt Company, LLC**, 655 Northern Boulevard, Clarks Summit, PA 19411.

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

Description of Proposed Action/Activity: Approval for a new NPDES permit to discharge treated sewage from a facility known as International Salt Fairless Hills Facility to Delaware River in Watershed 2-E.

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

**PABIG 4802. McGuire's Septic Service**, Sheshequin Township, **Bradford County**. McGuire's Septic Service, PO Box 289 Ulster, PA 18850 is approved to use their biosolids for beneficial use by land applications.

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

**NPDES Permit No. PA0254151**, Industrial, SIC Code 5171, **Coen Oil Company**, 1045 West Chestnut Street, Washington, PA 15301.

This proposed facility is located in Washington City, **Washington County**.

Description of Proposed Action/Activity: Issuance of a new NPDES Permit for an existing discharge of treated petroleum-product contaminated groundwater and a new storm water discharge.

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

**PA0272850**, Sewage, SIC Code 4952, 8800, **Dornbusch LLC**, 131 Watters Station Road, Evans City, PA 16033. Facility Name: Dornbusch SRSTP.

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

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

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

*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. 1914401**, Sewage, SIC Code 4952, **Municipal Authority of the Town of Bloomsburg**, 301 E 2nd Street, Bloomsburg, PA 17815-1963.

This proposed facility is located in Town of Bloomsburg, **Columbia County**.

Description of Proposed Action/Activity: Sewage system upgrades associated with the Bloomsburg Flood Protection Project.

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

**WQM Permit No. 1014401**, Sewage, **Dornbusch LLC**, 131 Watters Station Road, Evans City, PA 16033

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024514005	Pocono Pines DG, LLC 361 Summit Blvd., Suite 110 Birmingham, AL 35243	Monroe	Tobyhanna Township	Upper Tunkhannock Creek (HQ-CWF, MF)

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024813018	LIG Business Holdings, LLC 2020 Highland Avenue Bethlehem, PA 18020	Northampton	Forks Township	Bushkill Creek (HQ-CWF, MF)

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

<i>Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI033613004(1) Permit Denied	Forino Company, LP 555 Mountain Home Road Sinking Spring, PA 19608	Lancaster	Mount Joy Township	UNT Donegal Creek (CWF, EV Wetlands)

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

*Lycoming County Conservation District: 542 County Farm Road Suite 202, Montoursville, PA 17754, (570) 433-3003*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI044113004	Cellco Partnership d/b/a Verizon Wireless 4642 Jonestown Rd Ste 200 Harrisburg PA 17109	Lycoming	Cogan House Township	Wendell Run HQ-CWF, MF

## **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*

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

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Towamensing Township Carbon County	PAG0200131101R	Richard Morrissey (The Shire at Emerald Hill) PO Box 4486 Allentown, PA 18101	Pohopoco Creek (CWF, MF) Bauer Creek (CWF, MF)	Carbon County Conservation District 610-377-4894

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Vandling Borough Fell Township Lackawanna County	PAG02003513020	Vandling Properties L.P. 407 Main Street Forest City, PA 18421	UNT to Lackawanna River (CWF, MF)	Lackawanna County Conservation District 570-392-3086
Union Township Luzerne County	PAG02004014015	Barry Shoemaker 243 Thorne Hill Road Shickshinny, PA 18655	UNT to Shickshinny Creek (CWF, MF)	Luzerne Conservation District 570-674-7991
Kingston Township Luzerne County	PAG02004014016	Black Walnut Estates, LLC Mark Anderson 33 Green Road Shavertown, PA 18708	Green Pond Creek (CWF, MF)	Luzerne Conservation District 570-674-7991
Jenkins Township Luzerne County	PAG02004008007	John Giambra 100 Foote Avenue Duryea, PA 18642	Gardner Brook (CWF, MF)	Luzerne Conservation District 570-674-7991
Lehman Township Luzerne County	PAG02004010020R	PA Department of Transportation Susan Hazleton 55 Keystone Industrial Park Dunmore, PA 18512	UNT to Huntsville Creek (CWF, MF)	Luzerne Conservation District 570-674-7991

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

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Southampton Township Cumberland County	PAG02002114035 Issued	Amos Martin 782 Mud Level Road Shippensburg, PA 17257	Bulls Head Branch/CWF	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717.240.5359
Hampden Township Cumberland County	PAG02002112023R Issued	McNaughton Company 4400 Deerpath Road Suite 201 Harrisburg, PA 17110	Conodoguinet/WWF	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717.240.5359
Conewago Township Dauphin County	PAG02002214029 Issued	Historic Acres of Hershey, LLC 268 West Main Street Hummelstown, PA 17036	Hoffer Creek/TSF	Dauphin County Conservation District 1451 Peter's Mountain Road Dauphin, PA 17018-9504 717.921.8100
Williams Township Dauphin County	PAG02002214040 Issued	Frank T. Krammes PO Box 188 Sacramento, PA 17968	Wiconisco Creek/WWF	Dauphin County Conservation District 1451 Peter's Mountain Road Dauphin, PA 17018-9504 717.921.8100
Ayr Township Fulton County	PAG020029-13-003(1) Issued	Locust Grove, LLC 678 Back Run Road McConnellsburg, PA 17233	UNT to Cove Creek/CWF, MF	Fulton County Conservation District 216 North Second Street, Suite 15 McConnellsburg, PA 17233 717.485.3547, x121

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Springettsbury Township York County	PAG02006704079R Issued	Brentwood Builders, Inc. 255 Butler Avenue Suite 300 Lancaster, PA 17601	UNT to Codorus Creek/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
West Manheim Township York County	PAG02006705049R Issued	Reservoir Heights, LLC 2700 Philadelphia Road Edgewood, MD 21040-1120	UNT to South Branch Conewago Creek/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Peach Bottom Township York County	PAG02006712028R Issued	Grimmel Farms, Inc. 2855 Federal Road Jarrettsville, MD 21083	UNT to Broad Creek (MD)/CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Union Township Lebanon County	PAG02003809011(22) Issued	James D. Kash 1500 York Road Annville, PA 17003	Qureg Run/WWF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext 4
Bethel Township and Jackson Township Lebanon County	PAG02003814025 Issued	Joseph Zaprazny 2401 Summer Valley Road New Ringgold, PA 17960	UNT to Little Swatara Creek/WWF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext 4
North Londonderry Township Lebanon County	PAG02003814016 Issued	Jeffrey Shireman 1200 Grubb Road Palmyra, PA 17078	Killinger Creek/TSF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext 4
Bethel Township Berks County	PAG02000614048 Issued	Glenn Musser 931 Meckville Road Fredericksburg, PA 17026	Meck Creek/CWF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-0520 610.372.4657
South Hanover Township	PAG02002214042 Issued	Todd C. Ray 4 Harrogate Road Hummelstown, PA 17036	Manada Creek/WWF	Dauphin County Conservation District 1451 Peter's Mountain Road Dauphin, PA 17018-9504 717.921.8100

## NOTICES

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Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570.327.3636

Facility Location & Municipality	Permit No.	Applicant Name & Address	Receiving Water/Use	Contact Office & Phone No.
Centre County College Twp	PAG02001414015	GLP 331 IP LLP 10096 Redrun Blvd Ste 100 Baltimore MD 21117	Big Hollow Run CWF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte PA 16823 (814) 355-6817
Clearfield County Brady Twp	PAG02001714008	Kevin Miknis Dominion Transmission 7335 Coal Hill Rd Luthersburg PA 15848	Little Anderson Creek CWF	Clearfield County Conservation District 511 Spruce St Ste 6 Clearfield PA 16830 (814) 765-2629
Lycoming County Loyalsock Twp	PAG02004112021R	Greg Rhodes Rhodes Development Group 1300 Market St Ste 307 Lemoyne PA 17043	Mill Creek TSF	Lycoming County Conservation District 542 County Farm Rd Ste 202 Montoursville PA 17754 (570) 433-3003
Lycoming County S Williamsport Armstrong Twp	PAG02004113022(1)	David Houseknecht Little League International 539 US Route 15 Hwy Williamsport PA 17702	UNT to Susquehanna River CWF, MF	Lycoming County Conservation District 542 County Farm Rd Ste 202 Montoursville PA 17754 (570) 433-3003
Lycoming County Loyalsock Twp	PAG02004114019	Sand Hill Partners LP 10 Alexander Dr Muncy PA 17756  Georg Logue Jr Glenn O Hawbaker 2801 Canfield Ln Montoursville PA 17754	W B Susquehanna River WWF, MF	Lycoming County Conservation District 542 County Farm Rd Ste 202 Montoursville PA 17754 (570) 433-3003
Montour County Mayberry Twp	PAG02004712001R	Dean Woodruff 296 Sharp Ridge Rd Danville PA 17821	Little Roaring Creek CWF	Montour County Conservation District 14 E Mahoning St Danville PA 17821 (570) 271-1140
Tioga County Wellsboro Boro	PAG02005914003	Wellsboro Veterans Club 465 Kelsey St Wellsboro PA 16901	Kelsey Creek WWF	Tioga County Conservation District 50 Plaza Ln Wellsboro PA 16901 (570) 724-1801 X 5
Union County Buffalo Twp	PAG02006014012	David V Wengeld 2707 Furnace Rd Lewisburg PA 17837		Union Co Conservation Dist Union Co Government Ctr 155 N 15th St Lewisburg PA 17837 (570) 524-3860

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Union County Kelly Twp	PAG02006014014	Arthur J Keister Jr 150 Silvermoon Ln Lewisburg PA 17837	UNT Susquehanna River WWF	Union Co Conservation Dist Union Co Government Ctr 155 N 15th St Lewisburg PA 17837 (570) 524-3860

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

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Adams Township Butler County	PAG02001012035R	Charles Better 3468 Broadhead Road Monaca PA 15061	Kaufman Run WWF and Breakneck Creek WWF	Butler County Conservation District 724-284-5270
Middlesex Township Butler County	PAG02001014023	Gigliotti Holdings LP 11279 Perry Hwy, Suite 509 Wexford Pa 15090	UNT Glade Run WWF	Butler County Conservation District 724-284-5270
Marion Township Butler County	PAG02001014029	Columbia Gas of PA c/o Anya Schrier 4000 Energy Drive Bridgeville PA 15017	UNT Seaton Creek CWF	Butler County Conservation District 724-284-5270
City of Erie Erie County	PAG02002514022	Erie Insurance 100 Erie Insurance Place Erie PA 16530	Presque Isle Bay WWF	Erie County Conservation District 814-825-6403
West Carroll Township, Cambria County	PAG02091114006	Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	West Branch Susquehanna River (WWF), Unnamed Tributary to the West Branch Susquehanna River (CWF)	Attention: Patrick M. Webb PA DEP Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 814-472-1800

*General Permit Type—PAG-03*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Wilkes-Barre City Luzerne County	PAR202238	InterMetro Industries Corporation 651 North Washington Street Wilkes-Barre, PA 18705	Mill Creek—5-B CWF/MF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Plains Township Luzerne County	PAR202239	InterMetro Industries Corporation 651 North Washington Street Wilkes-Barre, PA 18705	Mill Creek—5-B CWF/MF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
West Hazleton Borough Luzerne County	PAR232242	Graham Pkg Co. LP 2401 Pleasant Valley Road York, PA 17403	Black Creek—5-D	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511



## NOTICES

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<i>Facility Location Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Hazle Township Luzerne County	PAR232241	Graham Pkg Co. LP 2401 Pleasant Valley Road York, PA 17402	Unnamed Tributary to Tomhicken Creek—5-E/CWF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
North Apollo Borough Armstrong County	PAR806158	UPS Inc. 521 N Center Avenue New Stanton, PA 15672	Kiskiminetas River—18-B/WWF	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Pittsburgh City Allegheny County	PAR806159	UPS Inc. 521 N Center Avenue New Stanton, PA 15672	Chartiers Creek— 20-F/WWF	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Menallen Township Fayette County	PAR806160	UPS Inc. 521 N Center Avenue New Stanton, PA 15672	Redstone Creek— 19-C/WWF	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
South Strabane Township Washington County	PAR806161	UPS Inc. 521 N Center Avenue New Stanton, PA 15672	Chartiers Creek—20-F/WWF	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
New Stanton Borough Westmoreland County	PAR806162	UPS Inc. 521 N Center Avenue New Stanton, PA 15672	Unnamed Tributary to Sewickley Creek—19-D/WWF	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Rush Township Centre County	PAR604826	Jim Verost Used Cars & Trucks PO Box 392 846 North Ninth Street Philipsburg, PA 16866-0392	Moshannon Creek—8-D	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.0530
Bradford Township Clearfield County	PAR804842	Con-Way Freight, Inc. 1192 Shawville Highway Woodland, PA 16881	Valley Fork Run— 8-C	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.0530

<i>Facility Location Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Castanea Township Clinton County	PAR234818	Solvay USA, Inc. 400 W. Brown Street Castanea, PA 17726	Bald Eagle Creek—9-C	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.0530
Brockway Borough Jefferson County	PAR218321	Owens Brockway Container Inc. 2 O-I Plaza, One Michael Owens Way, Perrysburg, OH 43551-2999	Little Toby Creek (17-A)	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-4*

<i>Facility Location Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Plymouth Township Montgomery County	PAG040195	Christopher & Kathleen Mayall 2605 Narcissa Road Plymouth Meeting, PA 19462	Unnamed Tributary to Plymouth Creek—3-F	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970
Newlin Township Chester County	PAG040193	Eve E. Redmond 930 Stargazers Road Coatesville, PA 19320-4838	Unnamed Tributary to West Branch Brandywine Creek—3-H	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970
Hilltown Township Bucks County	PAG040151 A-1	Maurer Wayne D 1506 Hilltown Pike Hilltown, PA 18927	Reading Creek—2-F	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970

*General Permit Type—PAG-12*

<i>Facility Location Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
West Beaver Township Snyder County	PAG124848	Adam Meily 1220 Parthemer Road McClure, PA 17841	Unnamed Tributary to Jacks Creek—CWF	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.0530

**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

*Central Office: Bureau Director, Safe Drinking Water, P. O. Box 8467, Harrisburg, PA 17105-8467*

##### Permit No. [9996509], Public Water Supply.

Applicant	<b>[Southern Beverage Packages]</b>
[Township or Borough]	[Appling, Georgia]
Responsible Official	[Brian Hatcher, Manager]
Type of Facility	[Out of State Bottled Water System]
Effective Date	[September 25, 2014]
Description of Action	[Public Water Supply Permit to sell bottled water in Pennsylvania Rescinded. Company no longer selling bottled water in Pennsylvania. All bottled water products from Southern Beverage Packages barred for sale in Pennsylvania.]

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

**Operations Permit # 0914515** issued to: **Upper Makefield Township**, 1076 Eagle Road Newtown, PA 18940 [(PWSID)] Upper Makefield Township, **Bucks County** on September 29, 2014 for the operation of a Liquid Sodium Hypochlorite Feed System facilities approved under construction permit # 0913506.

**Permit No. 1514518, Minor Amendment.** Public Water Supply.

Applicant	<b>Appleville Mobile Home Park</b> 3892 West Lincoln Highway Parkesburg, PA 19365
Township	West Bradford
County	<b>Chester</b>
Type of Facility	PWS
Consulting Engineer	James R. Holley & Associates, Inc. 18 South George Street York, PA 17401
Permit to Construct Issued	September 23, 2014

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

**Permit No. 2520208, Operations Permit** Public Water Supply.

Applicant	<b>S&amp;S Construction Group</b> (Maple Park Garden Apartments) 183 Route 206 S Sandyston, NJ 07826
[Borough or Township]	Dingman Township
County	<b>Pike</b>
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 Operate Issued October 1, 2014

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

##### Permit No. 1014504 Public Water Supply

Applicant	<b>John W. Bauer, Jr. and Erin A. Bauer</b>
Township or Borough	Clearfield Township
County	<b>Butler</b>
Type of Facility	Public Water Supply
Consulting Engineer	Michael A. Basista, P.E. Bankson Engineers, Inc. 267 Blue Run Road, Suite 200 Cheswick, PA 15024

Permit to Construct Issued September 30, 2014

**Operation Permit** issued to **Aqua Pennsylvania, Inc.**, PWSID No. 6430054, City of Sharon, **Mercer County**. Permit Number 4313506 issued October 1, 2014 for the operation of the Shenango Valley Water Treatment Plant's chlorine dioxide feed system. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on September 18, 2014.

##### Permit No. 2589508-MA1 Public Water Supply

Applicant	<b>Millcreek Township Water Authority</b>
Township or Borough	Millcreek Township
County	<b>Erie</b>
Type of Facility	Public Water Supply
Consulting Engineer	Jason G. Saylor, P.E. Utility Service Company, Inc. 535 Courtney Hodges Blvd. Perry, GA 31069

Permit to Construct Issued October 1, 2014

##### Permit No. 2590505-MA5 Public Water Supply

Applicant	<b>Millcreek Township Water Authority</b>
Township or Borough	Millcreek Township
County	<b>Erie</b>

Type of Facility            Public Water Supply  
 Consulting Engineer        Jason G. Saylor, P.E.  
                                   Utility Service Company, Inc.  
                                   535 Courtney Hodges Blvd.  
                                   Perry, GA 31069

Permit to Construct        October 1, 2014  
 Issued

### SEWAGE FACILITIES ACT PLAN DISAPPROVAL

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

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

#### Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Hopewell Township	413 Three Square Hollow Rd, Newburg, PA 17240	Cumberland

*Plan Description:* The Request for Planning Exemption for Hopewell Township Park, DEP Code No. A3-21911-237-3E, APS Id 853500, consisting of a park with sewage flows of 112 gallons per day using sewer service provided by the Newburg-Hopewell Joint Authority, is disapproved. The submission does not qualify as an exemption from the requirement to revise the Official Plan because the proposal is not for new land development as per Chapter 71, Section 71.51(b). Additionally, Hopewell Township does not have a current, approved Act 537 that delineates sewer service areas within Hopewell Township.

## 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:

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

**Michael Gibson Residence**, 179 Hickory Trail, Crystal Spring, PA 15536, Brush Creek Township, **Fulton County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of Michael Gibson, 179 Hickory Trail, Crystal Spring, PA 15536-6900, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

**Lancaster Dodge/Former Wolf Motor Company**, 1473 Manheim Pike, Lancaster, PA, Manheim Township, **Lancaster County**. Becker Engineering, LLC, 115 Millersville Road, Lancaster, PA 17603, on behalf of Lancaster Dodge, 1473 Manheim Pike, Lancaster, PA 17601; Fay Lee Monte, Estate of Romayne Fisher, 23 A Compass Road, Parkesburg, PA 19365; Patti Spencer, Attorney for the Estate of Romayne Fisher, Spencer Law Firm, 901 Rohrerstown Road, Lancaster, PA 17601; and Alan J. Jarvis, Attorney for the Estate of Romayne Fisher, submitted a combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with leaded gasoline released from an unregulated underground storage tank. The report is intended to document remediation of the site to meet the Sites Specific Standard.

**Carol Millhouse Residence**, 2722 Royal Road, Lancaster, PA 17603, Manor Township, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Carol Millhouse, 109 Arrowwood Court, Lancaster, PA 17603, submitted a Remedial Investigation Report, Cleanup Plan, and Final Report for site soils contaminated with #2 fuel oil. The site will be remediated to a combination of Residential Statewide Health and Site Specific Standard.

**Kenneth R. Royer Property**, 165 South Reading Road, Ephrata Borough, **Lancaster County**. GemChem, Inc., 52 North Cedar Street, PO Box 384, Lititz, PA 17543, on behalf of K & J Realty, 1526 Oak Street, Lebanon, PA 17042, submitted a combined Remedial Investigation and Final Report concerning remediation of site soils contaminated with leaded and unleaded gasoline from unregulated underground storage tanks. The combined report is intended to document remediation of the site to meet the Site Specific Standard.

**C-B Tool Company**, 640 Bean Hill Road, Lancaster, PA 17603, Lancaster Township, **Lancaster County**. Becker Engineering, 115 Millersville Road, Lancaster, PA 17603, on behalf of C B Tool Company, 640 Bean Hill Road, Lancaster, PA 17603, submitted a Remedial Investigation Report and Final Report concerning remediation of

groundwater contaminated with chlorinated solvents from historical machine shop operations. The combined report is intended to document remediation of the site to meet the Site Specific Standard.

**Cleveland Brothers Equipment Company, Inc.**, 2001 State Road, Camp Hill, PA, 17011, Lower Allen Township, **Cumberland County**. Geo-Technology Associates, Inc., 345-A Box Hill Corporate Center Drive, Abingdon, MD 21009, on behalf of Cleveland Brothers Equipment Company, Inc., 4565 William Penn Highway, Murrysville, PA 15668, and Smith Land and Improvement Corporation, 2010 State Road, Camp Hill, PA 17011 has submitted a combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with chromic acid. The report is intended to document remediation of the site to meet the Site Specific Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 3

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

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program man-

ager 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*

**June Roupp Residence**, 3093 Woodward Avenue, Lot #74, Mountain View Estates, Pine Creek Township, **Clinton County**. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of State Farm Insurance, P. O. 106110, Atlanta, GA 30348-6110 and June Roupp, PO Box 1143, Avis, PA 17721 submitted a Final Report concerning the remediation of site soils contaminated with Benzene, Ethylbenzene, Isopropylbenzene, Toluene, MTBE, Naphthalene, 1,2,4-Trimethylbenzene, and 1,3,5-Trimethylbenzene. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on September 26, 2014.

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

**Former Hollidaysburg Car Shops/DeGol Industrial Center**, Route 22, Frankstown Township, **Blair County**. Mountain Research LLC, 825 25th Street, Altoona, PA 16601, on behalf of ABCD Corporation and BCDC III/D-Holdings, both at 3900 Industrial Park Drive, Altoona, PA 16602, submitted a Baseline Environmental Report concerning site soils and groundwater contaminated with Chlorinated Solvents, VOCs, PAHs, and Inorganics. The site is being remediated as a Special Industrial Area. The Baseline Environmental Report was approved by the Department on September 29, 2014.

**Barrick & Stewart Milk Hauling Diesel Fuel Release**, 4260 and 4290 Big Spring Road, New Germantown, PA 17071, Toboyne Township, **Perry County**. Crawford Environmental Services, 100 East Benjamin Franklin Highway, Birdsboro, PA 19508, on behalf of Barrick & Stewart Milk Hauling, 445 Whiskey Run Road, Newville, PA 17241; Steve Berry, 4260 Big Spring Road, New Germantown, PA 17071; and Tom and Joann Brill, 1408 Trout Run Road, Mount Joy, PA 17552, submitted a Final Report concerning remediation of site soils contaminated with diesel fuel released in a vehicle accident. The Final Report did not demonstrate attainment of the Residential Statewide Health Standard, and was disapproved by the Department on September 30, 2014.

**C-B Tool Company**, 640 Bean Hill Road, Lancaster, PA 17603, Lancaster Township, **Lancaster County**. Becker Engineering, 115 Millersville Road, Lancaster, PA 17603, on behalf of C-B Tool Company, 640 Bean Hill Road, Lancaster, PA 17603, submitted a Remedial Investigation Report and Final Report concerning remediation of groundwater contaminated with chlorinated solvents from historical machine shop operations. The combined report was administratively incomplete and was disapproved by the Department on October 1, 2014.

**Tanger Hardware**, 222 High Street, Hanover, PA 17331, Hanover Borough, **York County**. ECS Mid-Atlantic, LLC, 56 Grumbacher Road, Suite D, York, PA

17406, on behalf of Hanover Ridge Avenue Corporation, 701 Plum Tree Lane, Hanover, PA 17331, submitted a Final Report concerning remediation of site soils and groundwater contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on October 2, 2014.

**Carnes Trucking/Pepperidge Farm Diesel Spill**, south of intersection of Goldfish Lane and Route 272, East Cocalico Township, **Lancaster County**. Taylor GeoServices, Inc., 38 Bishop Hollow Road, Newtown Square, PA 19073, on behalf of Carnes Trucking Company, Inc., 351 Terry Boulevard, Louisville, KY 40229 and Pepperidge Farm, Inc., 2195 North Reading Road, Denver, PA 17517, submitted a Final Report concerning site soils contaminated with diesel fuel released from a punctured saddle tank. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on October 2, 2014.

*Southeast Regional Office: Regional Manager, Environmental Cleanup and Brownfields, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5960. Charline Bass 484-250-5787*

**172 Chambers Road**, 172 Chambers Road, New Garden Township, **Chester County**. David B. Farrington, Brickhouse Environmental, 515 South Franklin Street, West Chester PA 19382 on behalf of May Lou Daddezio, 172 Chamber Road, Toughkenamon, PA 19374 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on July 10, 2014. PF768858

**Dutton Mill Properties**, 308 East Dutton Mill Road, Township of Middletown, **Delaware County**. William F. Schmidt, PE., Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104 on behalf of Dutton Mill Properties, Herbert T. Sweeney III, Dutton Mill Properties, 308 Dutton Mill Road, Middletown Township, Chester County, PA 19015 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with organics. The Final report did not demonstrate attainment of the Site Specific Standard and was disapproved by the Department on July 11, 2014. PF739750

**Jiffy Lube #946**, 392 Doylestown Road, Montgomery Township, **Montgomery County**. Richard Cerbone, P.G. Sovereign Consulting, Inc., 111 A North Gold Drive, Robbinsville, NJ 08691, Rob Rule, Shell Oil Products, US 3139 Village Drive, Waynesboro, VA 22980 on behalf of Mark Rhee, Mid-Atlantic Lubes, Inc., 3 Corporate Park, Suite 240, Irvin, CA 92606 has submitted a Remedial Investigation/Risk Assessment concerning the remediation of site groundwater and soil contaminated with unleaded gasoline. The Remedial Investigation/Risk Assessment was approved by the Department on July 8, 2014. PF755286

**Solid State Scientific Inc.**, 160 Commerce Drive, Montgomery Township, **Montgomery County**. Paul C. Miller, P. E., Environmental Alliance, Inc., 5341 Limestone Road, Wilmington, DE 19808 on behalf of Anthony Cino, 160 Commerce Drive, LP, 301 Oxford Valley Road, Suite 702 Yardley, PA 19067-7713 has submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with other organics. The Remedial Investigation Report was approved by the Department on June 16, 2014. PF618600

**Wellington Estates**, Interstation of Gibbs Road and Bristol Pike, Bensalem Township, **Bucks County**. Joseph W. Standen, Jr, Leggett, Brashears & Graham, Inc., 901 South Bolmar Street, Suite B, West Chester, PA 19382 on behalf of Vincent G. DeLuca, DeLuca Homes, 370 East Maple Avenue, Suite 101, Langhorne, PA 18047 has submitted a Remedial Investigation/Risk Assessment and Final Report concerning the remediation of site groundwater contaminated with inorganics. The Remedial Investigation/Risk Assessment and Plan was approved by the Department on July 11, 2014. PF675096

**Meehan & Vincent Residence**, 738 Port Indian Road, West Norrtion Township, **Montgomery County**. Richard D. Trimpi, PG., Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Jay Kerestus, State Farm Insurance Company, PA Fire Claims, P. O. Box 106110, Atlanta, GA 30348-6110 on behalf of Mary Elizabeth Meehan and Michael Vincent, 738 Port Indian Road, Norristown, PA 19403 has submitted a 90 day Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on June 16, 2014. PF776057

**Gorman Residence**, 116 Kimberbrae Drive, East Pikeland Township, **Chester County**. Patrick S. Crawford, P.G., Crawford Environmental Services, 100 East Benjamin Franklin Highway, Birdsboro, PA 19508, Steven Koons, Superior Home Heating Company, 383 Schuylkill Road, Phoenixville, PA 19460 on behalf of John & Shelby Gorman, 116 Kimberbrae Drive, Phoenixville, PA 1919460 has submitted a 90 day Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The 90 day Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on July 8, 2014. PF774976

**Ursinus College**, 601 East Main Street, Colledgeville Borough, **Montgomery County**. Gilbert Marshall L, Marshall Geoscience, Inc., 170 East First Avenue, Colledgeville, PA 19426, Darryl Borrelli, Manko, Gold Katcher & Fox, LLP, 401 City Avenue, Suite 500, Bala Cynwyd, PA 19004 on behalf of Andrew Feick, Ursinus College, 601 Main Street, Colledgeville, PA 19426 has submitted a Remedial Investigation Report concerning the remediation of site groundwater contaminated with inorganics. The Remedial Investigation Report was approved by the Department on July 8, 2014. PF648108

**Lehigh Dairies (1005 Virginia Drive Site)**, 1005 Virginia Drive, Upper Dublin Township, **Montgomery County**. Scott Shaw, Tetra Tech, 45610 Woodland Road, Suite 400, Sterling, VA 20166, Dallas Mellott, Tetra Tech, 234 Mall Boulevard, King of Prussia, PA 19046, Isabelle Gosselin, Labatt Breweries of Canada LP, 50 Labatt Street, Montreal (Quebec) HBR 3E7 on behalf of Richard Previdi, Alliance HSP Fort Washington Office I LP, 40 Morris Avenue, Suite 230, Fort Washington, PA 19034 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with tce, pce, cis-1, 2, dce and vinyl chloride. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on June 24, 2014. PF768876

**Fiore Motors**, 69 West Germantown Pike, East Norriton Township, **Montgomery County**. Staci Cottone, J&J Environmental, P. O. Box 370, Blue Bell, PA 19422 on behalf of Robert Moses, Fiore Motors, 69 West Germantown Pike, Norristown, PA 19422 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demon-

strated attainment of the Statewide Health Standard and was approved by the Department on June 9, 2014. PF774809

**Sico Gilbertsville**, 1434 East Philadelphia Avenue, Douglas Township, **Montgomery County**. Mark W. Onesky, P.E., Onesky Engineering Inc., 510 Wellington Square, #412, Exton, PA 19341, Michael Reese, The SICO Company, 15 Mount Joy Street, Mount Joy, PA 17522 on behalf of Bill Weisser, Dillon Companies, Inc., 2700n East 4th Avenue, Hutchinson, KS 67501 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with btex. The Final report did not demonstrate attainment of the Site Specific Standard was disapproved by the Department on June 10, 2014. PF626978

**Skinner Residence**, 74 Flamehill Road, Middletown Township, **Bucks County**. Brian Skinner, 74 Flamehill Road, Levittown, PA 19056 has submitted a Remedial Investigation/ Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Remedial Investigation/Final Report was approved by the Department on June 12, 2014. PF72001

**Zieger Rose Nursery**, 1756 and 1760 Dreshertown Road, Upper Dublin Township, **Montgomery County**. Richard McBride, The Cutler Group, 5 Apollo Road, Suite 2, Plymouth Meeting, PA 19462 on behalf of Mark Fortna, DelVal Soil & Environmental Consultants, Inc., 4050 Skyron Drive, Suite A-1, Doylestown, PA 18902 has submitted a Remedial Investigation/Risk Assessment and Cleanup Plan concerning the remediation of site soil contaminated with inorganics. The Remedial Investigation/Risk Assessment and Cleanup Plan were approved by the Department on June 20, 2014. PF713282

**905 Montgomery Avenue Site**, 905 Montgomery Avenue, Lower Merion Township, **Montgomery County**. James Manuel, REPSG, 6901 Kingsessing Avenue, Philadelphia, PA 19142, Lee Brahin, Brahin Properties, 1535 Chestnut Street, Philadelphia, PA 19102 on behalf of Joe Savaro, Trust UWO Leon Freeman, 1535 Chestnut Street, Philadelphia, PA 19102 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with inorganics. The Final report demonstrated attainment of the Site Specific Standard and was approved by the Department on July 3, 2014.

**Toner's Beef & Ale Restaurant**, 101 East Pennsylvania Avenue, Upper Dublin Township, **Montgomery County**. Phil Gray, Jr, Compliance Management International, 1350 Welsh Road, Suite 200, North Wales, PA 19454 on behalf of John Toner, Jr., Lawrence Toner, Robert Toner, Toner's Beef & Ale, 101 East Pennsylvania Avenue, Fort Washington, PA 19454 has submitted a Remedial Investigation and Cleanup Plan concerning the remediation of site groundwater contaminated with lead and unleaded gasoline. The Remedial Investigation and Cleanup Plan were approved by the Department on June 12, 2014. PF 764905

**Pine Road/Red Lion Road Open Space Area**, Red Lion/Pine Roads, Lower Moreland Township, **Montgomery County**. Gary Emmanuel, O'Brien & Gree Engineers, Inc., 301 East Germantown Pike, 3rd Floor, East Norriton, PA 19401 on behalf of Gregory T. Rogerson, JERC Partners, XIII, L.P., 171 State Route, 173 Suite 201, Asbury, NJ 08802-1365 has submitted a Cleanup Plan and Remedial Investigation Report concerning the remediation of site soil contaminated with other organic. The Cleanup Plan and Remedial Investigation Report were approved by the Department on August 27, 2014. PF768665

**800 Pine Road Street**, 800 Pine Road, City of Philadelphia, **Philadelphia County**. Craig Herr, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of Randy DB Real Estate Assets II, 130 Royall Street, Canto, MA 02021 has submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with leaded gasoline. The Remedial Investigation Report was approved by the Department on August 25, 2014. PF618959

**Alto Sign**, 2032-2038 South 71th Street, City of Philadelphia, **Philadelphia County**. Angelo Waters, Urban Engineers, Inc., 530 Walnut Street, 14th Floor, Philadelphia, PA 19106 on behalf of Alfred Liberator, Alto Sign, Inc., 2000 South 71th Street, Philadelphia, PA 19142 has submitted a Final Report concerning the remediation of site groundwater and soil contaminated with vocs. The Final report did not demonstrate attainment of the Statewide Health Standard and was disapproved by the Department on August 25, 2014. PF619418

**312-320 Walnut Street & 319 Willings Alley**, 312-320 Walnut Street and Willings Alley, City of Philadelphia, **Philadelphia County**. Thomas A. Petrecz, Penn & E&R, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Arrus I. Farmer, PMC Property Group, 1608 Walnut Street, Suite 1400, Philadelphia, PA 19103 has submitted a Cleanup Plan and Remedial Investigation Report concerning the remediation of site ground water and soil contaminated with no. 4, 5 and no. 6 fuel oil. The Cleanup Plan and Remedial Investigation Report were approved by the Department on August 29, 2014. PF777120

**Silva Residence**, 124 Berkeley Road, Easttown Township, **Chester County**. Richard D. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Kevin Gramo, Westfield Insurance, 201 East Oregon Road, P. O. Box 3010, Lancaster, PA 17604 on behalf of Michele Silva, 124 Berkeley Road, Devon, PA 19333 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on August 14, 2014. PF777643

**Markloff Residence**, 1 Candlewood Court, Newtown Township, **Bucks County**. Michael Kern, P.G., Mountain Research, LLC, 825 25th Street, Altoona, PA 16601 on behalf of Margaret Markloff, 1 Candlewood Court, Newtown, PA 19894 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on August 25, 2014. PF776323

**Frankford & Darrah Site**, 5129-5135 Frankford Avenue, City of Philadelphia, **Philadelphia County**. Kenneth M. Yoder, PG., BL Companies, Inc., 4242 Carlisle Pike, Suite 260, Camp Hill, PA 17011 on behalf of Lorne Alois, Rite Aid of Pennsylvania Inc., 30 Hunter Lane, Camp Hill, PA 17011 has submitted a Final Report concerning the remediation of site groundwater contaminated with no. 2 fuel oil. The Final report did not demonstrate attainment of the Site Specific and Statewide Health Standard and was disapproved by the Department on August 26, 2014. PF 716772

**Thomas Car Central**, 1010 West Chester Pike, West Goshen Township, **Chester County**. Michael S. Welsh, P.E., Welsh Environmental, Inc., 131 Clearview Drive, Downingtown, PA 19335 on behalf of Tom Ercolani, 1010

Property Partnership LP, P. O. Box 358, Pocopson, PA 19366 has submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with inorganics. The Remedial Investigation Report was approved by the Department on July 7, 2014. PF776062

**9801 Blue Cross Road Historic #4 & #6 Fuel Oil Release**, City of Philadelphia, **Philadelphia County**. Bernard B. Beegle, Advanced GeoServices Corporation, 1055 Andrew Drive, Suite A West Chester, PA 19380 on behalf of Thomas Woods, National Baker Industrial Owner, LLC, 11111 Santa Monica Blvd, Suite 1100, Los Angeles, CA 90025 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on August 11, 2014. PF777124

**Moving Targets Property**, 812 West Chestnut Street, Perkasio Borough, **Bucks County**. Michael A. Christie, P.G., Penn Environmental & Remediation, Inc., 2755 Bergey Road, Hatfield, AP 19440, Frank J. Stopper, Penn Environmental & Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Stu Duckman, Target Partners, LLC, 812 Chestnut Street, Perkasio, PA 18944 has submitted a Cleanup Plan and Remedial Investigation Report concerning the remediation of site groundwater contaminated with voc's. The Cleanup Plan was approved by the Department on August 8, 2014. PF738217

#### HAZARDOUS WASTE TRANSPORTER LICENSES

#### Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to transport hazardous waste.

*Central Office: Bureau of Waste Management, Division of Hazardous Waste Management, PO Box 69170, Harrisburg, PA 17106-9170*

##### *Hazardous Waste Transporter License Issued*

**Ryan Environmental Transport, LLC**, 5793 W. Veterans Memorial Highway, Suite 101, Bridgeport, WV 26330-7608. License No. PA-AH 0815. Effective July 16, 2014.

**Sioux Services, LLC**, 2912 Filbert Avenue, Reading, PA 19606. License No. PA-AH 0816. Effective July 29, 2014.

##### *Hazardous Waste Transporter License Renewed*

**South Park Motor Lines, Inc.**, 9850 Havana Street, Henderson, CO 80640. License No. PA-AH 0755. Effective July 14, 2014.

**Allstate Power Vac, Inc.**, 928 E. Hazelwood Avenue, Rahway, NJ 07065. License No. PA-AH 0339. Effective July 24, 2014.

**Pioneer Tank Lines, Inc.**, 12501 Hudson Road South, Afton, MN 55001-9751. License No. PA-AH 0600. Effective July 22, 2014.

**McVac Environmental Services, Inc.**, 481 Grand Avenue, New Haven, CT 06513. License No. PA-AH 0801. Effective July 22, 2014.

**Biomedical Waste Services, Inc.**, 7610 Energy Parkway, Baltimore, MD 21226. License No. PA-AH 0753. Effective July 28, 2014.

**Terra First, LLC**, P. O. Box 1617, Vernon, AL 35592. License No. PA-AH 0803. Effective August 11, 2014.

**Aquilex Hydrochem, LLC**, 900 Georgia Avenue, Deer Park, TX 77536. License No. PA-AH 0694. Effective August 11, 2014.

**Cousins Waste Control, LLC**, 1701 East Matzinger Road, Toledo, OH 43612. License No. PA-AH 0344. Effective August 28, 2014.

**Eldredge, Inc.**, 898 Fern Hill Road, West Chester, PA 19380. License No. PA-AH 0056. Effective September 2, 2014.

**Cemco-Custom Environmental Management Company, Inc.**, P. O. Box 212, Hainesport, NJ 08036. License No. PA-AH 0776. Effective September 3, 2014.

**Precision Industrial Maintenance, Inc.**, 1710 Erie Blvd., Schenectady, NY 12308. License No. PA-AH 0804. Effective September 3, 2014.

**US Environmental, Inc.**, 409 Boot Road, Downingtown, PA 19335. License No. PA-AH 0675. Effective September 3, 2014.

**Bed Rock, Inc., dba TSMTCO**, P. O. Box 113, Joplin, MO 64802. License No. PA-AH 0697. Effective September 4, 2014.

**Page E.T.C., Inc.**, P. O. Box 1290, Weedsport, NY 13166. License No. PA-AH 0338. Effective September 11, 2014.

**Price Trucking Corporation**, 67 Beacon Street, P. O. Box 70, Buffalo, NY 14220. License No. PA-AH 0371. Effective September 16, 2014.

**Gary W. Gray Trucking, Inc.**, P. O. Box 48, Delaware, NJ 07833. License No. PA-AH 0474. Effective September 17, 2014.

**Tonawanda Tank Transport Service, Inc.**, 1140 Military Road, P. O. Box H, Buffalo, NY 14217. License No. PA-AH 0429. Effective September 18, 2014.

**Envirite of Pennsylvania, Inc., dba EQ Pennsylvania**, 730 Vogelsong Road, York, PA 17404. License No. PA-AH 0549. Effective September 23, 2014.

**Jade Tank Lines, Inc.**, P. O. Box 1621, Wilmington, NC 28401. License No. PA-AH 0759. Effective September 30, 2014.

*Central Office: Bureau of Waste Management, Division of Hazardous Waste Management, PO Box 69170, Harrisburg, PA 17106-9170*

##### *Hazardous Waste Transporter License Voluntarily Terminated*

**Barnett Transportation, Inc.**, P. O. Box 2468, Tuscaloosa, AL 35403. License No. PA-AH 0700. Effective July 11, 2014.

##### *Hazardous Waste Transporter License Expired*

**Siemens Industry, Inc.**, 170 Wood Avenue South, Iselin, NJ 08830. License No. PA-AH 0722. Effective July 31, 2014.

#### INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE

#### Actions on applications for Infectious and Chemotherapeutic Waste Transporter License received under the Solid Waste Management Act and Act 93 of June 28, 1988 (P. L. 525, No. 93) and regulations to transport infectious and chemotherapeutic waste.



*Central Office: Bureau of Waste Management, Division of Hazardous Waste Management, PO Box 69170, Harrisburg, PA 17106-9170*

*Infectious And Chemotherapeutic Waste Transporter License Issued*

**Sioux Services, LLC**, 2912 Filbert Avenue, Reading, PA 19606. License No. PA-HC 0221. Effective July 30, 2014.

*Infectious And Chemotherapeutic Waste Transporter License Renewed*

**Veolia ES Technical Solutions, LLC**, 1 Eden Lane, Flanders, NJ 07836. License No. PA-HC 0221. Effective July 31, 2014.

**Environmental Transport Group, Inc.**, P. O. Box 296, Flanders, NJ 07836. License No. PA-HC 0023. Effective August 5, 2014.

**Clym Environmental Services, LLC**, 1539 Tilco Drive, Suite 123, Frederick, MD 21704. License No. PA-HC 0253. Effective August 22, 2014.

**Cole Care, Inc.**, 1001 East Second Street, Coudersport, PA 16915. License No. PA-HC 0178. Effective September 10, 2014.

**Moran Environmental Recovery, LLC**, 75D York Avenue, Randolph, MA 02368. License No. PA-HC 0250. Effective September 10, 2014.

#### **HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES**

**Draft permits issued, revised or withdrawn under the Solid Waste Management Act and Regulations to Operate a Hazardous Waste Treatment, Storage, or Disposal Facility.**

*Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110*

**PAD002330165. East Penn Manufacturing Co., Inc.**, Deka Road, Lyon Station, Pa 19536-0147, Richmond Township, **Berks County**. A draft hazardous waste permit to store spent lead-acid batteries at East Penn Manufacturing Co., Inc. for the facility located in Richmond Township, Berks County has been prepared by the Department. Draft permit issued on October 10, 2014. As required by 25 Pa. Code Chapter 270a.80(d)(2), the Department is providing public notice of this action.

Further information on the application and draft permit are available by contacting John Oren, Facilities Manager, PA DEP Southcentral Regional Office, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, phone (717) 705-4906. A copy of the permit application, draft permit and statement of basis are available for review at the Fleetwood Area Public Library. In addition, the public is invited to review these documents at the Department's Southcentral Regional Office. File reviews may be scheduled by calling 717-705-4732.

All persons wishing to comment on the draft permit should submit the comments in writing to the Department at the address above by November 24, 2014. Comments received within this 45-day period will be considered in the formulation of the final determination regarding this application. Responses should include the name, address, and telephone number of the writer; and a concise statement to inform the Regional Office of the exact basis of any comment and the relevant facts upon

which it is based. A public hearing may be held if the Regional Office considers the public response significant.

Following the 45-day comment period and/or public hearing, the Department will make a final determination regarding the proposed permit action. Notice of this action will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

#### **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 (53 P. S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

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

**Permit No. 101224. Waste Management of Pennsylvania, Inc.**, 408 South Oak Avenue, Primos PA 19018-2736. This application is for 10-year permit renewal to continue operation at the Waste Management of Delaware Valley - South Transfer Station, a municipal waste transfer facility located at 408 South Oak Avenue, Primos, PA 19018, in Upper Darby Township, **Delaware County**. The permit was issued by the Southeast Regional Office on September 19, 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*

**GP3-09-0126: Mount Materials, LLC.** (100 Pipe Mill Road, Fairless Hills, PA 19030) On October 1, 2014, was authorized to operate a portable nonmetallic mineral processing plant in Falls Township, **Bucks County**.

**GP9-09-0056: Mount Materials, LLC.** (100 Pipe Mill Road, Fairless Hills, PA 19030) On October 1, 2014, was authorized to operate a diesel/No. 2 fuel-fired internal combustion engine(s) in Falls Township, **Bucks County**.

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

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

**GP9-48-005: Calpine Bethlehem LLC** (500 Delaware Avenue, Suite 600, Wilmington, DE 19801) on September 17, 2014 for the installation and operation of a Diesel I/C Engine(s) at the site located in Bethlehem, **Northampton County**.

**GP3-58-031: F.S. Lopke Contracting Inc** (3430 State Route 434, Apalachin NY 13732) on September 30, 2014 for the construction and operation of a Portable Crushing Operation with watersprays at the site located in Lenox Twp., **Susquehanna County**.

**GP9-58-029: F.S. Lopke Contracting Inc** (3430 State Route 434, Apalachin NY 13732) on September 30, 2014

for the construction and operation of diesel engines at the site located in Lenox Twp., **Susquehanna County**.

**GP11-58-004: Pennsy Supply Incorporated** (1001 Paxton Street, Harrisburg, PA 17105) on September 25, 2014, for the construction and operation of diesel fired internal combustion engines at the facility located in Bridgewater Township, **Susquehanna County**.

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

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

**GP3-67-03124F: Codorus Stone & Supply, Inc.** (135 Mundis Race Road, York, PA 17406) on September 30, 2014, for a portable limestone crusher, under GP3, at their stone quarry in Manchester Township, **York County**.

**GP11-67-03124F: Codorus Stone & Supply, Inc.** (135 Mundis Race Road, York, PA 17406) on September 30, 2014, for a non-road IC engine, under GP11, to power a portable limestone crusher at their stone quarry in Manchester Township, **York County**.

**GP3-06-03162: Liberty Excavators, Inc.** (4402 Gettysburg Road, Camp Hill, PA 17011) on September 26, 2014, for a portable nonmetallic mineral processing plant under GP3 at the Berks Park 78 Lot 3, in Bethel Township, **Berks County**.

**GP11-06-03162: Liberty Excavators, Inc.** (4402 Gettysburg Road, Camp Hill, PA 17011) on September 26, 2014, for three nonroad engines under GP11, to power portable nonmetallic mineral processing equipment at the Berks Park 78 Lot 3, in Bethel Township, **Berks County**.

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

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

**GP11-24-181A: Contract Crushing/Construction Inc—Greentree LDFL** (635 Toby Road, Kersey, PA, 15846) on September 30, 2014 for the installation and operation of a diesel or No 2 fuel fired nonroad internal combustion engine (Caterpillar C12) (BAQ-GPA/GP11) located in Fox Township, **Elk County**.

**GP5-33-188C: Cone Gathering LLC—Big Run Station** (Bowers Road, Punxsutawney, PA 15767) on September 30, 2014, for the change of ownership for the construction/operation of 2 natural gas-fired 1,380 bhp compressor engines each with A/F ratio controller and oxidation catalyst, a natural gas-fired 405 bhp compressor engine with A/F controller and NSCR, a dehydrator/reboiler unit rated at 50 mmscf/d, and various tanks (BAQ-GPA/GP5) located in Gaskill Township, **Jefferson County**.

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**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 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.*

**28-05002J: Letterkenny Army Depot—US Department of Defense** (One Overcash Avenue, Chambersburg, PA 17201) on September 30, 2014, to construct a new AP Rocket Motor Destruction (ARMD) Facility within the Letterkenny Munitions Center ammunition storage area, at the Letterkenny Army Depot in Greene/Letterkenny Townships, **Franklin County**. Air emissions from the ARMD will be controlled by a wet scrubber system, followed by an ADIOX packed bed scrubber tower absorption system.

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

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

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

**09-0021D: MRI Flexible Packaging Company, Inc.** (122 Penn Trail, Newtown, PA 18940) On October 1, 2014, for the operation of a press 8 in Newtown Township, **Buck County**.

**09-0007C: Waste Management Disposal Services of PA, Inc.** (1000 New Ford Mill Road, Morrisville, PA 19067) On October 1, 2014, for the operation of a landfill gas collection and a treatment system in Falls Township, **Buck 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*

**65-00983A: Dominion Transmission, Inc.** (5000 Dominion Boulevard, Glenn Allen, VA 23060) for plan approval extension effective October 20, 2014, pending issuance of an operating permit for its Rock Springs Compressor Station located in Salem Township, **Westmoreland County**.

**63-00549A: Arden Landfill, Inc.** (200 Rangos Lane, Washington, PA 15301) on October 2, 2014, to extend the temporary operation period for the landfill gas renewable energy facility at the Arden Landfill located in Chartiers Township, **Washington County**. The new expiration date is April 5, 2015.

**63-00549B: Arden Landfill, Inc.** (200 Rangos Lane, Washington, PA 15301) on October 2, 2014, to extend the temporary operation period for the landfill expansion at Arden Landfill located in Chartiers Township, **Washington County**. The new expiration date is May 3, 2015.

**26-00413B: Texas Eastern Transmission, L.P.** (PO Box 1642, Houston, TX 77251) on October 6, 2014, beginning the period of temporary operation of the two existing uprated Solar Mars natural gas-fired compressor turbines from 12,600 bhp to 13,330 bhp each at the Uniontown Compressor Station located in North Union Township, **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*

**43-359A: GE Transportation, Grove City UX Facility** (1503 West Main Street Extension, Grove City, PA 16127), on October 3, 2014, effective October 31, 2014, will issue a plan approval extension for the construction

of a paint booth, an emergency generator, natural gas fired heaters and ovens and the use of various solvents. This facility will be located at 660 Barkeyville Road, in Grove City, Pennsylvania (16127-4802), which is located in Pine Township, **Mercer County**.

**62-0321: Ellwood National Steel** (3 Front Street, Irvine, PA 16329) on September 30, 2014, effective October 31, 2014, will issue a plan approval extension for the construction of a new vacuum oxygen decarburization (VOD) unit and seventh annealing furnace in Brokenstraw Township, **Warren County**. This is a Title V facility.

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

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*Southcentral Region: Air Quality Program, 909 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.*

**06-05064: Sunoco Partners Marketing & Terminals, LP** (525 Fritztown Road, Sinking Springs, PA 19608-1509) on September 29, 2014, for the Montello petroleum products distribution terminal in Spring Township, **Berks County**. The Title V permit was renewed.

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

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

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

**32-00380: Tipple Four J, Inc.** (P. O. Box 435, Seward, PA 15954), On September 30, 2014, the Department issued an initial Natural Minor Operating Permit for the operation of a coal preparation plant, known as the Shelocta Yard, located in Armstrong Township, **Indiana County**.

The facility contains air contamination sources consisting of coal stockpiles, conveyers, one hammermill crusher, screens, loadout, and roadways. Air pollution prevention equipment at the Facility includes enclosures, a water truck, and tarping of truck loads. The facility is limited to a maximum opacity from any processing equipment of 20 percent. The facility is subject to applicable requirements of 40 CFR 60, Subpart Y, and 40 CFR 63, Subpart ZZZZ.

No emission or equipment changes have been approved by this action. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the SOOP have been derived from the applicable requirements of 40 CFR Parts 52 and 63 and Pa. Code Title 25, Article III, Chapters 121 through 145.

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

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

**33-00162: Coolspring Sand & Gravel Company Incorporated** (PO Box 243, Dubois, PA 15801-0243) on October 2, 2014, for renewal of the natural minor operating permit to operate a sand and gravel processing facility (washing/screening) in Oliver Township, **Jefferson County**. The facility's emitting sources included, 1)

Processing plant and, 2) Three Diesel Engines (3). The emissions of pollutants from the facility are less than Title V threshold limits. Thus, the facility is considered a natural minor. The three Diesel engines are subject to 40 CFR Part 63, Subpart ZZZZ. The engines are rated at 68 hp, 96.5 hp, and 101 hp, respectively. The engines are subject to the work practice requirements of oil changes and air filter/belts/hoses maintenance checks. All applicable conditions of Subpart ZZZZ have been included in the source level of the permit. The total plant wide particulate matter emissions pre-control are 9.1 Tons per year. Post Control the particulate emissions are 6.5 TPY (based on a 30% reduction through the use of water spray). Total uncontrolled emissions from the diesel engines are: PM<sub>10</sub>—1.3 TPY; CO—1.7 TPY; SO<sub>x</sub>—0.3 TPY; and, NO<sub>x</sub>—7.4 TPY.

**37-00321: New Castle Recycling** (215 Gardner Ave, New Castle, PA 16101-3926), on September 30, 2014 issued a renewal State Only Operating Permit for the scrap metal cutting operations located in the City of New Castle, **Lawrence County**. The facility is a Natural Minor. The primary sources at the facility include scrap cutting of large objects under a metal hood that is controlled by a baghouse and yard cutting for smaller carbon steel scrap (with minimal amounts of nickel and chrome) and aluminum. Particulate emissions from the exhaust of the baghouse are estimated at 0.029 TPY.

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

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*Southcentral Region: Air Quality Program, 909 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.*

**07-03043: McLanahan Corporation** (200 Wall Street, Hollidaysburg, PA, 16648). Pursuant to 25 Pa. Code § 127.449(i), this PA Bulletin Notice is for a de minimis emission increase of 0.02 TPY PM<sub>10</sub> resulting from the installation of a replacement dust collector for sand handling operations at the facility located in Hollidaysburg Borough, **Blair County**. This is the first de minimis emission 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: William Charlton, New Source Review Chief—Telephone: 412-442-4174*

**65-00016: Latrobe Specialty Metals, A Carpenter Company** (PO Box 31, 2626 Ligonier Street, Latrobe, PA 15650) on August 8, 2014, provided notice of a de minimis emissions increase pursuant to 25 Pa. Code § 127.449 of 0.6 ton per year (tpy) of PM/PM<sub>10</sub> resulting from installation and operation of a 48" wet abrasive saw and a Tri-Mer Whirl-Wet scrubber (wet dust collector) at its Latrobe Plant located in the City of Latrobe, **Westmoreland County**. To date, no other de minimis emissions increases have occurred at the facility during the term of its current Title V Operating Permit (TV-65-00016), which was renewed on January 4, 2013, and therefore the list of de minimis increases for this facility includes only this project.

## 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*

**32841302 and NPDES No. PA0007803. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To transfer the permit for the Greenwich North #1/South #2 Mine in Green Township, **Indiana County** and Susquehanna Township, **Cambria County** and related NPDES permit to Rosebud Mining Company from Pennsylvania Mines, LLC. No additional discharges. The application was considered administratively complete on June 2, 2014. Application received April 2, 2014. Permit issued September 26, 2014.

**32061303 and NPDES No. PA0235725. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To revise the permit for the Heilwood Mine in Pine, Cherryhill and Green Townships, **Indiana County** to add subsidence control plan acres to the Brookville coal seam permit area. Subsidence Control Plan Acres Proposed 4461.5. No additional discharges. The application was considered administratively complete on April 10, 2014. Application received February 11, 2014. Permit issued September 26, 2014.

**17131301 (formerly 17031701) and NPDES No. PA0235504. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To transfer the permit for the Horning Run Passive Treatment in Huston Township, **Clearfield County** and related NPDES permit to Rosebud Mining Company from Lady Jane Collieries, Inc. No additional discharges. The application was considered administratively complete on June 2, 2014. Application received April 2, 2014. Permit issued September 29, 2014.

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

**24030102 and NPDES Permit No. PA0242322. AMFIRE Mining Company, LLC** (One Energy Place, Suite 2800, Latrobe, PA 15650) Renewal of an existing bituminous surface mine and associated NPDES permit in Fox Township, **Elk County**, affecting 172.5 acres. Receiving streams: Unnamed tributary No. 1 to Mill Run. Application received: June 23, 2014. Permit Issued: September 30, 2014.

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

**17803094. RES Coal, LLC** (224 Grange Hall Road, P. O. Box 228, Armagh, PA 15920). Permit renewal for continued operation and restoration of a bituminous surface and auger mining in Goshen Township, **Clearfield County** affecting 307.9 acres. Receiving stream(s): Little Trout Run classified for the following use(s): Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: June 27, 2014. Permit issued: September 30, 2014.

**4473SM10 and NPDES PA0119440. Penn Coal Land, Inc.** (P. O. Box 68, Boswell, PA 15531). Permit renewal issued for reclamation only to a bituminous surface mine for mine drainage treatment located in Decatur Township, **Clearfield County** affecting 32.1 acres. Receiving streams: Unnamed Tributary to Little Laurel Run and Unnamed Tributary to Coal Run classified for the following use(s): Cold Water Fishes. Application received: June 13, 2014. Permit issued: September 30, 2014.

**17980117 and NPDES PA0238104. Junior Coal Contracting, Inc.** (2330 Six Mile Road, Philipsburg, PA 16866). Permit renewal for the continued operation and restoration of a bituminous surface mine located in Decatur Township, **Clearfield County** affecting 75.6 acres. Receiving stream(s): Laurel Run and Little Laurel Run to Moshannon Creek classified for the following use(s): Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: July 1, 2014. Permit issued: October 1, 2014.

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

**63120105 and NPDES Permit No. PA0252298. Neiswonger Construction, Inc.** (17592 Route 322, Strattanville, PA 16258). Permit issued for commencement, operation and restoration of a bituminous surface mine, located in Somerset Township, **Washington County**, affecting 50.2 acres. Receiving streams: unnamed tributaries to N. Branch Pigeon Creek. Application received: June 3, 2013. Permit issued: October 1, 2014.

**26970103 and NPDES Permit No. PA0201961. Piccolomini Contractors, Inc.** (P. O. Box 78, Waltersburg, PA 15488). Permit renewal issued for reclamation only to an existing bituminous surface mine, located in Franklin Township, **Fayette County**, affecting 53 acres. Receiving streams: unnamed tributary to Redstone Creek. Application received: April 17, 2014. Permit issued: October 2, 2014.

### *Noncoal Permits Issued*

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

**Permit No. 21132801. N.L. Minich & Sons, Inc.**, 221 N. Middleton Rd., Carlisle, PA 17013, commencement, operation and restoration of a small noncoal (industrial minerals) operation in North Middleton Township, **Cumberland County**, affecting 1.8 acres, receiving streams: Meeting house Run. Permit received: November 14, 2013. Permit issued: September 29, 2014.

**Permit No. 21132801-GP104. N.L. Minich and Sons, Inc.**, 211 North Middleton Road, Carlisle, PA 17013. General NPDES Permit for storm water discharges associated with mining activities on Surface Mining Permit No. SNC 21132801 located in North Middleton Township, **Cumberland County**. Receiving stream: Meeting house Run classified for the following use: warm water fishery. There are no potable water supply intakes within 10

miles downstream. Water supplies located within 10 miles downstream. Notice of Intent for Coverage received: November 4, 2013. Coverage approved September 29, 2014.

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

**53950802. Laurence T. Coole** (567 Bryant Hollow Road, Coudersport, PA 16915). Final bond release for a small industrial minerals surface mine, located in Sharon Township, **Potter County**. Restoration of 2.0 acre(s) completed. Receiving stream(s): Unnamed Tributary to Eleven Mile Creek. Application received: August 29, 2014. Final bond release approved: September 30, 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*

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

**57144111. Meshoppen Blasting Inc.** (Frantz Rd, P. O. Box 127, Meshoppen, PA 18630). Blasting for an access road and well pad located in Fox Township, **Sullivan County** with an expiration date of February 28, 2015. Permit issued: October 1, 2014.

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

**Permit No. 15141111. Maine Drilling & Blasting, Inc.**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Atwater Lot 11 in Tredyffrin Township, **Chester County** with an expiration date of September 19, 2015. Permit issued: September 29, 2014.

**Permit No. 36144154. Maine Drilling & Blasting, Inc.**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Holiday Inn Express in Strasburg Borough, **Lancaster County** with an expiration date of September 26, 2015. Permit issued: September 29, 2014.

**Permit No. 58144169. Hayduk Enterprises, Inc.**, (257 Riverside Drive, Factoryville, PA 18419), construction blasting for Bolles Pipeline in Jessup Township,

**Susquehanna County** with an expiration date of September 22, 2015. Permit issued: September 29, 2014.

**Permit No. 46144003. Explo-Craft, Inc.**, (PO Box 1332, West Chester, PA 19380), construction blasting for Shannondell Meadows in Lower Providence Township, **Montgomery County** with an expiration date of October 1, 2015. Permit issued: September 30, 2014.

**Permit No. 38144114. Abel Construction Co., Inc.**, (PO Box 476, Mountville, PA 17554), construction blasting for Northside Crossing in South Londonderry Township, **Lebanon County** with an expiration date of September 28, 2015. Permit issued: October 2, 2014.

**Permit No. 58144170. Midstream Explosives, LLC**, (289 Southside Drive, Newville, PA 17241), construction blasting for DTE Bluestone Loop (pipeline) in Harmony and Thompson Townships, **Susquehanna County** with an expiration date of September 27, 2015. Permit issued: October 2, 2014.

**Permit No. 58144174. Meshoppen Blasting, Inc.**, (P. O. Box 127, Meshoppen, PA 18630), construction blasting for DTE Compressor Station in Harmony Township, **Susquehanna County** with an expiration date of February 28, 2015. Permit issued: October 2, 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.

*Noncoal NPDES Draft Permits*

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

**NPDES No. PA0258501 (Permit No. 37130303). Allegheny Mineral Corporation** (P. O. Box 1022, Kittanning, PA 16201) New NPDES permit for a large industrial minerals surface mine in Plain Grove & Worth Townships, **Lawrence & Butler Counties**, affecting 354.3 acres. Receiving streams: Unnamed tributary to Jamison Run and Jamison Run, unnamed tributary to Slippery Rock Creek, all classified for the following uses: CWF. TMDL: None. Application received: August 7, 2014.

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

The outfall(s) listed below discharge to unnamed tributary to Jamison Run and Jamison Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
005	Y
006	Y

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

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

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

The outfall(s) listed below discharge to unnamed tributary to Jamison Run and Jamison Run:

Outfall No.	New Outfall (Y/N)
001	Y
002	Y
003	Y
004	Y

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

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

### 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

*Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-1915, Telephone 570-826-2511.*

**E40-757. Henry Zielinski**, 14 Marina Drive, Harveys Lake, PA 18618. Harveys Lake Borough, **Luzerne County**, Army Corps of Engineers Baltimore District.

To remove the existing 316 sq. ft. dock and to construct and maintain a 750 sq. ft. dock and boat slip within the basin of Harveys Lake (HQ-CWF). The project is located at Pole 267, Lakeside Drive (Harveys Lake, PA Quadrangle Latitude: 41°21'10"; Longitude: -76°2'41.7"). Sub-basin: 5B.

**E40-758. Misericordia University**, c/o Mr. Peter Calkins, Project Manager, 301 Lake Street, Dallas, PA 18612. Dallas Township, **Luzerne County**, Army Corps of Engineers Baltimore District.

To construct and maintain a 6-ft wide, pre-fabricated steel pedestrian bridge with concrete decking, having a 37.5-foot span and a 3.5-ft underclearance, across a tributary to Toby Creek (CWF, MF). The project is located directly west of the intersection of Lake Street and McAuley Drive on the southeast portion of the Misericordia campus (Kingston, PA Quadrangle Latitude: 41°20'31.09"; Longitude: -75°58'3.68") in Dallas Township, **Luzerne County**. Subbasin: 5B.

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

**E5829-078: Auburn Township, Appalachia Midstream Services, LLC**, 100 IST Center, Horseheads, NY 14845, Auburn Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1. a 6 inch diameter natural gas pipeline and temporary timber bridge crossing impacting 49 lineal feet of Riley Creek (Springville, PA Quadrangle; Lat. 41° 40' 27", Long. -75° 59' 56"),

2. a 6 inch diameter natural gas pipeline and temporary timber mat crossing impacting 817 square feet (0.02 acre) of a PEM wetland (Springville, PA Quadrangle; Lat. 41° 40' 27", Long. -75° 59' 54"),

3. a 6 inch diameter natural gas pipeline and temporary timber mat crossing impacting 1,212 square feet (0.03 acre) of a PEM wetland (Springville, PA Quadrangle; Lat. 41° 40' 28", Long. -75° 59' 54"),

4. an 8 inch diameter natural gas pipeline and temporary timber mat crossing impacting 1,894 square feet (0.04 acre) of a PEM wetland (Springville, PA Quadrangle; Lat. 41° 39' 54", Long. -75° 59' 39"),

5. an 8 inch diameter natural gas pipeline and temporary timber mat crossing impacting 4,764 square feet (0.11 acre) of a PEM wetland (Springville, PA Quadrangle; Lat. 41° 39' 34", Long. -75° 59' 45").

The Hooker and O'Dowd South Well Lines consist of a 6" gas gathering line from Hooker Well Pad to the O'Dowd Well Pad and an 8" gas gathering line from the Riley Pipeline all located within Auburn Township, Susquehanna County. The project will result in 49 linear feet of temporary stream impacts, 8,687 (0.20 acre) square feet of temporary wetland impacts all for the purpose of conveying Marcellus Shale natural gas to market.

**E4129-087: Inflection Energy PA LLC**, 416 Pine Street, Williamsport, PA 17701, Eldred Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 66-foot long, 72-inch diameter culvert, an 80-foot long, 36-inch diameter overflow culvert, a 76-foot long 18-inch diameter culvert in an existing French drain, and associated fill impacting 200 linear feet of unnamed tributaries to Loyalsock Creek (EV) (Montoursville North, PA Quadrangle 41°20'05"N 76°55'38"W).

The project will result in a total of 200 linear feet of stream impacts all for the purpose of installing a permanent access roadway to a natural gas well site for Marcellus well development.

**E5829-080: Auburn Township, Appalachia Midstream Services, LLC**, 100 IST Center, Horseheads, NY 14845, Auburn Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1. one 8 inch and one 6 inch diameter natural gas pipelines and a temporary timber bridge crossing impacting 150 lineal feet of Nick Creek (CWF, MF) (Auburn Center, PA Quadrangle; Lat. 41° 41' 26", Long. -76° 01' 15"),

2. one 8 inch and one 6 inch diameter natural gas pipelines and a temporary timber mat crossing impacting 7,667 square feet (0.18 acre) of a PEM wetland (Auburn Center, PA Quadrangle; Lat. 41° 41' 13", Long. -76° 01' 59"),

3. one 8 inch and one 6 inch diameter natural gas pipelines and a temporary timber bridge crossing impacting 150 lineal feet of an unnamed tributary to Dority

Creek (CWF, MF) (Auburn Center, PA Quadrangle; Lat. 41° 41' 14", Long. -76° 01' 55"),

4. one 8 inch and one 6 inch diameter natural gas pipelines and a temporary timber bridge crossing impacting 150 lineal feet of an unnamed tributary to Dority Creek (CWF, MF) (Auburn Center, PA Quadrangle; Lat. 41° 41' 14", Long. -76° 01' 56"),

5. one 8 inch and one 6 inch diameter natural gas pipelines and a temporary timber mat crossing impacting 6,621 square feet (0.15 acre) of a PEM wetland (Auburn Center, PA Quadrangle; Lat. 41° 41' 14", Long. -76° 01' 50"),

6. one 8 inch and one 6 inch diameter natural gas pipelines and a temporary timber mat crossing impacting 697 square feet (0.02 acre) of a PEM wetland (Auburn Center, PA Quadrangle; Lat. 41° 41' 04", Long. -76° 02' 09"),

7. one 8 inch and one 6 inch diameter natural gas pipelines and a temporary timber bridge crossing impacting 80 lineal feet of an unnamed tributary to Dority Creek (CWF, MF) (Auburn Center, PA Quadrangle; Lat. 41° 41' 04", Long. -76° 02' 09"),

8. one 8 inch and one 6 inch diameter natural gas pipelines and a temporary timber mat crossing impacting 11,805 square feet (0.27 acre) of a PEM wetland (Auburn Center, PA Quadrangle; Lat. 41° 40' 56", Long. -76° 02' 34"),

9. one 8 inch and one 6 inch diameter natural gas pipelines and a temporary timber mat crossing impacting 1,612 square feet (0.04 acre) of a PEM wetland (Auburn Center, PA Quadrangle; Lat. 41° 40' 45", Long. -76° 02' 44"),

10. a temporary timber mat crossing impacting 131 square feet (0.01 acre) of a PEM wetland (Auburn Center, PA Quadrangle; Lat. 41° 40' 39", Long. -76° 02' 51"),

11. one 8 inch and one 6 inch diameter natural gas pipelines and a temporary timber mat crossing impacting 1,786 square feet (0.04 acre) of a PEM wetland (Auburn Center, PA Quadrangle; Lat. 41° 40' 37", Long. -76° 02' 54").

The Rosiemar Gathering Line will consist of an 8" and 6" steel gas gathering line from the Rosiemar Well Pad to the Appalachia Midstream 10-023 gas gathering line, all located within Auburn Township, Susquehanna County. The project will result in 530 linear feet of temporary stream impacts and 30,319 (0.70 acre) square feet of temporary wetland impacts all for the purpose of conveying Marcellus Shale natural gas to market.

*Northwest Region: Oil and Gas Program Manager, 230 Chestnut Street, Meadville, PA 16335 814-332-6860*

**E10-08-004, MarkWest Liberty Bluestone, LLC**, 4600 J. Barry Court, Suite 500, Canonsburg, PA 15317, Geyer to Kennedy Pipeline Project in Middlesex Township, **Butler County**, ACOE Pittsburgh District. (Valencia Quadrangle N: 40° 41' 54.56"; W: -79° 57' 10.24").

The applicant proposes to install approximately 21,000 linear feet of two 12" diameter welded steel natural gas pipelines with associated temporary access roads, in Middlesex Township, Butler County. The project will result in 750 linear feet of temporary stream impacts and .203 acre of temporary wetland impacts.

The water obstructions and encroachments for the purposes of installing the temporary water pipeline and associated access roads are described below:



<i>Impact No.</i>	<i>Description of Impact</i>	<i>Latitude / Longitude</i>
1	Two (2) 12" diameter natural gas pipelines with associated right-of-way and a temporary road crossing to cross UNT 1 to UNT 72501 to Glade Run (WWF) and its associated floodway, having 50 linear feet of temporary stream impact.	40°41'16.96"N -79°57'54.51"W
2	Two (2) 12" diameter natural gas pipelines to be bored under UNT 2 to UNT 76185 to Glade Run (WWF) and its associated floodway.	40°41'28.47"N -79°57'55.56"W
3	Two (2) 12" diameter natural gas pipelines to be bored under a palustrine forested/palustrine shrub-scrub/palustrine emergent (PFO/PSS/PEM) wetland.	40°41'28.66"N -79°57'55.56"W
4	Two (2) 12" diameter natural gas pipelines to be bored under UNT 76185 to Glade Run (WWF) and its associated floodway.	40°41'28.83"N -79°57'55.59"W
5	Two (2) 12" diameter natural gas pipelines with associated right-of-way and a temporary road crossing to cross UNT 45051 to Glade Run (WWF) and its associated floodway, having 50 linear feet of temporary stream impact.	40°41'31.71"N -79°57'53.35"W
6	Two (2) 12" diameter natural gas pipelines to be bored under a palustrine shrub-scrub/palustrine emergent (PSS/PEM) wetland.	40°41'40.51"N -79°57'48.65"W
7	Two (2) 12" diameter natural gas pipelines to be bored under UNT 3 to UNT 72501 to Glade Run (WWF) and its associated floodway.	40°41'40.55"N -79°57'48.49"W
8	Two (2) 12" diameter natural gas pipelines to be bored under a palustrine forested/palustrine shrub-scrub/palustrine emergent (PFO/PSS/PEM) wetland.	40°41'41.85"N -79°57'31.51"W
9	Two (2) 12" diameter natural gas pipelines to be bored under UNT 3 to UNT 72501 to Glade Run (WWF) and its associated floodway.	40°41'41.77"N -79°57'30.58"W
10	Two (2) 12" diameter natural gas pipelines with associated right-of-way and a temporary road crossing to cross UNT 18 to Glade Run (WWF) and its associated floodway, having 50 linear feet of temporary stream impact.	40°41'49.47"N -79°57'12.58"W
11	Two (2) 12" diameter natural gas pipelines with associated right-of-way and a temporary road crossing to cross Glade Run (WWF) and its associated floodway, having 50 linear feet of temporary stream impact.	40°41'50.76"N -79°57'9.84"W
12	Two (2) 12" diameter natural gas pipelines with associated right-of-way and a temporary road crossing to cross UNT 24 to Glade Run (WWF) and its associated floodway, having 50 linear feet of temporary stream impact.	40°42'30.63"N -79°57'11.49"W
13	Two (2) 12" diameter natural gas pipelines with associated right-of-way and a temporary road crossing to cross UNT 25 to Glade Run (WWF) and its associated floodway, having 50 linear feet of temporary stream impact.	40°42'31.93"N -79°57'11.44"W
14	Two (2) 12" diameter natural gas pipelines with associated right-of-way and a temporary road crossing to cross UNT 38720 to Glade Run (WWF) and its associated floodway, having 50 linear feet of temporary stream impact.	40°42'32.73"N -79°57'11.69"W
15	Two (2) 12" diameter natural gas pipelines with associated right-of-way and a temporary road crossing to cross palustrine emergent (PEM) wetland, having .092 acre of temporary wetland impacts.	40°42'42.76"N -79°57'12.54"W
16	Two (2) 12" diameter natural gas pipelines with associated right-of-way and a temporary road crossing to cross UNT 10 to UNT 38720 to Glade Run (WWF) and its associated floodway, having 50 linear feet of temporary stream impact.	40°42'52.78"N -79°57'12.67"W
17	Two (2) 12" diameter natural gas pipelines with associated right-of-way and a temporary road crossing to cross UNT 11 to UNT 38720 to Glade Run (WWF) and its associated floodway, having 50 linear feet of temporary stream impact.	40°42'52.95"N -79°57'12.65"W
18	Two (2) 12" diameter natural gas pipelines with associated right-of-way and a temporary road crossing to cross UNT 12 to UNT 80675 to Glade Run (WWF) and its associated floodway, having 50 linear feet of temporary stream impact.	40°42'59.19"N -79°57'12.41"W
19	Two (2) 12" diameter natural gas pipelines with associated right-of-way and a temporary road crossing to cross UNT 13 to UNT 80675 to Glade Run (WWF) and its associated floodway, having 50 linear feet of temporary stream impact.	40°42'59.27"N -79°57'11.26"W
20	Two (2) 12" diameter natural gas pipelines with associated right-of-way and a temporary road crossing to cross UNT 14 to UNT 80675 to Glade Run (WWF) and its associated floodway, having 50 linear feet of temporary stream impact.	40°43'9.33"N -79°57'1.93"W
21	Two (2) 12" diameter natural gas pipelines with associated right-of-way and a temporary road crossing to cross palustrine emergent (PEM) wetland, having .0996 acre of temporary wetland impacts.	40°43'15.35"N -79°57'3.12"W
22	Two (2) 12" diameter natural gas pipelines with associated right-of-way and a temporary road crossing to cross UNT 12 to UNT 80675 to Glade Run (WWF) and its associated floodway, having 50 linear feet of temporary stream impact.	40°43'16.68"N -79°57'3.39"W

<i>Impact No.</i>	<i>Description of Impact</i>	<i>Latitude / Longitude</i>
23	Two (2) 12" diameter natural gas pipelines with associated right-of-way and a temporary road crossing to cross UNT 80675 to Glade Run (WWF) and its associated floodway, having 50 linear feet of temporary stream impact.	40°43'30.65"N -79°56'57.37"W
24	Two (2) 12" diameter natural gas pipelines with associated right-of-way and a temporary road crossing to cross Glade Run (WWF) and its associated floodway, having 50 linear feet of temporary stream impact.	40°43'37.57"N -79°56'47.93"W

### EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

*Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335*

ESCGP-2 #ESX14-047-0006—J12-X  
Applicant Seneca Resources Corporation  
Contact Doug Kepler  
Address 5800 Corporate Drive Suite 300  
City Pittsburgh State PA Zip Code 15237  
County Elk Township(s) Spring Creek(s)  
Receiving Stream(s) and Classification(s) Beach Bottom Run (CWF), Mahood Run (CWF), and Clarion River (CWF).

*Southwest Region: Oil & Gas Program Mgr. 400 Waterfront Dr. Pittsburgh PA*

ESCGP-2 No.: ESX14-125-0029  
Applicant Name: Range Resources Appalachia LLC  
Contact Person Glenn D Truzzi  
Address: 3000 Town Center Boulevard  
City: Canonsburg State: PA Zip Code: 15317  
County: Washington Township: Somerset  
Receiving Stream(s) And Classifications: UNTs to N Branch Pigeon Creek & N Branch Pigeon Creek/Middle Monongahela River Watershed; Other WWF

ESCGP-2 No.: ESX14-125-0064  
Applicant Name: Range Resources Appalachia LLC  
Contact Person: Glenn D Truzzi  
Address: 3000 Town Center Boulevard

City: Canonsburg State: PA Zip Code: 15317  
County: Washington Township(s): Robinson  
Receiving Stream(s) and Classifications: UNT to Little Raccoon Run/Raccoon Creek Watershed; Other WWF

ESCGP-2 No.: ESG13-059-0037 Major Revision  
Applicant Name: EQT Gathering LLC  
Contact Person: Hanna E McCoy  
Address: 625 Liberty Avenue Suite 1700  
City: Pittsburgh State: PA Zip Code: 15222  
County: Greene Township(s): Center  
Receiving Stream(s) and Classifications: Receiving Waters: UNTs to Scott Run and UNTs to West Run Watersheds; West Run and Scott Run; HQ; Other WWF

ESCGP-2 No.: ESX14-125-0045  
Applicant Name: Rice Poseidon Midstream LLC  
Contact Person: Shirey Kyle  
Address: 171 Hillpointe Drive Suite 301  
City: Canonsburg State: PA Zip Code: 15317  
County: Washington Township(s): Somerset, Fallowfield  
Receiving Stream(s) and Classifications: 3 UNTs to Pigeon Creek/Monongahela; 2 UNT to Sawmill Creek/Monongahela; Sawmill Creek/Monongahela; Other Warm Water Fishes (WWF); Siltation-Impaired

ESCGP-2 No.: ESX14-051-0008  
Applicant Name: Triana Energy LLC  
Contact Person: Walter C Showen III  
Address: 900 Virginia Street East  
City: Charleston State: WV Zip Code: 25301  
County: Fayette Township(s): Stewart  
Receiving Stream(s) and Classifications: Cucumber Run; Other CWF

ESCGP-2 No.: ESX13-003-0015  
Applicant Name: CNX Gas Company LLC (CNX)  
Contact Person: Jonathan Madill  
Address: 280 Indian Springs Road  
City: Indiana State: PA Zip Code: 15701  
County: Allegheny Township(s): Findlay  
Receiving Stream(s) and Classifications: Tributary 36709, Tributary 36710, Tributary 36711, and UNTs to Montour Run/Upper Ohio River Watershed; Other TSF; Siltation-Impaired

ESCGP-2 No.: ESG14-005-0002  
Applicant Name: Mountain Gathering LLC  
Contact Person: Dewey Chalos  
Address: 810 Houston Street  
City: Fort Worth State: TX Zip Code 76102  
County: Armstrong Township(s): South Buffalo  
Receiving Stream(s) and Classifications: UNT Pine Run, Pine Run, UNT Buffalo Creek, Buffalo Creek, UNT Big Run, Big Run/Buffalo Creek; Other HQ-TSF, TSF, WWF

ESCGP-2 No.: ESX13-059-0011 Major Revision  
Applicant Name: CNX Gas Company LLC  
Contact Person: Carol Phillips  
Address: 1000 Consol Energy Drive  
City: Canonsburg State: PA Zip Code: 15317  
County: Greene Township(s): Center  
Receiving Stream(s) and Classifications: 2 UNTs to West Run & 2 UNTs to Lightner Run; HQ; Other WWF

ESCGP-2 No.: ESX14-125-0033  
 Applicant Name: CNX Gas Company LLC  
 Contact Person: Renee Thomas  
 Address: 200 Evergreene Drive  
 City: Waynesburg State: PA Zip Code: 15370  
 County: Washington Township(s): East Finley  
 Receiving Stream(s) and Classifications: UNT to Rocky Run, UNT to Enlow Fork; Other Trout Stocking Fisheries (TSF)

ESCGP-2 NO.: ESG14-125-0008  
 Applicant Name: MarkWest Liberty Midstream & Resources LLC  
 Contact Person: Mr Rick Lowry  
 Address: 4600 J Barry Court Suite 500  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Washington Township(s): Buffalo  
 Receiving Stream(s) and Classifications: UNTs to Buffalo Creek; HQ

ESCGP-2 NO.: ESX09-125-0016 Major Revision  
 Applicant Name: Range Resources Appalachia LLC  
 Contact: Mr Glenn D Truzzi  
 Address: 3000 Town Center Boulevard  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Washington Township(s): Mount Pleasant  
 Receiving Stream(s) and Classifications: UNTs to Millers Run/Chartiers Creek Watershed; Other WWF; Siltation-Impaired

ESCGP-2 NO.: ESX14-059-0040  
 Applicant Name: EQT Production Company  
 Contact: Mr Todd Klaner  
 Address: 455 Racetrack Road  
 City: Washington State: PA Zip Code: 15301  
 County: Greene Township(s): Morgan  
 Receiving Stream(s) and Classifications: Trib 40324 to South Fork Tenmile Creek; UNTs to South Fork Tenmile Creek; South Fork Tenmile Creek; Tenmile Creek Watershed; Other WWF

## STORAGE TANKS

### SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101—6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Environmental Cleanup and Brownfields, Director, PO Box 8763, Harrisburg, PA 17105-8763.

<i>SSIP Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
14-04-011	The Municipal Authority of the Borough of West View 210 Perry Highway Pittsburgh, PA 15229 Attn: Joseph Dinkel	Beaver	Economy Borough	10 ASTs storing hazardous substances	29,650 gallons total

## SPECIAL NOTICES

### **Elcon Recycling Services, LLC, Falls Township Bucks County; Phase I Hazardous Waste Facility Siting Application; Public Information Meeting and Hearing**

The Pennsylvania Department of Environmental Protection (DEP) has determined the Phase I Commercial Hazardous Waste Storage and Treatment Facility Siting Application submitted by Elcon Recycling Services, LLC, for their proposed facility to be located at 100 Dean Sievers Place, Morrisville, PA 19067, to be administratively complete. The purpose of a Phase I application is solely to determine whether the proposed site complies with Pennsylvania's exclusionary siting criteria for hazardous waste treatment facilities. DEP is now conducting a technical review of the application to determine whether the proposed site complies with the exclusionary siting criteria at 25 Pa. Code §§ 269a.21—269a.29. If the site does not meet the applicable criteria, a hazardous waste treatment facility may not be permitted there. If the site does meet the applicable siting criteria, the applicant must submit a detailed permit application, before a permit could be issued for construction and operation.

As a part of the Phase I siting application review process, DEP has scheduled a combined public information meeting and hearing for Wednesday, December 10, 2014. The combined meeting and hearing will be held

from 7 p.m. to 9 p.m. at the Falls Township Building, 188 Lincoln Highway, Suite 100, Fairless Hills, PA 19030. During the meeting portion of the event, DEP will describe the application review process, siting criteria, and the opportunities for public participation in the process. The meeting will include time for public questions on the permitting process and the Phase I application. General information about the application and the permit review process will be available prior to the meeting.

After the meeting portion, a public hearing will be held at the same location as the public information meeting. The hearing is intended to allow for public testimony on the Phase I application. DEP will record testimony and receive written comments at the hearing. DEP will also accept written comments from December 10 until December 26, 2014. Written comments should be sent to: Hazardous Waste Facility Siting Team Leader, Pennsylvania Department of Environmental Protection, 2 E. Main St., Norristown, PA 19401.

Copies of the Phase I application will be available for review or copying at the following locations between the hours of 8 a.m. and 4 p.m.:

DEP Southeast Regional Office, 2 E. Main St., Norristown, PA 19401 (484) 250-5910.

DEP Bureau of Waste Management, Division of Hazardous Waste Management, 14th floor, Rachel Carson State Office Building, 400 Market St., Harrisburg, PA 17105 (717) 787-6239.

It is advisable to call ahead for an appointment for review and copying to assure proper assistance. The Department may charge a fee for copying.

[Pa.B. Doc. No. 14-2143. Filed for public inspection October 17, 2014, 9:00 a.m.]

### Air Quality Technical Advisory Committee Special Meeting

The Air Quality Technical Advisory Committee will hold a special meeting on November 7, 2014, at 9:15 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. The purpose of the meeting is to consider the draft final-form Reasonably Available Control Technology II rulemaking.

For additional information, contact Alex Haas at (717) 772-9495 or alehaas@pa.gov. The agenda and materials for the meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (select "Public Participation").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Alex Haas at (717) 787-9495 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. 14-2144. Filed for public inspection October 17, 2014, 9:00 a.m.]

### Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) web site at [www.elibrary.dep.state.pa.us](http://www.elibrary.dep.state.pa.us). The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final technical guidance documents are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft technical guidance documents.

#### Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

#### Changes to Technical Guidance Documents

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

#### Final Technical Guidance Document: Minor Revision

**DEP ID:** 253-0300-100. **Title:** Land Recycling Technical Guidance Manual Section V—Related Documents of Interest. **Description:** Section V—Related Documents of Inter-

est is one section of the larger Land Recycling Program Technical Guidance Manual (Manual). The purpose of the Manual is to assist remediators with how to best approach site characterization, remediation and demonstration of attainment and satisfy the requirements of Act 2. Section V has been revised to correct improper web site links.

*Effective Date:* October 18, 2014

*Contact:* Troy Conrad, (717) 783-9480, [tconrad@pa.gov](mailto:tconrad@pa.gov).

DANA K. AUNKST,  
*Acting Secretary*

[Pa.B. Doc. No. 14-2145. Filed for public inspection October 17, 2014, 9:00 a.m.]

### Pennsylvania Energy Development Authority Board Meeting

A meeting of the Pennsylvania Energy Development Authority Board will be held on Wednesday, October 22, 2014, at 9 a.m. in Room 105, 1st Floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.

Questions concerning this meeting or agenda items can be directed to David A. Althoff at (717) 783-0542 or [dalthoff@pa.gov](mailto:dalthoff@pa.gov). Information regarding this meeting, an agenda for the meeting and notices of meeting changes will be available through the Public Participation Center on Department of Environmental Protection's (Department) web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (DEP Keyword: "PEDA").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact David A. Althoff at (717) 783-0542 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

DANA K. AUNKST,  
*Acting Secretary*

[Pa.B. Doc. No. 14-2146. Filed for public inspection October 17, 2014, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### Real Estate for Sale Lancaster County

The Department of General Services (Department) will accept bids for the purchase of 0.63 acre +/- of land and building formerly known as the Lancaster Armory located at 438 North Queen Street, City of Lancaster, Lancaster County. Bids are due Thursday, January 8, 2015. Interested parties wishing to receive a copy of Solicitation No. 94652 should view the Department's web site at [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or call Lisa Kettering at (717) 787-1321.

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 14-2147. Filed for public inspection October 17, 2014, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### 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 an exception to the requirements of 28 Pa. Code § 105.11 (relating to access).

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. 14-2148. Filed for public inspection October 17, 2014, 9:00 a.m.]

### Application of Divine Providence Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Divine Providence 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: 2.1-8.2.4.1 (relating to return air systems).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-2149. Filed for public inspection October 17, 2014, 9:00 a.m.]

### Application of DLP Conemaugh Memorial Medical Center (Lee Ambulatory Surgery Center) for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that DLP Conemaugh Memorial Medical Center (Lee Ambulatory Surgical Center) has requested exceptions to the requirements of 28 Pa. Code §§ 553.1, 553.31(a), 555.1, 555.2, 555.32(a), 557.3, 557.4, 563.1—563.11, 567.2 and 569.1.

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. 14-2150. Filed for public inspection October 17, 2014, 9:00 a.m.]

### Application of DLP Conemaugh Memorial Medical Center (Lee Ambulatory Surgical Center) for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that DLP Conemaugh Memorial Medical Center (Lee Ambulatory Surgical Center) has requested an exception to the requirements of 28 Pa. Code § 569.35(7) (relating to general safety precautions).

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. 14-2151. Filed for public inspection October 17, 2014, 9:00 a.m.]

### Application of DLP Conemaugh Memorial Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that DLP Conemaugh Memorial Medical Center has requested exceptions to the requirements of 28 Pa. Code §§ 105.11 and 107.64 (relating to access; and administration of drugs).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-2152. Filed for public inspection October 17, 2014, 9:00 a.m.]

### Application of DLP Conemaugh Memorial Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives

notice that DLP Conemaugh Memorial Medical Center has requested exceptions to the requirements of 28 Pa. Code §§ 123.25(2) and 127.32 (relating to regulations for control of anesthetic explosion hazards; and written 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. 14-2153. Filed for public inspection October 17, 2014, 9:00 a.m.]

### Application of DLP Conemaugh Memorial Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that DLP Conemaugh Memorial 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*. The facility specifically requests an exemption from the following standards contained in this publication: 2.2-3.5.2.2(1)(b) (relating to cardiac catheterization labs).

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. 14-2154. Filed for public inspection October 17, 2014, 9:00 a.m.]

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### **Application of DLP Conemaugh Meyersdale Medical Center, LLC for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that DLP Conemaugh Meyersdale Medical Center, LLC has requested exceptions to the requirements of 28 Pa. Code §§ 123.25(2) and 127.32 (relating to regulations for control of anesthetic explosion hazards; and written 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. 14-2155. Filed for public inspection October 17, 2014, 9:00 a.m.]

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### **Application of DLP Conemaugh Miners Medical Center, LLC for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that DLP Conemaugh Miners Medical Center, LLC has requested an exception to the requirements of 28 Pa. Code § 107.26(b)(2) (relating to additional committees).

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. 14-2156. Filed for public inspection October 17, 2014, 9:00 a.m.]

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### **Application of DLP Conemaugh Miners Medical Center, LLC for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that DLP Conemaugh Miners Medical Center, LLC has requested exceptions to the requirements of 28 Pa. Code §§ 123.25(2) and 127.32 (relating to regulations for control of anesthetic explosion hazards; and written 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. 14-2157. Filed for public inspection October 17, 2014, 9:00 a.m.]

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### **Application of DLP Conemaugh Miners Medical Center, LLC for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that DLP Conemaugh Miners Medical Center, LLC 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: 3.1-3.2.3.2, 3.1-3.2.4.2 and 3.1-7.2.2.1(1) (relating to space requirements exam rooms; space requirements treatment rooms; and corridor widths).

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. 14-2158. Filed for public inspection October 17, 2014, 9:00 a.m.]

### Application of Memorial Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Memorial Hospital has requested an exception to the requirements of 28 Pa. Code § 138.15 (relating to high-risk cardiac catheterizations).

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. 14-2159. Filed for public inspection October 17, 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):

Philadelphia Protestant Home  
6500 Tabor Road  
Philadelphia, PA 19111  
FAC ID # 681002

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.36(h) (relating to bathing facilities):

New Eastwood Healthcare and Rehabilitation Center  
2125 Fairview Avenue  
Easton, PA 18042  
FAC ID # 050102

These requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of 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 numbers 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. 14-2160. Filed for public inspection October 17, 2014, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Additional Class of Disproportionate Share Payment

The Department of Public Welfare (Department) is providing final notice of its establishment of a new class of disproportionate share hospital (DSH) payments to certain qualifying hospitals that provide a high volume of



services to the Medical Assistance (MA) population to ensure their participation in the MA Program. This payment promotes additional access to inpatient and ancillary outpatient services and supports academic medical programs that provide integrated patient centered medical services. The Department is allocating funding for this additional class of DSH payment to qualifying hospitals for Fiscal Year (FY) 2013-2014.

The Department determines a hospital eligible for this additional class of DSH payment if the hospital meets all of the criteria listed as follows. Unless otherwise stated, the source of the information is the State FY 2010-2011 MA cost report (MA-336).

1. The hospital is enrolled in the Pennsylvania (PA) MA Program as a general acute care hospital.

2. The hospital ranked at or above the 92nd percentile of all acute care hospitals on the total acute care inpatient days provided to MA beneficiaries.

3. The hospital ranked at or above the 94th percentile of all acute care hospitals on Net PA MA Outpatient Revenues.

4. The hospital is accredited as an Adult Level I Trauma Center and a Pediatric Level I Trauma Center according to the Pennsylvania Trauma Systems Foundation's 2012 Annual Report.

5. The hospital is part of an academic medical center that includes a regional medical campus in a county of the fourth class.

The Department is dividing the total payment proportionately among all qualifying hospitals based on each hospital's total MA acute care inpatient days to total MA acute care inpatient days for all qualified hospitals. In making these payments, the Department ensures that no hospital will receive any DSH payment that is in excess of its hospital-specific DSH upper limit and the Commonwealth will not exceed its aggregate DSH allotment.

The Department published notice of its intent to allocate funding for these DSH payments at 44 Pa.B. 2341 (April 12, 2014). The Department received one public comment during the 30-day comment period. The commentator stated that the criteria established for this additional class of DSH payments would qualify only a small number of hospitals. The commentator also suggested improved access to care would be better served by using all available funding, including these funds, to update the Outpatient Fee Schedule.

The Department recognizes that the qualifying criteria encompasses a select group of hospitals but also identifies that these hospitals provide a high volume of services to the MA population. As acknowledged by the commentator, the criteria recognize the importance of providing funding to teaching hospitals in this Commonwealth. Further, the establishment of this DSH payment does not preclude the Department from increasing existing payments or establishing new ones as determined to be necessary or desirable. Accordingly, the Department is implementing the funding for this additional class of DSH payment, as described in its notice of intent, to promote additional access to inpatient and ancillary outpatient services and to support academic medical programs for integrated patient centered medical services.

### *Fiscal Impact*

The FY 2013-2014 impact, as a result of the funding allocation for these payments is \$5.379 million (\$2.5 million in State general funds and \$2.879 million in Federal funds upon approval by the Centers for Medicare and Medicaid Services).

BEVERLY D. MACKERETH,  
*Secretary*

**Fiscal Note:** 14-NOT-911. (1) General Fund; (2) Implementing Year 2013-14 is \$2,500,000; (3) 1st Succeeding Year 2014-15 through 5th Succeeding Year 2018-19 are \$0; (4) 2012-13 Program—\$12,618,000; 2011-12 Program—\$12,618,000; 2010-11 Program—\$18,871,000; (7) MA—Academic Medical Centers; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 14-2161. Filed for public inspection October 17, 2014, 9:00 a.m.]

### **Emergency Department and Outpatient Access Payments**

The Department of Public Welfare (Department) is providing final notice of its continuation of the emergency department and outpatient access payments that were initially authorized effective January 1, 2009.

#### *Background*

On July 4, 2008, the General Assembly enacted Article VIII-E of the Public Welfare Code (62 P. S. §§ 801-E—808-E) to authorize the City of Philadelphia to impose, by ordinance, a monetary assessment on the non-Medicare net operating revenue of acute care general hospitals located in the city. This Hospital Assessment Program (Program) was developed to generate additional revenue to fund Medical Assistance (MA) expenditures for hospital outpatient and emergency department services in Philadelphia. The Program also provided additional funding to support the city's public health clinics. The Program was implemented after receiving the Centers for Medicare and Medicaid Services (CMS) approval for both the assessment and the emergency department and outpatient access payments. The Program initially was authorized for a 4 1/2-year period which would have ended June 30, 2013, if not reauthorized. Through the passage of the act of July 9, 2013 (P. L. 369, No. 55), the General Assembly reauthorized the Program until June 30, 2016.

#### *Continuation of the Hospital Assessment Program*

On June 10, 2014, the Department received the CMS' approval to continue the emergency department and outpatient access payments for a 3-year period beginning July 1, 2013. The Department received CMS approval on June 10, 2014. The Department made no changes to the qualifying criteria or payment methodology for the emergency department and outpatient access payments and will continue to make payments as in prior years.

The Department published notice of its intent to allocate funding for emergency department and outpatient access payments at 43 Pa.B. 3581 (June 29, 2013). The Department received no public comments during the 30-day comment period and will implement as described in its notice of intent.

*Fiscal Impact*

The Fiscal Year 2013-2014 impact, as a result of these payments, is \$160.904 million (\$74.788 million in State general funds and \$86.116 million in Federal funds upon approval by CMS).

BEVERLY D. MACKERETH,  
Secretary

**Fiscal Note:** 14-NOT-906. (1) General Fund; (2) Implementing Year 2013-14 is \$74,788,000; (3) 1st Succeeding Year 2014-15 is \$76,840,000; 2nd Succeeding Year 2015-16 is \$77,282,000; 3rd Succeeding Year 2016-17 is \$0; 4th Succeeding Year 2017-18 is \$0; 5th Succeeding Year 2018-19 is \$0; (4) 2012-13 Program—\$450,835,000; 2011-12 Program—\$645,095,000; 2010-11 Program—\$467,929,000; (7) MA—Outpatient; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 14-2162. Filed for public inspection October 17, 2014, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### MONOPOLY MILLIONAIRES' CLUB Terminal-Based Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 875.4 (relating to notice of terminal-based lottery game rules), the Secretary of Revenue hereby provides public notice of the rules for the following terminal-based lottery game:

1. *Name:* The name of the terminal-based lottery game is MONOPOLY MILLIONAIRES' CLUB. The game will commence at the discretion of the Secretary of Revenue and will continue until the Secretary publicly announces a suspension or termination date.

2. *Definitions:* The following words and phrases, when used in this notice, have the following meanings, unless the context clearly indicates otherwise:

*Drawing Officials*—The personnel authorized by the Product Group to conduct and ensure the integrity of the MONOPOLY MILLIONAIRES' CLUB Drawings and The Millionaires' Club Drawings.

*Millionaires' Club Drawing*—The drawing conducted during which the winning Millionaires' Club Numbers are selected.

*Millionaires' Club Number*—A unique, non-repeating, transactional number printed on each MONOPOLY MILLIONAIRES' CLUB ticket to be used in determining Millionaires' Club Prize winners, if a Millionaires' Club Prize drawing is held.

*Millionaires' Club Prize*—A single payment prize with a value of one million dollars (\$1,000,000) awarded independently from the other MONOPOLY MILLIONAIRES' CLUB prizes.

*MONOPOLY MILLIONAIRES' CLUB*—A terminal-based lottery game offered by the Pennsylvania Lottery as a member of the Product Group.

*MONOPOLY MILLIONAIRES' CLUB Drawing*—The drawing conducted during which the MONOPOLY MILLIONAIRES' CLUB Winning Numbers are selected.

*MONOPOLY MILLIONAIRES' CLUB Play*—The six numbers imprinted on each ticket to be played by a player in MONOPOLY MILLIONAIRES' CLUB. The six numbers are comprised of a Player Number Sequence and a Player MONOPOLY Property Number.

*MONOPOLY MILLIONAIRES' CLUB TV Game Show*—A nationally-televised MONOPOLY MILLIONAIRES' CLUB-themed television game show whose audience members are randomly selected during the MONOPOLY MILLIONAIRES' CLUB TV Game Show Drawing.

*MONOPOLY MILLIONAIRES' CLUB TV Game Show Drawing*—The drawing conducted by the Pennsylvania Lottery or its authorized agents during which the winners of the MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prizes are selected.

*MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize*—An experiential prize awarded in a MONOPOLY MILLIONAIRES' CLUB TV Game Show Drawing as described in section 13 (relating to MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize Description).

*MONOPOLY MILLIONAIRES' CLUB Winning Numbers*—The six numbers, the first five (5) of which are comprised of a Winning Number Sequence and the sixth of which is comprised of a Winning MONOPOLY Property Number, that are randomly selected during each MONOPOLY MILLIONAIRES' CLUB Drawing and that shall be used to determine winning MONOPOLY MILLIONAIRES' CLUB Plays.

*MUSL*—The Multi-State Lottery Association.

*Player MONOPOLY Property Number*—A number ranging from one (1) through twenty-eight (28), which is always randomly generated, that forms the sixth number of a MONOPOLY MILLIONAIRES' CLUB Play, and represents a specific MONOPOLY game board property. The term is also known as "Your Property Number."

*Player Number Sequence*—A sequence of five (5) numbers ranging from one (1) through fifty-two (52), which are selected by the player or randomly generated using the Quick Pick option, that form the first five (5) numbers of a MONOPOLY MILLIONAIRES' CLUB Play. The term is also known as "Your Draw Numbers."

*Product Group*—The group of state lotteries that joined together to offer the MONOPOLY MILLIONAIRES' CLUB game under the terms of the Multi-State Lottery Agreement and the Product Group's MONOPOLY MILLIONAIRES' CLUB Game Rules.

*Set Prizes*—All prizes except the Top Prize, Millionaires' Club Prizes, and the MILLIONAIRES' CLUB TV Game Show Trip Package Prize.

*Top Prize*—The prize won if a player's MONOPOLY MILLIONAIRES' CLUB Play matches the MONOPOLY MILLIONAIRES' CLUB Winning Numbers, which has a minimum value of \$15 million and a maximum value of \$25 million, as provided in section 7(a)(1) (relating to Prizes available to be won and determination of prize winners).

*TV Game Show Entry Webcode*—The 25-digit alphanumeric code found on each MONOPOLY MILLIONAIRES' CLUB ticket which allows players to enter tickets into online second-chance drawing(s) for a chance to win a MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize.

*Winning MONOPOLY Property Number*—The number that is randomly selected from a field of numbers ranging from one (1) through twenty-eight (28) during a MONOPOLY MILLIONAIRES' CLUB Drawing that (i) comprises a portion of the MONOPOLY MILLIONAIRES' CLUB Winning Numbers, and (ii) represents a specific MONOPOLY Property that is used to determine, in part, the number of entries a player receives in a MONOPOLY MILLIONAIRES' CLUB TV Game Show Drawing.

*Winning Number Sequence*—The sequence of five (5) numbers ranging from one (1) through fifty-two (52) that are randomly selected during a MONOPOLY MILLIONAIRES' CLUB Drawing that comprise a portion of the MONOPOLY MILLIONAIRES' CLUB Winning Numbers.

3. *Price*: The price of a MONOPOLY MILLIONAIRES' CLUB ticket is \$5.

4. *Description of the MONOPOLY MILLIONAIRES' CLUB lottery game*:

(a) MONOPOLY MILLIONAIRES' CLUB is designed to give players the opportunity to win one prize for each MONOPOLY MILLIONAIRES' CLUB Play, and a Millionaires' Club Prize if a Millionaires' Club Drawing is held.

(b) MONOPOLY MILLIONAIRES' CLUB tickets may be purchased from an authorized retailer or at a Pennsylvania Lottery self-service terminal, also known as a Play Central Terminal.

(1) To purchase a ticket at an authorized retailer, a player must remit the purchase price and select their Player Number Sequence by submitting a completed MONOPOLY MILLIONAIRES' CLUB bet slip to the authorized retailer, or by verbally selecting their numbers or requesting the Quick Pick option by relaying the same to the authorized retailer.

(2) To purchase a ticket at a Lottery self-service terminal, a player must insert into the self-service terminal the total purchase price and select their Player Number Sequence by inserting a completed MONOPOLY MILLIONAIRES' CLUB bet slip, manually entering their number selections, or requesting the Quick Pick option.

(c) Players can win prizes as provided in section 7 (relating to prizes available to be won and determination of prize winners) and section 11 (relating to MONOPOLY MILLIONAIRES' CLUB TV Game Show).

(d) Players may only purchase MONOPOLY MILLIONAIRES' CLUB tickets for the next available MONOPOLY MILLIONAIRES' CLUB Drawing.

(e) A MONOPOLY MILLIONAIRES' CLUB ticket may not be canceled or voided once printed by the Lottery terminal, even if it is printed in error.

5. *MONOPOLY MILLIONAIRES' CLUB bet slip and ticket characteristics and restrictions*:

(a) MONOPOLY MILLIONAIRES' CLUB bet slip characteristics and restrictions.

(1) MONOPOLY MILLIONAIRES' CLUB bet slips are optically readable cards issued by the Pennsylvania Lottery that a player may use to select up to four (4) Player Number Sequences. It features four (4) game areas each containing fifty-three (53) squares, fifty-two (52) of which correspond to the individual numbers that comprise a Player Number Sequence and one of which is used to select the Quick Pick option.

(2) MONOPOLY MILLIONAIRES' CLUB bet slips shall be available at no cost to the player.

(3) A Player Number Sequence must be selected in accordance with the instructions printed on the MONOPOLY MILLIONAIRES' CLUB bet slip.

(4) A MONOPOLY MILLIONAIRES' CLUB bet slip has no pecuniary or prize value, does not constitute evidence of the purchase of a MONOPOLY MILLIONAIRES' CLUB game ticket or the Player Number Sequence selected, and may not be used to claim a prize.

(5) A MONOPOLY MILLIONAIRES' CLUB bet slip must be completed manually. The use of mechanical, electronic, computer generated, or any other non-manual method of marking bet slips is prohibited.

(6) Using a MONOPOLY MILLIONAIRES' CLUB bet slip, the player may make number selections for up to four separate Player Number Sequences. For each separate Player Number Sequence desired, a player must complete their number selections in a separate GAME area on the bet slip (GAME A, GAME B, GAME C, and/or GAME D).

(7) A player may choose to have their number selection(s) made using the Quick Pick option by marking the box for Quick Pick on the bet slip under each desired GAME area.

(b) MONOPOLY MILLIONAIRES' CLUB ticket characteristics and restrictions.

(1) A MONOPOLY MILLIONAIRES' CLUB ticket will contain one MONOPOLY MILLIONAIRES' CLUB Play, the purchase date, the drawing date of the MONOPOLY MILLIONAIRES' CLUB Drawing in which the MONOPOLY MILLIONAIRES' CLUB Play is entered, the cost of the ticket, a Millionaires' Club Number, a TV Game Show Entry Webcode, and validation data.

(2) A MONOPOLY MILLIONAIRES' CLUB ticket shall be the only valid evidence of the wager placed, and the only valid documentation for claiming a prize.

(3) A MONOPOLY MILLIONAIRES' CLUB ticket shall only be valid for the drawing date printed on the ticket.

(4) A separate MONOPOLY MILLIONAIRES' CLUB ticket shall be issued for each MONOPOLY MILLIONAIRES' CLUB Play.

6. *Time, place and manner of conducting drawings*:

(a) *Time of drawing*. A MONOPOLY MILLIONAIRES' CLUB Drawing will be held at a time as determined by the Product Group and publicly announced by the Secretary. A Millionaires' Club Drawing will be held if a Top Prize is won in a MONOPOLY MILLIONAIRES' CLUB Drawing.

(b) *Place of drawing*. MONOPOLY MILLIONAIRES' CLUB and Millionaires' Club drawings will be conducted at a location selected by the Product Group.

(c) *Manner of conducting drawings*. The Drawing Officials will select, at random, with the aid of mechanical devices or any other selection methodology as authorized by the Product Group, the MONOPOLY MILLIONAIRES' CLUB Winning Numbers and, when necessary, the Millionaires' Club winning numbers.

7. *Prizes available to be won and determination of prize winners*:

(a) Determinations of the MONOPOLY MILLIONAIRES' CLUB prize winners are as follows:

(1) *Top Prize*. Holders of tickets upon which the player's MONOPOLY MILLIONAIRES' CLUB Play matches the MONOPOLY MILLIONAIRES' CLUB Winning Num-

bers selected by the Drawing Officials for the drawing in which the MONOPOLY MILLIONAIRES' CLUB Play is entered, shall be the winner of the Top Prize. For the initial drawing and any subsequent drawing following a drawing where the Top Prize is won, the Top Prize shall be an annuitized amount of \$15,000,000. If the Top Prize is not won in a drawing where the Top Prize is an annuitized amount of \$15,000,000, the Top Prize for the next drawing shall be an annuitized amount of \$18,000,000. If the Top Prize is not won in a drawing where the Top Prize is an annuitized amount of \$18,000,000, the Top Prize for the next drawing shall be an annuitized amount of \$21,000,000. If the Top Prize is not won in a drawing where the Top Prize is an annuitized amount of \$21,000,000, the Top Prize for the next drawing shall be an annuitized amount of \$25,000,000. After the Top Prize reaches an annuitized amount of \$25,000,000, if the Top Prize is not won it shall remain at \$25,000,000 for each subsequent drawing until the Top Prize is won. If, in a MONOPOLY MILLIONAIRES' CLUB Drawing, no MONOPOLY MILLIONAIRES' CLUB Plays qualify for the Top Prize, the prize money allocated to the Top Prize and Millionaires' Club Prize Pool (as described in the Product Group's MONOPOLY MILLIONAIRES' CLUB Game Rules) will be carried forward and added to the Top Prize and Millionaires' Club Prize Pool (as described in the Product Group's MONOPOLY MILLIONAIRES' CLUB Game Rules) for the next MONOPOLY MILLIONAIRES' CLUB Drawing, until the Top Prize reaches the maximum annuitized amount of \$25,000,000, at which point all additional prize money will be allocated to the Millionaires' Club Prizes until the Top Prize is won. Prize money allocated to the Top Prize will be divided into as many shares as there are Top Prize winning MONOPOLY MILLIONAIRES' CLUB Plays as described in subsection 7(a)(1)(i) below.

(i) Shares of the Top Prize shall be determined as follows:

(A) If there are multiple Top Prize winners during a single drawing none of whom select the cash prize option, then a winner's share of the guaranteed annuitized Top Prize shall be determined by dividing the guaranteed annuitized Top Prize by the number of winning MONOPOLY MILLIONAIRES' CLUB Plays.

(B) If there are multiple Top Prize winners during a single drawing and at least one, but not all, of whom selects the cash prize option, a winner's share of the Top Prize shall be determined in accordance with the Product Group's MONOPOLY MILLIONAIRES' CLUB Game Rules.

(C) If there are multiple Top Prize winners during a single drawing all of whom select the cash prize option, then the amount of a winner's share of the Top Prize shall be determined in accordance with the Product Group's MONOPOLY MILLIONAIRES' CLUB Game Rules.

(ii) If the Top Prize is payable as an annuity, the winner's share of the Top Prize will be paid in 30 graduated installments. The initial payment will be paid upon completion of internal validation procedures. The subsequent 29 payments will be paid annually. Prize payments will be rounded down to the nearest one thousand dollars.

(iii) If individual shares of the cash held to fund an annuity are less than \$250,000, the Lottery, in its sole

discretion, may elect to pay the winners their share of the cash allocated for the payment of the Top Prize in a lump sum cash payment.

(iv) The Top Prize will be paid as an annuity prize unless a player elects in writing to receive the Top Prize as a lump-sum cash payment. The election must be made in writing within sixty (60) days from the date the Lottery determines the player is entitled to a Top Prize, and is irrevocable.

(v) Annuitized payments of the Top Prize or a share of the Top Prize may be rounded to facilitate the purchase of an appropriate funding mechanism. Amounts left over as a result of rounding an annuitized Top Prize win shall be added to the first payment to the winner or winners.

(2) *Millionaires' Club Prize.* If a Top Prize is won during a MONOPOLY MILLIONAIRES' CLUB Drawing, a separate Millionaires' Club Drawing will be held immediately thereafter. Holders of tickets upon which the player's Millionaires' Club Number matches one of the winning Millionaires' Club Numbers selected by the Drawing Officials, for the Millionaires' Club Drawing held in conjunction with the MONOPOLY MILLIONAIRES' CLUB Drawing in which the ticket is entered, shall be the winner of a Millionaires' Club Prize.

(i) A Millionaires' Club Prize is one million dollars (\$1,000,000), and will be payable in a single, lump-sum cash payment.

(ii) The number of Millionaires' Club Prizes awarded in a Millionaires' Club Drawing shall be determined by the amount of monies available in the Top Prize and Millionaires' Club Prize Pool, as described in Product Group's MONOPOLY MILLIONAIRES' CLUB Game Rules, less amounts needed to fund the Top Prize, rounded down to the nearest \$1,000,000, but shall in no event be less than the following: when the game begins, and also following a Top Prize win, there shall be a minimum of ten Millionaires' Club Prizes awarded if the Top Prize is won for that drawing, and the number of Millionaires' Club Prizes shall grow by a minimum of two additional Millionaires' Club Prizes between drawings, until the Top Prize is won.

(3) *Second Level Set Prize.* Holders of tickets upon which the Player Number Sequence portion of a player's MONOPOLY MILLIONAIRES' CLUB Play matches the Winning Number Sequence portion of the MONOPOLY MILLIONAIRES' CLUB Winning Numbers selected by the Drawing Officials, for the drawing in which the MONOPOLY MILLIONAIRES' CLUB Play is entered, shall be entitled to a prize of \$100,000.

(4) *Third Level Set Prize.* Holders of tickets upon which four of the numbers of the Player Number Sequence portion of a player's MONOPOLY MILLIONAIRES' CLUB Play match four of the numbers of the Winning Number Sequence portion of the MONOPOLY MILLIONAIRES' CLUB Winning Numbers selected by the Drawing Officials and the MONOPOLY Property Number portion of the player's MONOPOLY MILLIONAIRES' CLUB Play matches the Winning MONOPOLY Property Number portion of the MONOPOLY MILLIONAIRES' CLUB Winning Numbers selected by the Drawing Officials, for the drawing in which the MONOPOLY MILLIONAIRES' CLUB Play is entered, shall be entitled to a prize of \$20,000.

(5) *Fourth Level Set Prize.* Holders of tickets upon which four of the numbers of the Player Number Sequence portion of a player's MONOPOLY MILLIONAIRES' CLUB Play match four of the numbers of the Winning Number Sequence portion of the MONOPOLY

MILLIONAIRES' CLUB Winning Numbers selected by the Drawing Officials, for the drawing in which the MONOPOLY MILLIONAIRES' CLUB Play is entered, shall be entitled to a prize of \$500.

(6) *Fifth Level Set Prize.* Holders of tickets upon which three of the numbers of the Player Number Sequence portion of a player's MONOPOLY MILLIONAIRES' CLUB Play match three of the numbers of the Winning Number Sequence portion of the MONOPOLY MILLIONAIRES' CLUB Winning Numbers selected by the Drawing Officials and the MONOPOLY Property Number portion of the player's MONOPOLY MILLIONAIRES' CLUB Play matches the Winning MONOPOLY Property Number portion of the MONOPOLY MILLIONAIRES' CLUB Winning Numbers selected by Drawing Officials, for the drawing in which the MONOPOLY MILLIONAIRES' CLUB Play is entered, shall be entitled to a prize of \$250.

(7) *Sixth Level Set Prize.* Holders of tickets upon which two of the numbers of the Player Number Sequence portion of a player's MONOPOLY MILLIONAIRES' CLUB Play match two of the numbers of the Winning Number Sequence portion of the MONOPOLY MILLIONAIRES' CLUB Winning Numbers selected by the Drawing Officials and the MONOPOLY Property Number portion of the player's MONOPOLY MILLIONAIRES' CLUB Play matches the Winning MONOPOLY Property Number portion of the MONOPOLY MILLIONAIRES' CLUB Winning Numbers selected by the Drawing Officials, for the drawing in which the MONOPOLY MILLIONAIRES' CLUB Play is entered, shall be entitled to a prize of \$25.

(8) *Seventh Level Set Prize.* Holders of tickets upon which three of the numbers of the Player Number Sequence portion of a player's MONOPOLY MILLIONAIRES' CLUB Play match three of the numbers of the Winning Number Sequence portion of the MONOPOLY MILLIONAIRES' CLUB Winning Numbers selected by the Drawing Officials, for the drawing in which the MONOPOLY MILLIONAIRES' CLUB Play is entered, shall be entitled to a prize of \$20.

(9) *Eighth Level Set Prize.* Holders of tickets upon which one of the numbers of the Player Number Sequence portion of a player's MONOPOLY MILLIONAIRES' CLUB Play matches one of the numbers of the Winning Number Sequence portion of the MONOPOLY MILLIONAIRES' CLUB Winning Numbers selected by the Drawing Officials, and the MONOPOLY Property Number portion of the player's MONOPOLY MILLIONAIRES' CLUB Play matches the Winning MONOPOLY Property Number portion of the MONOPOLY MILLIONAIRES' CLUB Winning Numbers selected by the Drawing Officials, for the drawing in which the MONOPOLY MILLIONAIRES' CLUB Play is entered, shall be entitled to a prize of \$10.

(10) *Ninth Level Set Prize.* Holders of tickets upon which the MONOPOLY Property Number portion of the player's MONOPOLY MILLIONAIRES' CLUB Play matches the Winning MONOPOLY Property Number portion of the MONOPOLY MILLIONAIRES' CLUB Winning Numbers selected by the Drawing Officials, for the drawing in which the MONOPOLY MILLIONAIRES' CLUB Play is entered, shall be entitled to a prize of \$7.

(11) *Tenth Level Set Prize.* Holders of tickets upon which two of the numbers of the Player Number Se-

quence portion of a player's MONOPOLY MILLIONAIRES' CLUB Play match two of the numbers of the Winning Number Sequence portion of the MONOPOLY MILLIONAIRES' CLUB Winning Numbers selected by the Drawing Officials, for the drawing in which the MONOPOLY MILLIONAIRES' CLUB Play is entered, shall be entitled to a prize of \$5.

(b) *Pari-mutuel Prize Determinations.*

(1) If the total of the Set Prizes awarded in a drawing exceeds the percentage of the prize pool allocated to the Set Prizes, then the amount needed to fund the Set Prizes awarded shall be drawn from the following sources, in the following order:

(i) The amount allocated to the set prizes and carried forward from previous draws, if any.

(ii) An amount from the Prize Reserve Account (as described in the Product Group's MONOPOLY MILLIONAIRES' CLUB Game Rules) if available, not to exceed \$20,000,000 per drawing.

(2) If, after the sources in section 7(b)(1) are depleted, there are not sufficient funds to pay the Set Prizes awarded, then the highest Set Prize shall become a pari-mutuel prize. If the amount of the highest Set Prize, when paid on a pari-mutuel basis, drops to or below the amount of the next highest Set Prize and there are still not sufficient funds to pay the remaining Set Prizes awarded, then the next highest Set Prize shall become a pari-mutuel prize. This procedure shall continue down through all Set Prizes, if necessary, until all Set Prizes become pari-mutuel prizes.

8. *Prize Restrictions.*

(a) All MONOPOLY MILLIONAIRES' CLUB prize payments, other than the Top Prize and the MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize, will be made as a lump-sum cash payment.

(b) A holder of a ticket evidencing a winning MONOPOLY MILLIONAIRES' CLUB Play is entitled only to the highest prize won by those numbers for the drawing in which the MONOPOLY MILLIONAIRES' CLUB Play is entered. A holder of a ticket evidencing a winning MONOPOLY MILLIONAIRES' CLUB Play may also win a Millionaires' Club Prize with the same ticket.

(c) For purpose of calculating the Set Prizes, pursuant to 7(b) (relating to pari-mutuel prize determinations), the prize amount may be rounded down so that prizes may be paid in multiples of one dollar.

(d) The number of prize categories and the allocation of prize money among the prize categories may be changed at the discretion of the Product Group and any such change will be published in a notice the *Pennsylvania Bulletin*, and announced publicly. Any such changes will apply prospectively to MONOPOLY MILLIONAIRES' CLUB Drawings as of the date specified in the notice published in the *Pennsylvania Bulletin*.

(e) The Lottery shall not be responsible for MONOPOLY MILLIONAIRES' CLUB winning numbers or Millionaires' Club winning numbers reported in error.

9. *Probability of winning.* The following table sets forth the prizes, the probability of winning each prize, and the percent of each dollar in sales anticipated to be paid in prizes in each prize level:

<i>Prize Level</i>	<i>Prize</i>	<i>Probability Of Winning Per Play:</i>	<i>Percent (%) Of Sales Anticipated To Be Paid In Prizes*</i>
Top Prize	Top Prize	1:72,770,880	32.2148%**
Second	\$100,000	1:2,695,218	0.7421%
Third	\$20,000	1:309,663	1.2917%
Fourth	\$500	1:11,469	0.8719%
Fifth	\$250	1:6,732	0.7427%
Sixth	\$25	1:448.79	1.1141%
Seventh	\$20	1:249.33	1.6043%
Eighth	\$10	1:81.60	2.4511%
Ninth	\$7	1:47.44	2.9511%
Tenth	\$5	1:16.62	6.0162%
Millionaires' Club Prize	\$1,000,000	Varies with sales	Combined with Top Prize %*

\* Includes prize reserve and other deductions.

\*\* The Top Prize and Millionaires' Club Prize Pool contributions are combined.

10. *Unclaimed prizes.* The portion of the unclaimed Top Prize and Millionaires' Club Prize money that is returned to the Lottery pursuant to the Product Group's MONOPOLY MILLIONAIRES' CLUB Game Rules will be paid into the State Lottery Fund and used for the purposes provided for by the State Lottery Law.

11. *MONOPOLY MILLIONAIRES' CLUB TV Game Show.*

(a) MONOPOLY MILLIONAIRES' CLUB tickets sold by the Pennsylvania Lottery ("Qualifying Tickets") are eligible for entry in the Pennsylvania Lottery's MONOPOLY MILLIONAIRES' CLUB TV Game Show Drawings. Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Pennsylvania Lottery's MONOPOLY MILLIONAIRES' CLUB TV Game Show Drawings. To join the VIP Players Club, visit <http://www.palottery.com/VIP-Players-Club/login.aspx>. Becoming a VIP Players Club member is free.

(b) To enter the Pennsylvania Lottery's MONOPOLY MILLIONAIRES' CLUB TV Game Show Drawings, entrants must submit the TV Game Show Entry Webcode from at least one Qualifying Ticket into the entry site accessible exclusively via the Pennsylvania Lottery's MONOPOLY MILLIONAIRES' CLUB TV Game Show Drawings promotional website during the entry period for the drawings. Each TV Game Show Entry Webcode from a Qualifying Ticket may be submitted only once. No other method of submission will be accepted, and entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(c) The Pennsylvania Lottery will periodically conduct drawings to select winners of a MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize. The entry periods and drawing dates for the first 11 Pennsylvania Lottery's MONOPOLY MILLIONAIRES' CLUB TV Game Show Drawings are as follows:

<i>Drawing</i>	<i>Entry Start Date</i>	<i>Entry Deadline Date</i>	<i>Drawing Date</i>
1	10/19/2014 @ 00:00:00*	11/21/2014 @ 22:16:00	12/02/2014
2	11/21/2014 @ 22:16:01	1/02/2015 @ 22:16:00	1/13/2015
3	1/02/2015 @ 22:16:01	2/13/2015 @ 22:16:00	2/24/2015
4	2/13/2015 @ 22:16:01	4/03/2015 @ 22:16:00	4/14/2015
5	4/03/2015 @ 22:16:01	5/29/2015 @ 22:16:00	6/09/2015
6	5/29/2015 @ 22:16:01	7/24/2015 @ 22:16:00	8/04/2015
7	7/24/2015 @ 22:16:01	9/04/2015 @ 22:16:00	9/15/2015
8	9/04/2015 @ 22:16:01	10/16/2015 @ 22:16:00	10/27/2015
9	10/16/2015 @ 22:16:01	12/04/2015 @ 22:16:00	12/15/2015
10	12/04/2015 @ 22:16:01	2/26/2016 @ 22:16:00	3/08/2016
11	2/26/2016 @ 22:16:01	6/03/2016 @ 22:16:00	6/14/2016

\* All times are Eastern Prevailing Time.

The entry period and drawing dates for subsequent Pennsylvania Lottery's MONOPOLY MILLIONAIRES' CLUB TV Game Show Drawings will be published in a notice in the *Pennsylvania Bulletin* and publically announced by the Secretary. The number of MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prizes to be awarded for a specific Pennsylvania Lottery's MONOPOLY MILLIONAIRES' CLUB TV Game Show Drawing will be announced publically prior to the drawing. Claimants will have five (5) business days from the drawing date to return completed claim forms to the Lottery. At the close of business on the fifth business day following the drawing date, the MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize will be forfeited and the Lottery will award the prize to the first available alternative selected as part of the drawing process. The alternate shall have five (5) business days to return the completed claim forms to the Lottery.

(d) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(e) Only one claimant per entry allowed.

(f) Entrants must be 18 years of age or older.

(g) Entry is limited to entrants that indicate, at the time of submitting the identifying information from a Qualifying Ticket, that their information is being submitted from an internet connected or mobile device located within Pennsylvania.

(h) Players may submit the TV Game Show Entry Webcodes from an unlimited number of Qualifying Tickets in the Pennsylvania Lottery's MONOPOLY MILLIONAIRES' CLUB TV Game Show Drawings.

(i) When a player enters a TV Game Show Entry Webcode, the MONOPOLY game board Property associated with the Player MONOPOLY Property Number imprinted on the Qualifying Ticket is added to the player's Property inventory along with a bonus MONOPOLY game board Property. The first time a player enters a TV Game Show Entry Webcode, the player will be awarded a bonus MONOPOLY game board Property and a Community Chest Card that will award the player a complete Property Set. Once a player collects all of the MONOPOLY game board Properties needed to complete a Property Set, the player will receive the corresponding number of entries for that particular Property Set, which will be entered in the next occurring MONOPOLY MILLIONAIRES' CLUB TV Game Show Drawing for a chance to become a TV Game Show Audience member for the MONOPOLY MILLIONAIRES' CLUB TV Game Show. The available Property Sets and the number of entries awarded for each Property Set are set out in the table below.

*MONOPOLY Property Set*

<i>MONOPOLY Property Set</i>	<i>Number of Entries Awarded</i>
Mediterranean Avenue & Baltic Avenue	2
Oriental Avenue & Vermont Avenue & Connecticut Avenue	4
St. Charles Place & States Avenue & Virginia Avenue	6
St. James Place & Tennessee Avenue & New York Avenue	8
Kentucky Avenue & Indiana Avenue & Illinois Avenue	10
Atlantic Avenue & Ventnor Avenue & Marvin Gardens	12
Pacific Avenue & North Carolina Avenue & Pennsylvania Avenue	15
Park Place & Boardwalk	20
Reading RR & Pennsylvania RR & B&O RR & Short Line RR	16
Electric Company & Water Works	10

(j) Players may review their entries for a MONOPOLY MILLIONAIRES' CLUB TV Game Show Drawing via the Pennsylvania MONOPOLY MILLIONAIRES' CLUB TV Game Show Drawings promotional website.

(k) A player's completed Property Sets will be removed from their inventory at the end of the entry period for each Pennsylvania MONOPOLY MILLIONAIRES' CLUB TV Game Show Drawing. Any properties, not part of a Property Set, including duplicate properties, will remain in the player's inventory.

(l) Players who have entered a TV Game Show Entry Webcode within 7 days of a MONOPOLY MILLIONAIRES' CLUB TV Game Show broadcast may earn additional MONOPOLY game board Properties by entering Play-At-Home codes displayed during the MONOPOLY MILLIONAIRES' CLUB TV Game Show. For each Play-At-Home code entered in the Play-At-Home module, available via the Pennsylvania Lottery's MONOPOLY MILLIONAIRES' CLUB TV Game Show Drawings promotional website, a player will be awarded a MONOPOLY game board Property which will be added to the player's inventory.

*12. MONOPOLY MILLIONAIRES' CLUB TV Game Show.*

(a) The odds of winning a MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize depends upon the number of prizes offered and the number of entries received for a particular MONOPOLY MILLIONAIRES' CLUB TV Game Show Drawing.

(b) To be eligible to participate in the Pennsylvania Lottery's MONOPOLY MILLIONAIRES' CLUB TV Game Show Drawings, entrants must have complied with the requirements of these rules.

(c) The Lottery is not responsible for late, lost or misdirected TV Game Show Entry Webcodes not entered into the Pennsylvania Lottery's MONOPOLY MILLIONAIRES' CLUB TV Game Show Drawings. The Lottery is not responsible for potential entries associated with a TV Game Show Entry Webcode that are not entered into the Pennsylvania Lottery's MONOPOLY MILLIONAIRES' CLUB TV Game Show Drawings because of incompatible

internet browsers, mobile lottery application failure or other technical issues. If a Pennsylvania Lottery's MONOPOLY MILLIONAIRES' CLUB TV Game Show Drawing entry is selected as a winner and rejected during or following a MONOPOLY MILLIONAIRES' CLUB TV Game Show Drawing, the Lottery will select another entry to replace the rejected entry in accordance with these rules and Lottery procedure.

(d) A computer generated randomizer will be used to select the winning entry for the Pennsylvania Lottery's MONOPOLY MILLIONAIRES' CLUB TV Game Show Drawings.

(e) If any discrepancy exists between these rules, including any amendments or supplements thereto, and any material describing the Pennsylvania Lottery's MONOPOLY MILLIONAIRES' CLUB TV Game Show Drawings, these rules, including any amendments or supplements thereto, shall govern.

(f) Individuals prohibited from playing the MONOPOLY MILLIONAIRES' CLUB game, as specified in section 15 (relating to ineligible players) are not eligible to participate to the same extent in the Pennsylvania Lottery's MONOPOLY MILLIONAIRES' CLUB TV Game Show Drawings.

(g) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Pennsylvania Lottery's MONOPOLY MILLIONAIRES' CLUB TV Game Show Drawings and change these rules if the Pennsylvania Lottery's MONOPOLY MILLIONAIRES' CLUB TV Game Show Drawings cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Pennsylvania Lottery's MONOPOLY MILLIONAIRES' CLUB TV Game Show Drawings.

(h) All entries shall be subject to verification by the Pennsylvania Lottery.

(i) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Pennsylvania Lottery's MONOPOLY MILLIONAIRES' CLUB TV Game Show Drawings or to be acting in violation of these rules or applicable law.

(j) The Pennsylvania Lottery's MONOPOLY MILLIONAIRES' CLUB TV Game Show Drawings are governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(k) The winner of a Pennsylvania MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize must claim their prize within the time period established for each drawing as provided in the public notice filed in the *Pennsylvania Bulletin* pursuant to section 11(c). If no claim is made within the time period established, the right of an entrant to claim the prize won, if any, will expire.

(l) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(m) A winner is responsible for all taxes arising from or in connection with any prize won.

(n) A player may only win the prize for which they are first selected in each of the Pennsylvania Lottery's MONOPOLY MILLIONAIRES' CLUB TV Game Show Drawings. Subsequent entries, from the same individual, selected in the same Pennsylvania Lottery's MONOPOLY MILLIONAIRES' CLUB TV Game Show Drawing will be disqualified and a replacement entry will be selected.

**13. MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize Description:**

(a) Each MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize shall consist of up to a four-night trip for the prize-winner and up to one (1) guest to Las Vegas, NV and includes the following:

(1) Roundtrip airfare, if required, for up to two (2) coach class tickets on a major airline, as defined by the Federal Aviation Administration, from a United States airport to McCarran International Airport in Las Vegas, NV (inclusive of all security fees, taxes and surcharges).

(2) All ground transfers between McCarran International Airport and the assigned hotel; and between the hotel and Scientific Games International, Inc. hosted events.

(3) Accommodations of one (1) deluxe hotel room for four (4) nights (double occupancy, room and room tax only).

(4) Five hundred dollars (\$500) spending money for the winner, provided in the form of a check two (2) weeks prior to the scheduled trip departure date.

(5) Meals or meal vouchers for four (4) days.

(6) Federal withholding taxes on the value of the MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize (excluding any additional prizes won on the actual Television Game Show or from participating as an audience member).

(7) The right to participate in the studio audience during the production of the MONOPOLY MILLIONAIRES' CLUB TV Game Show and the right to participate in the selection process to be chosen as an on-stage participant on the MONOPOLY MILLIONAIRES' CLUB TV Game Show.

**14. MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize Restrictions:**

(a) There is no cash option for the MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize.

(b) If the Department of Public Welfare, pursuant to 23 Pa.C.S.A. § 4308, determines that a winner of the MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize is in arrears with their child support obligations, the winner shall forfeit the MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize and the amount of any arrearages shall be deducted from the cash value of the MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize. The cash value of the MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize will be determined by the Product Group and shall include the value of the \$500 spending money portion, transportation, meals, and lodging expense elements of the MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize. If the cash value of the MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize exceeds the winner's arrearage, the winner will receive the remaining prize value according to Lottery procedure.

(c) If the Participant is under 21 years of age, the Pennsylvania Lottery reserves the right to place such participant in a non-casino hotel or to require that such participant's guest be over 21 years of age and present to check into the hotel with the Participant.

(d) The MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize does not include: mileage, insurance, gratuities, meals (except as provided in Section 13(a)(5)), parking fees, baggage fees, alcoholic beverages, personal expenses such as telephone calls, valet service, laundry, incidentals and the like, revision or cancellation fees which may be charged by the hotel or other suppliers, or any other items not expressly specified herein.

(e) If a winner of the MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize is traveling via air and fails to appear at the designated time and place of departure, the air travel portion of his or her MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize shall be forfeited.

(f) If the winner of a MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize fails to check in to the destination hotel when he or she arrives in Las Vegas, NV, the hotel portion of his or her MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize may be forfeited.

(g) In the event that a winner of a MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize is determined to be unable to attend the trip after the trip has been booked, the balance of the MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize shall be forfeited with the exception of the five-hundred dollar (\$500) cash portion of the MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize. A proxy will be selected to represent the winner of a MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize in accordance with section 14(n).

(h) The winner of a MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize or a guest of the winner must have a valid credit card or shall be required to post cash deposit for incidentals to check into the hotel.

(i) The winner of a MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize is solely responsible for the actions of the guests who accompany them on the trip. If a guest of a winner of a MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize is a minor, the winner must either be the parent or legal guardian of such guest, or must present notarized written consent from the minor's parent or legal guardian for the minor guest to accompany the winner of the



MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize on the trip.

(j) The Lottery is not responsible for injury, loss or damage to person or property in connection with the MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize. A winner of a MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize participates solely at their own risk and responsibility.

(k) If a prize described in these rules is not available, the Product Group may either provide a substitute prize, determined by the Product Group to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Product Group to have an equivalent value to the prize won.

(l) If elements of the MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize are not available, the Product Group may provide substitute elements, as determined by the Product Group.

(m) The Lottery may permit the winner of a MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize to appoint another person acceptable to the Lottery to participate as a studio audience member in place of the winner of the MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize. All elements of the MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize, together with any prizes awarded as a result of participation in the studio audience or in a game element on the MONOPOLY MILLIONAIRES' CLUB TV Game Show shall be deemed to be received by the winner of the MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize.

(n) Scientific Games International, Inc. may appoint another person to represent a winner of a MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize on the MONOPOLY MILLIONAIRES' CLUB TV Game Show. All elements of the MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize, together with any prizes awarded as a result of participation in the studio audience or in a game element on the MONOPOLY MILLIONAIRES' CLUB TV Game Show shall be deemed to be received by the winner of the MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize.

(o) In the event that a winner of a MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize refuses the prize after timely claiming the prize and refuses to appoint a proxy in accordance with section 14(m), a proxy will be selected to represent the MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize in accordance with section 14(n).

(p) In the event that a winner of a MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize or a proxy selected according to section 14(m) fails to appear for the taping, a proxy will be selected to represent the winner of a MONOPOLY MILLIONAIRES' CLUB TV Game Show Trip Package Prize in accordance with section 14(n).

(q) Other restrictions may apply.

#### 15. *Ineligible Players.*

(a) A MONOPOLY MILLIONAIRES' CLUB game ticket may not be purchased in any Product Group lottery jurisdiction, or received by, nor may a prize be won or paid to, a person identified in 72 P.S. § 3761-309 or 61 Pa. Code. § 875.15.

(b) In addition to the individuals identified in subsection (a), a MONOPOLY MILLIONAIRES' CLUB game ticket may not be purchased or received, nor may a prize be won, by the following:

(1) A MUSL employee, officer, or Product Group director.

(2) A contractor or consultant under agreement with MUSL to review MUSL audit and security procedures.

(3) An employee of an independent accounting firm under contract with MUSL to observe drawings or site operations who is actually assigned to the MUSL account and all partners, shareholders, or owners in the local office of the firm.

(4) An officer, employee or Director of Hasbro, Inc.

(5) An immediate family member (parent, stepparent, child, stepchild, spouse, or sibling) of an individual described in paragraph (1), (2), (3) or (4) and residing in the same household.

16. *Applicable Law.* In purchasing a ticket, the purchaser agrees to comply with and be bound by all applicable Pennsylvania statutes, the Pennsylvania Lottery's regulations, policies, and procedures, the Product Group rules, and these MONOPOLY MILLIONAIRES' CLUB game rules. Claims arising from MONOPOLY MILLIONAIRES' CLUB ticket sales occurring in the Commonwealth shall be resolved exclusively with the Pennsylvania Lottery according to the laws of Pennsylvania. Conflicts between the Product Group rules and the MONOPOLY MILLIONAIRES' CLUB game rules as published in the *Pennsylvania Bulletin* shall be resolved in favor of the Product Group rules. In the event the MONOPOLY MILLIONAIRES' CLUB game rules as published in the *Pennsylvania Bulletin* are silent, the applicable Product Group rules shall apply.

17. *Retailer Incentive and Marketing Promotion Programs.*

(a) The Lottery may conduct a separate retailer incentive program for retailers who sell MONOPOLY MILLIONAIRES' CLUB lottery tickets as authorized 61 Pa. Code § 875.17 (relating to retailer promotional programs).

(b) Retailer incentive and marketing promotion programs, including the use of unfunded free tickets, may be implemented at the discretion of the Secretary. If needed, funds for the programs, including the payment of prizes resulting from the programs, will be drawn from the Lottery Fund.

(c) The Pennsylvania Lottery may conduct promotional drawings associated with the MONOPOLY MILLIONAIRES' CLUB game. The MONOPOLY MILLIONAIRES' CLUB game tickets will be imprinted with a unique code to be used by players to enter the promotional drawings. The promotional drawings may be held independently of or in conjunction with the regular MONOPOLY MILLIONAIRES' CLUB Drawings. The Secretary will announce the existence of the promotional drawings. Winners of promotional drawings will be randomly selected from the group of qualified entries. A description of the available prize(s) and the specific rules and other information necessary for the conduct of the promotional drawings will be posted to the Lottery's publicly accessible website. A copy of the same will also be kept on file with the Lottery and will be available upon request.

DANIEL MEUSER,  
*Secretary*

[Pa.B. Doc. No. 14-2163. Filed for public inspection October 17, 2014, 9:00 a.m.]

# INDEPENDENT REGULATORY REVIEW COMMISSION

## Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b).

The Commission has issued comments on the following proposed regulations. The agencies must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
#7-488	Board of Coal Mine Safety Standards for Surface Facilities 44 Pa.B. 5191 (August 2, 2014)	09/02/14	10/02/14
#16A-4323	State Board of Chiropractic Distance Education 44 Pa.B. 5214 (August 2, 2014)	09/02/14	10/02/14
#57-304	Pennsylvania Public Utility Commission Implementation of the Alternative Energy Portfolio Standards Act of 2004 44 Pa.B. 4179 (July 5, 2014)	09/03/14	10/03/14

**Board of Coal Mine Safety  
Regulation #7-488 (IRRC #3067)  
Standards for Surface Facilities  
October 2, 2014**

We submit for your consideration the following comments on the proposed rulemaking published in the August 2, 2014 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (RRA) (71 P. S. § 745.5b). Section 5.1(a) of the RRA (71 P. S. § 745.5a(a)) directs the Board of Coal Mine Safety (Board) to respond to all comments received from us or any other source.

**1. Section 208.108. Training programs.—Clarity and lack of ambiguity.**

The Board states that the provisions of 30 CFR 77.107 (relating to training programs) are “incorporated by reference, with the *exception* that [the Mine Safety and Health Administration within the United States Department of Labor (MSHA)] will approve the training program.” [Emphasis added.] Since the regulated community must comply with 30 CFR 77.107, which requires that the Secretary of the Interior approve training programs, the proposed language is not an exception, but rather an additional requirement. We recommend that the Board clarify its intent to require that training programs be approved by MSHA in addition to the existing Federal provisions.

This comment applies similarly to Sections 208.391 (relating to slopes and shafts; approval of plans) and 208.406 (relating to explosives and blasting; general).

**2. Section 208.364. Transportation of persons; overcrowding.—Clarity and lack of ambiguity; Need for the regulation.**

This provision incorporates by reference the provisions of 30 CFR 77.1604 (relating to transportation of persons; overcrowding) with “the *exception* of the following *modification* . . .” [Emphasis added.] The Board then provides for a Subsection (a), which is printed in its entirety,

making it unclear as to what has been modified from the language in Subsection (a) of the CFR. Similar to Comment 1, we have concerns that this is not an *exception* since the regulated community must comply with the existing 30 CFR 77.1604. If the Board intends to modify the provisions of 30 CFR 77.1604, this should be clearly stated as an additional requirement.

We note that the Board’s modification changed the description of the work area, and ask the Board to explain the need for modifying the language in Subsection (a) of 30 CFR 77.1604.

**State Board of Chiropractic  
Regulation #16A-4323 (IRRC #3068)  
Distance Education  
October 2, 2014**

We submit for your consideration the following comments on the proposed rulemaking published in the August 2, 2014 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the State Board of Chiropractic (Board) to respond to all comments received from us or any other source.

**Whether the agency has the statutory authority to promulgate the regulation; Whether the regulation is consistent with the intent of the General Assembly; Protection of the public health, safety and welfare.**

Section 507 of the Chiropractic Practice Act (Act) (63 P. S. § 625.507) outlines continuing education requirements for chiropractors. Subsection 507(a) requires a licensed chiropractor to complete at least 24 hours of continuing chiropractic education within the immediately preceding two-year period as a condition of biennial license renewal. We note that the following statement was made by the Board in Section 10 of the Regulatory Analysis Form and the Preamble: “Without explicitly saying so, the tenor of these requirements suggests that

all continuing education must be in traditional classroom lecture or clinical presentation.”

Based on comments received from the regulated community, it is our understanding that the Board currently allows chiropractors to satisfy continuing education requirements through the completion of “distance education.” The Board has defined “distance education” in this rulemaking as, “instruction delivered in an independent format or in an instructor-led format during which the participant and the instructor are separated by distance and time.” This proposed rulemaking is intended to specifically allow “distance education,” but limit that amount to no more than 50% of the required continuing education hours.

Members of the regulated community that commented on the proposal urge the Board to retain its current policy of allowing chiropractors to complete 100% of continuing education via “distance education.” While we understand the desire of the commentators to retain this method of meeting continuing education requirements, we question the Board’s authority to allow any continuing education via “distance education.” We ask the Board what specific language of the Act allows for distance education.

In addition, Subsection 507(b) of the Act requires continuing education hours to be in the following specific areas:

- Anatomy;
- Physiology;
- Histology;
- Chemistry;
- Pathology;
- Physics;
- Bacteriology;
- Diagnosis;
- Hygiene and sanitation;
- Symptomatology;
- Chiropractic analysis;
- X-ray;
- Chiropractic principles;
- Chiropractic technique; and
- Adjunctive procedures.

As noted by the Board, the tenor of the continuing education requirements established by the General Assembly is that all continuing education be in a traditional classroom lecture or clinical presentation. We ask the Board to explain how completion of course work in these specific areas via distance education is consistent with the intent of the General Assembly.

Finally, we question if the public health, safety and welfare of the citizens of the Commonwealth is adequately protected if continuing education is obtained via distance education instead of traditional classroom lectures or clinical presentations, as intended by the General Assembly. What type of assurances can the Board provide that obtaining continuing education for the subject matter noted above through distance education is an adequate substitute for traditional lectures and presentations?

### **Pennsylvania Public Utility Commission**

#### **Regulation #57-304 (IRRC #3061)**

#### **Implementation of the Alternative Energy Portfolio Standards Act of 2004**

**October 3, 2014**

We submit for your consideration the following comments on the proposed rulemaking published in the July 5, 2014 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Pennsylvania Public

Utility Commission (PUC) to respond to all comments received from us or any other source.

- 1. Whether the regulation is consistent with the intent of the General Assembly; Possible conflict with or duplication of statutes or existing regulations; Whether the regulation represents a policy decision of such a substantial nature that it requires legislative review; Need for the regulation; Whether the regulation is supported by acceptable data; The legality, desirability and feasibility of exempting or setting lesser standards of compliance for individuals or small businesses; Whether a less costly or less intrusive method of achieving the goal of the regulation has been considered for regulations impacting small businesses; Implementation procedures; Economic or fiscal impacts; Direct and indirect costs to the Commonwealth and to the private sector; Adverse effects on prices of services or competition.**

The Alternative Energy Portfolio Standards Act of 2004 (Act) (73 P. S. §§ 1648.4—1648.8) and Section 2814 of the Electricity Generation Customer Choice and Competition Act (66 Pa.C.S. § 2814) impose certain duties upon the PUC relating to alternative energy. Under this proposal, the PUC seeks to align its regulations on net metering, interconnection, and portfolio standard compliance to the Act and recent changes to the Act made by Act 35 of 2007 and Act 129 of 2008. The regulation is also intended to clarify issues of law, administrative procedures and policy.

Legislators, other Commonwealth and government agencies, local governments and authorities, the farming community, environmental groups, alternative energy businesses and residents have raised numerous concerns with the proposed rulemaking. Some believe amendments being proposed deviate from the intent of the Act and conflict with specific provisions of the Act. Others are concerned with the effect the changes will have on the alternative energy market in the Commonwealth and the possible negative consequences to the environment.

Of particular concern to these commentators are amendments or new language added to the following definitions or provisions:

- § 75.1, definitions of “customer-generator” and “utility”;
- § 75.12, definitions of “virtual meter aggregation” and “year and yearly”;
- § 75.13(a), the conditions that customer-generators must meet to qualify for net metering. Of particular concern are the “independent load” condition of Subsection (a)(1), the “owner or operator of the alternative energy system may not be a utility” condition of Subsection (a)(2), the “no more than 110%” condition of Subsection (a)(3), and the “Commission approval for net metering of 500kW or more alternative energy systems” condition of Subsection (a)(7);
- § 75.13(k) and the potential imposition of a charge or fee;
- § 75.16(a)(2) and the requirement that a large customer-generator must be able to provide emergency support; and
- § 75.17 and the process for obtaining PUC approval of customer-generator status.

We agree with commentators that the intent of the Act, and the General Assembly, is to promote alternative energy. We offer the following comments on the provisions noted above.

*Whether the regulation is consistent with the intent of the General Assembly*

Representative Greg Vitali submitted comments stating, "The intent of the legislature in enacting alternative energy portfolio standards was to promote the purchase of renewable energy such as solar photovoltaic by electric distribution and supply companies." According to the Preamble, the reason for this rulemaking is to limit the possibility of merchant generators posing as customer-generators. Commentators believe that a consequence of this action is that third-party owners and operators of alternative energy systems that provide service to those without the capital to develop their own alternative energy systems would face regulatory hurdles that would impede the development of renewable energy sources. We ask the PUC to explain how this potential consequence is consistent with the intent of the General Assembly, the Act and its recent amendments.

*Possible conflict with or duplication of statutes or existing regulations*

Commentators have raised several concerns related to the conflicts between the Act and the proposed rulemaking. For example, 73 P.S. § 1648.5 states, "Excess generation from net-metered customer-generators shall receive full retail value for all energy produced on an annual basis." However, § 75.13(k) of the rulemaking allows for the imposition of a charge or fee on customer-generators.

In addition, the statutory definition of "net metering" found at 73 P.S. § 1648.2 provides guidance on virtual net aggregation as follows: "Virtual meter aggregation on properties owned or leased and operated by a customer-generator and located within two miles of the boundaries of the customer-generator's property and within a single electric distribution company's service territory shall be eligible for net metering." The regulatory definition of "virtual net aggregation" found at § 75.12 and § 75.14(e) would require each meter of a customer generator to have measurable load. Commentators believe that the Act allows for a customer-generator to have measurable electric load overall. They believe the proposed regulation would prevent appropriate siting of renewable energy systems.

In light of the comments received pertaining to possible conflicts with the Act, we ask the PUC to provide a more detailed explanation of why it believes the various provisions of the rulemaking cited by commentators do not conflict with the Act.

*Whether the regulation represents a policy decision of such a substantial nature that it requires legislative review*

If this rulemaking is implemented, it could have an effect on the research and future development of the alternative energy market in the Commonwealth. As noted by Pennsylvania State University, various sections of the rulemaking, "will preclude prospective customer-generators from partnering with third-party owner-operators to deploy alternative energy systems to serve the customer-generators' load. This, in turn, will sharply curtail the ability of prospective customer-generators to deploy and use such systems as intended by the Act." We believe such a result would be a deviation from the intent of the Act and represents a policy decision that should be made by the General Assembly. We, therefore, encourage the PUC to work closely with members of the General Assembly and the designated standing committees to ensure the final-form regulation is within the scope of its granted regulatory authority.

*Protection of the public health, safety and welfare and the effect on the Commonwealth's natural resources*

The Pennsylvania Department of Environmental Protection (DEP), the Pennsylvania Department of Agriculture and commentators representing landfill and farming interests have raised concerns with the effect the rulemaking will have on the environment and waterways of the Commonwealth. Biomass is considered a Tier I alternative energy source under the Act. Customer generators such as farmers and landfills use biomass to produce energy that is often times in excess of the 110% limit for alternative energy systems found under § 75.13(a)(3) of the rulemaking. If these customer-generators are unable to beneficially use biomass, such as farm waste, it would negatively affect the environment. We ask the PUC to address these concerns when it submits the final-form rulemaking and explain how the regulation protects the Commonwealth's natural resources.

*Need for the regulation; Whether the regulation is supported by acceptable data*

As it relates to the regulatory provisions noted above, the PUC has not established the overall need for or provided any acceptable data to support the proposed changes. We ask the PUC to expand upon the information provided in Section 10 of the Regulatory Analysis Form (RAF), relating to need. In addition, we ask the PUC to provide specific references to the sections or parts of the annual report cited in Section 28 of the RAF, relating to acceptable data, that justifies the changes being proposed.

*The legality, desirability and feasibility of exempting or setting lesser standards of compliance for individuals or small businesses; Whether a less costly or less intrusive method of achieving the goal of the regulation has been considered for regulations impacting small businesses*

The regulatory provisions noted above, if implemented, will affect both residential customer-generators and small-business customer-generators, including farmers. We recommend the PUC consider setting lesser standards of compliance for these generators or explain why such standards would not be in the public interest. Additionally, the PUC should provide a more thorough analysis of the effects the rulemaking will have on these members of the regulated community.

*Implementation procedures*

Commentators have questioned how this rulemaking will be implemented. Specifically, they seek assurance that the requirements of the rulemaking will not affect existing customer-generator systems. In addition, they question how the PUC intends to administer or enforce these regulations as they pertain to alternative energy systems currently under development but not yet functioning. We ask the PUC to include specific language in the final-form regulation that will clarify how the regulation will affect these systems.

*Economic or fiscal impacts; Direct and indirect costs to the Commonwealth and to the private sector; Adverse effects on prices of services or competition*

RAF Question #18 asks how the benefits of the regulation outweigh any costs and adverse effects. In response, the PUC notes that regulation will add clarity and reduce uncertainty for all stakeholders. The PUC believes any costs would be offset by the benefits of obtaining more certainty as to the benefits available to qualified alternative energy systems, as well as potential alternative energy development. Many commentators dispute the PUC's response and believe that the rulemaking will

impose significant costs on the regulated community, especially those involved with research and development and the sale and installation of alternative energy systems because the rules being proposed will have a negative effect on their businesses. For example, the “110%” rule would reduce customer-generators’ access to compensation and the “independent load” rule prevent the development of alternative energy systems on non-contiguous property. We ask the PUC to work with the regulated community to gain a better understanding of how this proposed rulemaking will affect certain businesses and to include a more thorough cost/benefit analysis in the RAF submitted with the final-form rulemaking.

## 2. Advanced Notice of Final Rulemaking (ANFR)

As noted by the PUC in response to RAF Question #14, “During the development and drafting of the regulation changes, there were no formal communications with nor solicitations for input from the public, any advisory council/groups, small businesses or groups representing small businesses.” Given the lack of solicitation for input during the development of the proposed rulemaking and significance of the issues raised by commentators, we suggest that the PUC issue an ANFR to engage the regulated community in meaningful dialogue as it develops the final-form rulemaking.

### Subchapter A. General Provisions

#### 3. Section 75.1. Definitions.—Whether the regulation is consistent with intent of the General Assembly; Fiscal impact; Clarity.

##### *Customer-generator*

The existing regulatory definition of this term is the same as the definition found in 73 P. S. § 1648.2. Under this proposal, the PUC is adding language that specifies a customer-generator must be a retail electric customer. The addition of the term “retail electric customer” could alter the landscape of the alternative energy market that, to some degree, relies on the third-party ownership model. We ask the PUC to further explain how it ascertained that inclusion of this term is consistent with the intent of the General Assembly and the overall purpose of the Act.

##### *Utility*

This new term is defined as, “A person or entity that provides electric generation, transmission or distribution services, at wholesale or retail, to other persons or entities.” Commentators have noted that the term is overly broad and could be interpreted to include entities not intended by the PUC, such as landlords. Concerns have been raised that this definition, read in conjunction the revised definition of “customer-generator,” would threaten the third-party ownership model. We ask the PUC to provide a more precise definition of this term and to consider using the statutory term “public utility.”

### Subchapter B. Net Metering

#### 4. Section 75.12. Definitions.—Fiscal impact; Implementation procedures; Clarity.

##### *Year and yearly*

Commentators are concerned that the amendment to this existing definition will impose costs on electric distribution companies that relate to modifications to information technology and billing systems. Commentators also noted the proposal would conflict with existing regulatory and operational frameworks for PJM Interconnection, L.L.C., further complicate the regulatory environment and needlessly confuse customers. We ask the PUC

to work with the regulated community to gain a better understanding of how the proposed amendments would be implemented and the corresponding financial implications of such changes.

#### 5. Section 75.13. General provisions.—Statutory authority; Need; Implementation procedures; Fiscal impact; Adverse effects on prices, productivity or competition; Clarity.

In addition to the comments above on this section, we raise the following concerns.

##### *Subsection (a)*

Under this subsection, potential customer-generators must meet seven conditions. We have three concerns.

First, under Subsection (a)(1), customer-generators must “Have electric load, independent of the alternative energy system, behind the meter and point of interconnection of the alternative energy system.” How will this provision be implemented for new construction that may incorporate an alternative energy system? Would the owner be precluded from qualifying as a customer generator because they do have electric load at the time of application to the electric distribution company or the Default Service Provider (DSP)?

Second, Subsection (a)(3) requires alternative energy systems to be “sized to generate no more than 110% of the customer-generator’s annual electric consumption.” Commentators have questioned the PUC’s statutory authority for this provision and also how it will be implemented. Regarding statutory authority, the commentators believe there is nothing in the Act, Act 35 or Act 129 that would allow the PUC to impose such a restriction. We ask the PUC to provide a citation to specific statutory language that would allow for the limitation being proposed under this subsection.

Examples of concerns related to implementation cited by commentators are how the percentage is calculated for new construction, fluctuations in electric usage and production from year to year and the potential loss of customer-generator status if the percentage is exceeded, the practicality of imposing this condition on residential customers, and who monitors this condition. If this provision is implemented, we ask the PUC to clarify in the final-form regulation how this condition would be implemented.

Third, alternative energy systems with a nameplate capacity of 500 kW or more must have PUC approval for net metering. The Act sets forth criteria for alternative energy systems eligibility, but it does not require approval by the PUC. What is the PUC’s statutory authority for this provision as it relates to systems of this size?

##### *Subsection (e)*

The PUC is adding language to this subsection to address how excess generation amounts are determined at the end of the year and how the compensation is to be computed. A commentator has asked for clarification on the exact methodology to make the required determinations. Another commentator notes that the proposed language will be time consuming and costly to implement. We ask the PUC to work with the regulated community to develop a more precise and less costly alternative to the proposed language.

##### *Subsection (k)*

Revisions to this subsection of the PUC’s regulations would allow for the imposition of fee or charge. As noted above, these revisions have generated a great deal of interest from segments of the regulated community. We

have already commented on various aspects of this provision and raise the following additional concerns. First, how will this fee be calculated and what factors would the PUC consider when allowing such a charge or fee?

Second, would the charge or fee be limited to customer-generators, or could it be imposed on any customer of an Electric Distribution Company (EDC) or DSP?

Third, as written, the charge or fee may be imposed if the charge or fee “is specifically authorized under this chapter or by order of the Commission.” The Preamble notes that § 75.14(e) currently allows an EDC to impose a charge related to recouping expenses for virtual net metering of a customer-generator. Will the proposed charge or fee contemplated by Subsection (k) be tied exclusively to § 75.14(e)? If this provision remains in the final-form regulation, we recommend that the regulation specifically cite that section and delete the phrase “under this chapter.” We also question under what circumstances the PUC may, by order, impose a charge or fee. This should be specified in the final-form regulation.

Fourth, the RAF is silent on the fiscal impact this provision could have on the regulated community. We ask the PUC to quantify how much of a cost the charges or fees will impose on the regulated community.

Finally, a commentator has suggested that the amount of the charge or fee that will be required to cover costs associated with virtual net metering would make it uneconomical for some customer-generators. We question the reasonableness of a provision that would stifle the development of alternative energy and whether that result is consistent with the intent of the Act.

**6. Section 75.16. Large customer-generators.—Implementation procedures; Clarity.**

This new section identifies the standards that distributed generation systems with a nameplate capacity above 3 MW and up to 5 MW must satisfy for customer-generator status. Commentators have raised two concerns related to implementation of this section. First, commentators believe that it is unrealistic for some renewable energy projects of this size, such as wind and solar, to be available during grid emergencies as required under Subsection (b). Clarification is sought on how systems that operate continuously or are powered by wind or solar can comply with this provision. Second, a commentator notes that the provision, as written, would not allow a system to respond during grid emergencies because of governing agreements with regional transmission organizations. We ask the PUC to explain how this section will

be implemented and to amend the rulemaking accordingly to address these concerns.

**7. Section 75.17. Process for obtaining Commission approval of customer-generator status.—Implementation procedures; Need.**

This section establishes the process through which EDCs obtain PUC approval to net meter alternative energy systems with a nameplate capacity of 500 kW or greater. Will this process run simultaneously with the review procedures set forth in Subchapter C, relating to interconnection standards for new customer-generators? We ask the PUC to ensure this new sections does not delay a potential customer-generator’s ability to employ a new alternative energy system as quickly as possible.

**Subchapter C. Interconnection Standards**

**8. Section 75.51. Disputes.—Reasonableness.**

The PUC is proposing to delete language related to the appointment of a technical master to be used to resolve disputes. The language is being deleted to reduce costs associated with the appointment of a technical master and because, to date, the PUC has not designated a technical master. Given the potential for more disputes arising as a result of the implementation of this rule-making, we question the reasonableness of this change at this time. In addition, we ask the PUC to provide a fiscal analysis of the costs associated with the designation by the PUC of technical master.

**Subchapter D. Alternative Energy Portfolio Requirement**

**9. Sections 75.62. Alternative energy system qualification and 75.64. Alternative energy credit program administrator.—Implementation procedures; Reasonableness; Fiscal impact.**

Commentators have expressed concern with how alternative energy credits which are deemed to have been generated from non-compliant alternative energy systems will be treated. The concern is that current owners of the credits could be unfairly penalized for the non-compliance by an alternative energy system. This would have a negative fiscal impact on the current owner of the credit. To provide regulatory stability, we recommend that the PUC clarify how these credits will be treated.

JOHN F. MIZNER, Esq.,  
Chairperson

[Pa.B. Doc. No. 14-2164. Filed for public inspection October 17, 2014, 9:00 a.m.]

**Notice of Filing of Final Rulemakings**

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission’s public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or a copy can be obtained from [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

<i>Final-Omit Reg. No.</i>	<i>Agency/Title</i>	<i>Resubmitted</i>	<i>Public Meeting</i>
#106-11	Environmental Hearing Board Environmental Hearing Board Rules of Practice and Procedure	10/03/14	11/6/14

JOHN F. MIZNER, Esq.,  
Chairperson

[Pa.B. Doc. No. 14-2165. Filed for public inspection October 17, 2014, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Continental General Insurance Company; Rate Increase Filing for Form 440

Continental General Insurance Company is requesting approval to increase the premium 44.5% on 51 policyholders of the following individual LTC policy form number: 440.

Unless formal administrative action is taken prior to January 1, 2015, 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](http://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](mailto:jlaverty@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-2166. Filed for public inspection October 17, 2014, 9:00 a.m.]

## LEGISLATIVE REFERENCE BUREAU

### Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

#### *Governor's Office*

Management Directive No. 205.16—Compliance with the Whistleblower Law, Act 1986-169, as Amended, Amended September 17, 2014.

Management Directive No. 205.22—Recycling, Waste Reduction and Procurement of Environmentally Preferable Products, Amended September 19, 2014.

Management Directive No. 205.32—Hiring/Contracting Sign Language Interpreters/Translitterators, Amended September 12, 2014.

Management Directive No. 505.18—Maintenance, Access, and Release of Employee Information, Amended September 23, 2014.

Administrative Circular No. 14-13—Holidays—2015, Dated September 24, 2014.

LAURA CAMPBELL,  
*Director*  
*Pennsylvania Code and Bulletin*

[Pa.B. Doc. No. 14-2167. Filed for public inspection October 17, 2014, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Asset Transfer Transaction

**A-2014-2446251 and A-2014-2446252. MegaPath Corporation and GC Pivotal, LLC d/b/a Global Capacity.** Joint Application of MegaPath Corporation and GC Pivotal, LLC d/b/a Global Capacity for approval to participate in a General Rule Asset Transfer Transaction.

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 November 3, 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](http://www.puc.pa.gov) and at the applicant's business address.

*Joint Applicants:* MegaPath Corporation; GC Pivotal, LLC d/b/a Global Capacity

*Through and By Counsel:* Michael A. Gruin, Esquire, Stevens & Lee, 17 North Second Street, 16th Floor, Harrisburg, PA 17101

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-2168. Filed for public inspection October 17, 2014, 9:00 a.m.]

### Delegation of Authority Regarding Uncontested Motor Carrier Applications

Public Meeting held  
October 2, 2014

*Commissioners Present:* Robert F. Powelson, Chairperson; John F. Coleman, Jr., Vice Chairperson; James H. Cawley; Pamela A. Witmer; Gladys M. Brown

*Delegation of Authority Regarding Uncontested Motor Carrier Applications; Doc. No. M-2014-2442321*

### Opinion and Order

#### *By the Commission*

In order to deal efficiently with the numerous routine and non-controversial matters that require agency approval, the Pennsylvania Public Utility Commission (Commission) has explicitly delegated its approval authority as to certain matters that are deemed to be routine, ministerial and non-policy making in nature to certain Bureau Directors. By this Order, the Commission is delegating authority to the Bureau of Technical Utility

Services' Motor Carrier Compliance Office (Motor Carrier Compliance Office) to approve or disapprove uncontested motor carrier applications to furnish service. In lieu of action at public meeting, the approval or disapproval of these applications will be addressed by Secretarial Letter.

#### *Discussion*

Consistent with the Commission's prior delegations of authority, items which are clearly policymaking, rule-making or adjudicative in nature are not appropriate for delegation to Commission staff and will, accordingly, be reviewed by the Commission and resolved at public meeting. Policymaking, rulemaking and adjudication decisions determine the direction of the agency on key issues and determine the rights and obligations of persons subject to the Commission's jurisdiction. These represent the core functions of the Commission as an administrative agency, and they should remain with the Commission.

On the other hand, items which are routine, ministerial and non-policymaking in nature are candidates for delegation to Commission staff. Pursuant to the Commission's regulations, motor carriers desiring to furnish service must file an application with the Commission. See 52 Pa. Code § 3.381. Currently, these applications to furnish motor carrier service are reviewed by the Motor Carrier Compliance Office and approved or disapproved by the Commission at public meeting.

Because the approval or disapproval of uncontested applications<sup>1</sup> to furnish motor carrier service is routine and ministerial in nature, the Commission desires to delegate authority to approve or disapprove such applications to the Motor Carrier Compliance Office. Therefore, by this Order, the Motor Carrier Compliance Office is hereby given authority to approve or disapprove uncontested motor carrier applications filed pursuant to 52 Pa. Code § 3.381. To carry out this authority, the Motor Carrier Compliance Office will continue to publish a notice of all applications to furnish motor carrier service in the *Pennsylvania Bulletin* to allow interested parties to comment as necessary. Based upon their review, uncontested applications to furnish motor carrier service will then be approved or disapproved by the Motor Carrier Compliance Office via Secretarial Letter. That Secretarial Letter will then be forwarded to the Commission's Secretary's Bureau for formal issuance in lieu of public meeting action. As a result, this practice will reduce the current processing time for such applications. The Secretarial letter will have the same authority as a Commission order. See *West Penn Power Co. v. Pa. P.U.C.*, 174 Pa. Super. 123, 100 A.2d 110 (1954).

Under this new procedure, due process controls will be maintained. An affected party may appeal the staff action (the approval or disapproval of the uncontested application) to the full Commission by filing a petition for appeal from actions of staff pursuant to 52 Pa. Code § 5.44 within 20 days after service of notice of the action. In addition, any action taken by staff under this delegated authority, including the issuance of the Secretarial Letter, shall provide notice of the parties' right to appeal the action, pursuant to 52 Pa. Code § 5.44(b).

<sup>1</sup> An "uncontested application" means an application in which a protest or a petition or notice to intervene in opposition to the requested Commission approval has not been filed. See generally, 66 Pa.C.S. § 334(c) (relating to ex parte communications).

Furthermore, the Motor Carrier Compliance Office will continue to exercise discretion and good judgment in determining whether an uncontested application to furnish motor carrier service should nevertheless be placed on the public meeting agenda. In certain situations, even a routine matter may be significant and require a Commissioner-level determination. When this occurs, the Bureau Director should place the item on the public meeting agenda for full Commission review. The calendar sheet of the public meeting agenda item will explain the circumstances regarding the application that is not "routine."

The Motor Carrier Compliance Office is encouraged to establish guidelines delineating the aforementioned situations when an otherwise routine uncontested application will be placed on the public meeting agenda. The Law Bureau will also update the Commission's Rules of Practice and Procedures Manual where necessary to reflect the delegation of authority set forth in this Order. Additionally, a copy of this Order will be published in the *Pennsylvania Bulletin* and posted on the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov).

#### *Conclusion*

The delegation of authority to the Motor Carrier Compliance Office to approve or disapprove uncontested motor carrier applications will allow the Commission to more efficiently deal with these numerous routine and non-controversial applications by reducing the current processing time for these matters. Additionally, the procedures established in this Order will allow the Commission to maintain proper due process controls on the application approval process; *Therefore*,

#### *It Is Ordered:*

1. That the Motor Carrier Compliance Office is hereby given authority to approve or disapprove uncontested motor carrier applications to furnish service filed pursuant to 52 Pa. Code § 3.381.
2. That the Motor Carrier Compliance Office shall prepare a Secretarial Letter determining whether a motor carrier's uncontested application to furnish service is approved.
3. Once the Motor Carrier Compliance Office has prepared a Secretarial Letter determining whether a motor carrier's uncontested application to furnish service has been approved, that Office shall then forward that Secretarial Letter to the Commission's Secretary's Bureau for formal issuance.
4. That the Law Bureau shall update the Commission's Rules of Practice and Procedures Manual where necessary to reflect the delegation of authority granted by this Order.
5. That a copy of this Order shall be published in the *Pennsylvania Bulletin* and posted on the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov).

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-2169. Filed for public inspection October 17, 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. 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 November 4, 2014. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

#### Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.*

**A-2014-2436690. Samuel Palmer t/a Sam's Towncar & Limousine Service** (228 South 56th Street, Philadelphia, PA 19139) persons in limousine service, between points in the Counties of Bucks, Chester, Delaware and Montgomery; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

**A-2014-2438895. Life Alliance Incorporated** (1946 East Westmoreland Street, Philadelphia, PA 19134) persons, in paratransit service, limited to persons requiring transportation to or from medical facilities, between points in the Counties of Bucks, Delaware and Montgomery; and the City and County of Philadelphia.

**A-2014-2439249. Pocono Mountain Regional Emergency Services** (135 Tegawitha Road, Tobyhanna, Monroe County, PA 18466) in paratransit service, limited to service to or from medical facilities, from points in Townships of Coolbaugh, Paradise, Barrett, Tobyhanna and Tunkhannoch, and the Borough of Mount Pocono, all located in Monroe County, to points in Pennsylvania, and return.

**A-2014-2439255. Accurate Transportation, LLC** (5200 Hilltop Drive, G-4, Brookhaven, Delaware County, PA 19015) for the right to transport, as a common carrier, by motor vehicle, persons in airport transfer service, from points in Delaware County, to the Philadelphia International Airport.

**A-2014-2439940. Air Star Transportation & Limousine Service, Inc.** (Sheraton Hotel Northwest, 910 Sheraton Drive, Mars, Butler County, PA 16046) for the right to transport as a common carrier, by motor vehicle, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in the Counties of Allegheny, Armstrong, Beaver, Butler, Fayette, Lawrence, Washington and Westmoreland, to points in Pennsylvania, and return. *Attorney:* William A. Gray, Esquire, Vuono & Gray, LLC, 310 Grant Street, Suite 2310, Pittsburgh, PA 15219-2383.

**A-2014-2439956. Air Star Transportation & Limousine Service, Inc.** (Sheraton Hotel Northwest, 910 Sheraton Drive, Mars, Butler County, PA 16046) for the right to transport as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Allegheny, Armstrong, Beaver, Butler, Fayette, Lawrence, Washington and Westmoreland, to points in Pennsylvania, and return. *Attorney:* William A. Gray,

Esquire, Vuono & Gray, LLC, 310 Grant Street, Suite 2310, Pittsburgh, PA 15219-2383.

#### Application of the following for *amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for transportation of persons as described under the application.*

**A-2014-2438904. Tropical Tanning & Beauty Salon, Inc. t/a Arrive N Style Limousine Service** (Sheraton Hotel Northwest, 910 Sheraton Drive, Mars, Butler County, PA 16046) for the amended right to transport as a common carrier, by motor vehicle, persons in limousine service, from points in the Counties of Blair, Elk, Huntingdon, Mifflin, Montour, Northumberland, Snyder, Tioga and Union, to points in Pennsylvania, and return, excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

**A-2014-2438908. Tropical Tanning & Beauty Salon, Inc. t/a Arrive N Style Limousine Service** (Sheraton Hotel Northwest, 910 Sheraton Drive, Mars, Butler County, PA 16046) for the amended right to transport as a common carrier, by motor vehicle, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in the Counties of Blair, Centre, Elk, Huntingdon, Lycoming, Mifflin, Montour, Northumberland, Snyder, Tioga and Union, to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-2170. Filed for public inspection October 17, 2014, 9:00 a.m.]

### Telecommunications

**A-2014-2445866. Verizon North, LLC and Finger Lakes Technologies Group, Inc.** Joint Petition of Verizon North, LLC and Finger Lakes Technologies Group, Inc. for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North, LLC and Finger Lakes Technologies Group, Inc., by its counsel, filed on September 25, 2014, at the Public Utility Commission, a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon North, LLC and Finger Lakes Technologies Group, Inc. joint petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

Contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-2171. Filed for public inspection October 17, 2014, 9:00 a.m.]

## Telecommunications

**A-2014-2445539. Verizon North, LLC and Time Warner Cable Information Services (Pennsylvania), LLC.** Joint Petition of Verizon North, LLC and Time Warner Cable Information Services (Pennsylvania), LLC for approval of amendment No. 2 to the interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North, LLC and Time Warner Cable Information Services (Pennsylvania), LLC, by its counsel, filed on September 30, 2014, at the Public Utility Commission, a joint petition for approval of amendment No. 2 to the interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon North, LLC and Time Warner Cable Information Services (Pennsylvania), LLC joint petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

Contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-2172. Filed for public inspection October 17, 2014, 9:00 a.m.]

## Telecommunications

**A-2014-2445868. Verizon Pennsylvania, LLC and Finger Lakes Technologies Group, Inc.** Joint Petition of Verizon Pennsylvania, LLC and Finger Lakes Technologies Group, Inc. for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and Finger Lakes Technologies Group, Inc., by its counsel, filed on September 25, 2014, at the Public Utility Commission, a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon Pennsylvania, LLC and Finger Lakes Technologies Group, Inc. joint petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

Contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-2173. Filed for public inspection October 17, 2014, 9:00 a.m.]

## Telecommunications

**A-2014-2445537. Verizon Pennsylvania, LLC and Time Warner Cable Information Services (Pennsylvania), LLC.** Joint Petition of Verizon Pennsylvania, LLC and Time Warner Cable Information Services (Pennsylvania), LLC for approval of amendment No. 2 to the interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and Time Warner Cable Information Services (Pennsylvania), LLC, by its counsel, filed on September 30, 2014, at the Public Utility Commission, a joint petition for approval of amendment No. 2 to the interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon Pennsylvania, LLC and Time Warner Cable Information Services (Pennsylvania), LLC joint petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

Contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-2174. Filed for public inspection October 17, 2014, 9:00 a.m.]

## Water Service

**A-2014-2446227. Aqua Pennsylvania, Inc.** Application of Aqua Pennsylvania, Inc. for approval to begin to offer, render, furnish or supply water service to the public in an additional portion of East Brandywine Township, Chester 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 November 3, 2014. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at [www.puc.state.pa.us](http://www.puc.state.pa.us) and at the applicant's business address.

*Applicant:* Aqua Pennsylvania, Inc.

*Through and By Counsel:* Thomas T. Niesen, Esquire, Thomas, Long, Niesen and Kennard, 212 Locust Street, P. O. Box 9500, Harrisburg, PA 17108-9500

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-2175. Filed for public inspection October 17, 2014, 9:00 a.m.]

# SUSQUEHANNA RIVER BASIN COMMISSION

## Public Hearing

The Susquehanna River Basin Commission (Commission) will hold a public hearing on November 6, 2014, at 2:30 p.m. at the Pennsylvania State Capitol, Room 8E-B, East Wing, Commonwealth Avenue, Harrisburg, PA. The public hearing will end at 5 p.m. or at the conclusion of public testimony, whichever is sooner. At this public hearing, the Commission will hear testimony on the projects listed in the Supplementary Information section of this notice. The projects are intended to be scheduled for Commission action at its next business meeting, tentatively scheduled for December 5, 2014, which will be noticed separately. The public should take note that this public hearing will be the only opportunity to offer oral comment to the Commission for the listed projects. The deadline for the submission of written comments is November 17, 2014.

For further information contact Jason Oyler, Regulatory Counsel, (717) 238-0423, Ext. 1312, fax (717) 238-2436.

Information concerning the applications for these projects is available at the Commission Water Resource Portal at [www.srbc.net/wrp](http://www.srbc.net/wrp). Materials and supporting documents are available to inspect and copy in accordance with the Commission's Access to Records Policy at [www.srbc.net/pubinfo/docs/2009-02%20Access%20to%20Records%20Policy%209-10-09.PDF](http://www.srbc.net/pubinfo/docs/2009-02%20Access%20to%20Records%20Policy%209-10-09.PDF).

### *Supplementary Information*

The public hearing will cover the following projects:

#### *Projects Scheduled for Action:*

1. Project Sponsor and Facility: Anadarko E&P Onshore, LLC (Pine Creek), Watson Township, Lycoming County, PA. Application for renewal of surface water withdrawal of up to 0.720 mgd (peak day) (Docket No. 20101201).

2. Project Sponsor and Facility: EQT Production Company (West Branch Susquehanna River), Greenwood Township, Clearfield County, PA. Application for surface water withdrawal of up to 0.900 mgd (peak day).

3. Project Sponsor and Facility: Geary Enterprises (Buttermilk Creek), Falls Township, Wyoming County, PA. Application for renewal of surface water withdrawal of up to 0.099 mgd (peak day) (Docket No. 20100907).

4. 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 existing public water supply Well 5 (Docket No. 19820602).

5. 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.

6. 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.

7. Project Sponsor and Facility: Keister Miller Investments, LLC (West Branch Susquehanna River), Mahaffey Borough, Clearfield County, PA. Application for surface water withdrawal of up to 2.000 mgd (peak day).

8. 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).

9. Project Sponsor and Facility: New Morgan Borough Utilities Authority, New Morgan Borough, Berks County, PA. Application for groundwater withdrawal of up to 0.275 mgd (30-day average) from Well PW-1.

10. Project Sponsor and Facility: New Morgan Borough Utilities Authority, New Morgan Borough, Berks County, PA. Application for groundwater withdrawal of up to 0.275 mgd (30-day average) from Well PW-3.

11. Project Sponsor and Facility: New Oxford Municipal Authority, Oxford Township, Adams County, PA. Application for groundwater withdrawal of up to 0.144 mgd (30-day average) from Oxen Country Meadows Well 1.

12. 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.

13. 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.

14. 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).

15. Project Sponsor and Facility: Southwestern Energy Production Company (Susquehanna River), Eaton Township, Wyoming County, PA. Application for surface water withdrawal of up to 2.000 mgd (peak day).

16. 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).

17. Project Sponsor and Facility: Talisman Energy USA, Inc. (Seeley Creek), Wells Township, Bradford County, PA. Application for renewal of surface water withdrawal of up to 0.750 mgd (peak day) (Docket No. 20100914).

18. Project Sponsor and Facility: Talisman Energy USA, Inc. (Wyalusing Creek), Stevens Township, Bradford County, PA. Application for renewal of surface water withdrawal of up to 2.000 mgd (peak day) (Docket No. 20100915).

19. Project Sponsor and Facility: Tenaska Resources, LLC (Cowanesque River), Westfield Township, Tioga County, PA. Application for renewal of surface water withdrawal of up to 0.750 mgd (peak day) (Docket No. 20100910).

20. 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.

*Project Scheduled for Action Involving a Diversion:*

1. Project Sponsor: Seneca Resources Corporation. Project Facility: Impoundment 1, receiving groundwater from Seneca Resources Corporation Wells 5H and 6H and Clermont Wells 1, 3 and 4, Norwich Township, McKean County, PA. Application for into-basin diversion from the Ohio River Basin of up to 1.473 mgd (peak day).

*Opportunity to Appear and Comment*

Interested parties may appear at the hearing to offer comments to the Commission on any project listed previously. The presiding officer reserves the right to limit oral statements in the interest of time and to otherwise control the course of the hearing. Ground rules will be posted on the Commission's web site, [www.srbc.net](http://www.srbc.net), prior to the hearing for review. The presiding officer reserves the right to modify or supplement these rules at the hearing. Written comments on any project listed previously may also be mailed to Jason Oyler, Regulatory Counsel, Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788, or submitted electronically through <http://www.srbc.net/pubinfo/publicparticipation.htm>. Comments mailed or electronically submitted must be received by the Commission on or before November 17, 2014, to be considered.

*Authority:* Pub. L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

*Dated:* October 3, 2014.

ANDREW D. DEHOFF,  
*Executive Director*

[Pa.B. Doc. No. 14-2176. Filed for public inspection October 17, 2014, 9:00 a.m.]

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## THADDEUS STEVENS COLLEGE OF TECHNOLOGY

### Request for Proposal

Thaddeus Stevens College of Technology (College) intends to issue a Request for Proposal (RFP 14-1922) for a consultant who can assist the College in strengthening its diversity initiatives. The successful contractor will serve as lead advisor on all relevant diversity and inclusion issues, including, but not limited to, the development of training and mentorship programs. Bid documents can be obtained from Carrie Harmon, Thaddeus Stevens College, 750 East King Street, Lancaster, PA 17602, (717) 299-7787, [harmon@stevenscollege.edu](mailto:harmon@stevenscollege.edu).

DR. WILLIAM E. GRISCOM,  
*President*

[Pa.B. Doc. No. 14-2177. Filed for public inspection October 17, 2014, 9:00 a.m.]

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