

# NOTICES

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking and Securities Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending January 21, 2014.

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

### BANKING INSTITUTIONS

#### Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
1-15-2014	F&M Trust Company of Chambersburg Chambersburg Franklin County	14 North Hanover Street Carlisle Cumberland County	Closed

### SAVINGS INSTITUTIONS

No activity.

### CREDIT UNIONS

No activity.

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

GLENN E. MOYER,  
*Secretary*

[Pa.B. Doc. No. 14-241. Filed for public inspection January 31, 2014, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Application by Trinity Evangelical Divinity School to Operate a Location in Pennsylvania

#### Notice of Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department of Education (Department) will consider the application for approval of a Certificate of Authority for Trinity Evangelical Divinity School to open a location in Wexford, PA.

In accordance with 24 Pa.C.S. § 6503(e), the Department will act upon the application without a hearing, unless within 30 days after the publication of this notice in the *Pennsylvania Bulletin* a written request for public hearing is filed with the Department, along with a notice of intervention, a petition to intervene or protest in

accordance with 1 Pa. Code §§ 35.23 and 35.24 (relating to protests) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

Petitions to intervene, protest and request for hearing shall be filed with the Division of Higher and Career Education, 333 Market Street, Harrisburg, PA 17126-0333 on or before the due date prescribed by this notice. Persons wishing to review the application should phone (717) 783-8228 or write to the previous address to schedule a time for an in-office review. Duplicate copies of the application are not available.

Persons with a disability who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodation to participate should contact the Division of Higher and Career Education at (717) 783-8228 to discuss accommodations.

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

[Pa.B. Doc. No. 14-242. Filed for public inspection January 31, 2014, 9:00 a.m.]

# DEPARTMENT OF ENVIRONMENTAL PROTECTION

## Applications, Actions and Special Notices

### APPLICATIONS

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

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

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

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

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

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

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

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

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

#### I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0063231 (Sewage)	Lehigh Township Municipal Authority—Pennsville WWTP 1069 Municipal Road Walnutport, PA 18088	Northampton County Lehigh Township	Indian Creek (2-C)	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>
PA0063100 (Sewage)	Harford Township WWTP Burns Road Harford, PA 18823	Susquehanna County Harford Township	Nine Partners Creek (04F)	Y
PA0065234 (Sewage)	Karol K. Schmick SRSTP 10371 Old Route 22 Kutztown, PA 19530-8531	Lehigh County Weisenberg Township	UNT to Mill Creek (03B)	Y
PA0062766 (Sewage)	Henry A. Stout SRSTP 6427 Saddle Road New Tripoli, PA 18066-2127	Lehigh County Heidelberg Township	UNT to Jordan Creek (02C)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0023540 (Sew)	Berks-Montgomery Municipal Authority 136 Municipal Drive PO Box 370 Gilbertsville, PA 19525-0370	Berks County Douglass Township	Ironstone Creek / 3-D	Y

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

<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>
PA0101427	Brian J Buchsen SF System 383 Irish Road Coudersport, PA 16915	Potter County Sweden Township	UNT to Trout Run (16-C)	Y
PA0032816 (Sewage)	PA DOT I 80 Rest Area 33 STP Lock Haven, PA 17745	Clinton County Greene Township	Fishing Creek (9-C)	Y
PA0111635 (IW)	Spring Township Municipal Authority Water System Brick Plant Road Beavertown, PA 17813	Snyder County Beaver Township	Kern Run (6-A)	Y
PA0110485 (Sewage)	United Water PA Inc. Wastewater Treatment Plant 4211 E Park Circle Harrisburg, PA 17111	Columbia County South Centre Township	Susquehanna River (5-D)	Y
PA0032824 (Sewage)	PA DOT Safety Rest Area Site 38 I-80 Westbound Mifflin Twp, PA 17814	Columbia County Mifflin Township	Unnamed Tributary to Nescopeck Creek (5-D)	N

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N?</i>
PA0004766 (IW)	Ellwood National Forge 1 Front Street, Irvine, PA 16329-1801	Warren County Brokenstraw Township	Brokenstraw Creek (16-B)	Y
PA0103250 (IW)	Urlick Foundry Company 1501 Cherry Street, Erie, PA 16502	Erie County Erie City	Unnamed Tributary to the Presque Isle Bay (15-A)	Y

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

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

**PA0065307 A-1**, Industrial Waste, SIC Code 4953, **Commonwealth Environmental Systems, L.P.**, P. O. Box 322, Hegins, PA 17938. Facility Name: Commonwealth Environmental Systems Landfill. This existing facility is located in Foster Township, **Schuylkill County**.

Description of Existing Activity: The application is for an amendment to an NPDES permit for an existing discharge of treated industrial waste.

The receiving stream, Middle Creek, is located in State Water Plan watershed 7-D and is classified for Cold Water Fishes, Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The current permit was issued on November 21, 2011 and became effective on December 1, 2011. The effluent limitations are based upon a design discharge rate of 0.090 MGD. The purpose of the amendment is to modify the effluent limitations for BOD<sub>5</sub> at Outfall 001, based upon information which was not available at the time of permit issuance, as follows:

<i>BOD<sub>5</sub></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>
Current Permit	7.5	15	XXX	10	20	25
Proposed Amendment	15	30	XXX	20	40	50

The proposed permit amendment has been drafted using an updated permit template for Parts A and B and an updated template for the Chesapeake Bay Nutrient Requirements in Part C. There are no other substantive changes to the permit.

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

The EPA Waiver is in effect.

**PA0041742**, Sewage, SIC Code 4952, **Nazareth Borough Municipal Authority**, PO Box A, Nazareth, PA 18064. Facility Name: Nazareth Borough Municipal Authority WWTP. This existing facility is located in Lower Nazareth Township, **Northampton County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated sewage. The draft permit was published in *PA Bulletin* Vol. 43, No. 9 on March 2, 2013. Revisions have been made to the effluent limits for Outfall 001, to add limits for Total Dissolved Solids, Nitrate-Nitrite as N, Total Nitrogen, and Total Phosphorus.

The receiving stream, Shoeneck Creek, is located in State Water Plan watershed 1-F and is classified for Warm Water Fishes, Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.6 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>						
May 1 - Oct 31	200	307	XXX	15	23	30
Nov 1 - Apr 30	334	534	XXX	25	40	50
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	400	600	XXX	30	45	60
Total Dissolved Solids	Report Avg Qrtly	XXX	XXX	Report Avg Qrtly	XXX	1,000 Maximum
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Nitrate-Nitrite as N	34.7	XXX	XXX	Report	XXX	XXX
Total Nitrogen	72.1	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	20	XXX	XXX	1.5	XXX	3.0
Nov 1 - Apr 30	60	XXX	XXX	4.5	XXX	9.0
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	41.4	XXX	XXX	Report	XXX	XXX
Total Copper	Report	XXX	XXX	Report	XXX	XXX
Total Zinc						
(Interim)	Report	XXX	XXX	Report	XXX	XXX
(Final)	Report	XXX	XXX	0.21	XXX	0.42

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

- Whole Effluent Toxicity (WET)

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

The EPA Waiver is not in effect.

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

**PA0082601**, Sewage, SIC Code 6515, **Landmark Signature Homes LLC**, 138 Arbutus Park Road, Bloomsburg, PA 17815. Facility Name: Hartslog Court MHP. This proposed facility is located in Porter Township, **Huntingdon 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 Crooked Creek, is located in State Water Plan watershed 11-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 0.045 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.20	XXX	0.6
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 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	3.5	XXX	7.0
Nov 1 - Apr 30	XXX	XXX	XXX	10.5	XXX	21

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.

**PA0085375**, Industrial Waste, SIC Code 4941, **Newport Borough Water Authority**, 497 North Front Street, Newport, PA 17074-1533. Facility Name: Well No. 1 Filtration Plant. This existing facility is located in Oliver Township, **Perry County**.

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

The receiving stream(s), Little Buffalo Creek, is located in State Water Plan watershed 12-B and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.015 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
Total Suspended Solids	XXX	XXX	XXX	30	60	75
Total Iron	XXX	XXX	XXX	2.0	4.0	5.0
Total Manganese	XXX	XXX	XXX	1.0	2.0	2.5

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.

**PA0022250**, Sewage, SIC Code 4952, **Biglerville Borough Authority**, 33 Musselman Avenue, Biglerville, PA 17307-9233. Facility Name: Biglerville STP. This existing facility is located in Biglerville Borough, **Adams County**.

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

The receiving stream(s), Unnamed Tributary to Conewago Creek, is located in State Water Plan watershed 7-F and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.37 MGD.



<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (Interim)	XXX	XXX	XXX	0.17	XXX	0.56
(Final)	XXX	XXX	XXX	0.018	XXX	0.059
CBOD <sub>5</sub>						
May 1 - Oct 31	46	67	XXX	15	22	30
Nov 1 - Apr 30	77	123	XXX	25	40	50
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	92	138	XXX	30	45	60
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Ammonia-Nitrogen						
May 1 - Oct 31	4.0	XXX	XXX	1.3	XXX	2.6
Nov 1 - Apr 30	12	XXX	XXX	3.9	XXX	7.8
Total Phosphorus	6.0	XXX	XXX	2.0	XXX	4.0
Total Copper						
(Interim)	XXX	XXX	XXX	Report	XXX	XXX
(Final)	XXX	XXX	XXX	0.014	XXX	XXX
Hardness, Total (as CaCO <sub>3</sub> )	XXX	XXX	XXX	Report	XXX	XXX

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

<i>Parameters</i>	<i>Mass (lbs)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report	XXX	Report	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

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

- WQBELs below Detection Limits
- TRC Schedule and Site-Specific Studies

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.

**PA0088111**, Industrial Waste, SIC Code 9224, **Fire Chiefs and Fire Fighters Association of York County**, 330 Emig Road, York, PA 17406-9733. Facility Name: York County Fire School. This existing facility is located in Manchester Township, **York County**.

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

The receiving stream, Unnamed Tributary to Codorus Creek, is located in State Water Plan watershed 7-H 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 an average flow of 0.010 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Oil and Grease	XXX	XXX	XXX	15	30	30
Benzene (µg/L)	XXX	XXX	XXX	Report	Report	XXX
Toluene (µg/L)	XXX	XXX	XXX	Report	Report	XXX

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

The EPA Waiver is in effect.

**PA0087581**, Sewage, SIC Code 4952, **Centre Township Municipal Authority Berks County**, 449 Bucks Hill Road, Mohrsville, PA 19541. Facility Name: Jordan Crossings STP. This existing facility is located in Centre Township, **Berks County**.

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

The receiving stream(s), Unnamed Tributary to Irish Creek, is located in State Water Plan watershed 3-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 0.016 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	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
Total Residual Chlorine	XXX	XXX	XXX	0.29	XXX	0.97
CBOD <sub>5</sub>	3.3	XXX	XXX	25	XXX	50
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	4	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 800 Geo Mean	XXX	10,000
Ammonia-Nitrogen						
May 1 - Oct 31	0.6	XXX	XXX	4.5	XXX	9
Nov 1 - Apr 30	1.8	XXX	XXX	13.5	XXX	27
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
	Annl Avg			Annl Avg		
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
	Annl Avg			Annl Avg		

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

The EPA Waiver is in effect.

**PA0087921**, Sewage, SIC Code 4952, **Berwick Township**, 85 Municipal Road, Hanover, PA 17331-8992. Facility Name: Berwick Township STP. This existing facility is located in Berwick Township, **Adams County**.

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

The receiving stream(s), Unnamed Tributary to Pine Run, is located in State Water Plan watershed 7-F and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.300 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	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>	25.0	37.5	XXX	10	15	20
		Wkly Avg				

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	25.0	37.5	XXX	10	15	20
		Wkly Avg				
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
UV Intensity (µw/cm <sup>2</sup> )	XXX	XXX	Report	Report	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	3.8	XXX	XXX	1.5	XXX	3.0
Nov 1 - Apr 30	11.3	XXX	XXX	4.5	XXX	9.0
Total Phosphorus	5.0	XXX	XXX	2.0	XXX	4.0

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

<i>Parameters</i>	<i>Mass (lbs)</i>			<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>	<i>Minimum</i>	<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report	XXX	Report	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

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.

**PA0080039**, Sewage, SIC Code 4952, **Carroll Valley Sewer & Water Authority**, 5685 Fairfield Road, Fairfield, PA 17320. Facility Name: Carroll Valley STP. This existing facility is located in Carroll Valley Borough, **Adams County**.

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

The receiving stream, Toms Creek, is located in State Water Plan watershed 13-D and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.140 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Total Annual</i>	<i>Minimum</i>	<i>Monthly Average</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
		Daily Max				
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>	29	46	XXX	25	40	50
		Wkly Avg				
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
		Daily Max				
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
		Daily Max				
Total Suspended Solids	35	52	XXX	30	45	60
		Wkly Avg				
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
Nitrate-Nitrite as N (lbs/year)	XXX	Report	XXX	Report	XXX	XXX
				Annl Avg		



Parameters	Mass (lb/day)		Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Total Annual		Average Monthly	Weekly Average	
Total Nitrogen (lbs/year)	XXX	Report	XXX	Report Annl Avg	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	9.9	XXX	XXX	8.5	XXX	17
Nov 1 - Apr 30	Report	XXX	XXX	Report	XXX	Report
Total Kjeldahl Nitrogen (lbs/year)	XXX	Report	XXX	Report Annl Avg	XXX	XXX
Total Phosphorus (lbs/year)	XXX	Report	XXX	Report Annl Avg	XXX	XXX

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.

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

**PA0232483**, SIC Code 4952, **Christoff Mitchell Petro Inc.**, 2719 Walton Street, Philipsburg, PA 16866. Facility Name: Christoff Mitchell Petro SFTF. This proposed facility is located in Decatur Township, **Clearfield County**.

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

The receiving stream(s), UNT to Shimel Run and Moshannon Creek, is located in State Water Plan watershed 8-D and is classified for Cold Water Fishes and Trout Stocking Fishes, aquatic life, water supply and recreation. The nearest downstream public water supply intake for PA American Water—White Deer is located on the West Branch of the Susquehanna River and is 127.3 miles below the point of Discharge. The discharge is not expected to affect public water supplies.

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

Parameters	Mass (lb/day)		Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Maximum Daily		Average Monthly	Maximum Daily	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (Standard Units)	XXX	XXX	6.0	XXX	XXX	9.0
BOD <sub>5</sub>	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX
UV Transmittance (µw/cm <sup>2</sup> )	XXX	XXX	XXX	Report	XXX	Report

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

The EPA Waiver is in effect.

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

**PA0210196**, Industrial Waste, SIC Code 4953, **Seneca Landfill Inc.**, PO Box 1080, Mars, PA 16046-1080. Facility Name: Seneca Landfill. This existing facility is located in Jackson Township, **Butler County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated municipal landfill leachate and a proposed conversion to a centralized waste treatment facility (metals and organics waste streams).

The receiving stream, Connoquenessing Creek, is located in State Water Plan watershed 20-C and is classified for warm water fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.11 MGD (treated landfill leachate and non-hazardous liquid waste)—Interim Limits.

Parameters	Mass (lb/day)		Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	Report	XXX	XXX
BOD	Report	Report	XXX	37	140	175
Total Suspended Solids	Report	Report	XXX	27	88	110
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Ammonia-Nitrogen	Report	XXX	XXX	4.9	10	12.5

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Total Aluminum	XXX	Report	XXX	XXX	0.55	0.69
Total Cadmium						
(Interim)	Report	Report	XXX	0.0962	0.474	0.474
(Final)	0.015	0.03	XXX	0.016	0.032	0.04
Total Iron	XXX	Report	XXX	XXX	7.0	8.8
Total Manganese	XXX	Report	XXX	XXX	2.0	2.5
Total Copper						
(Interim)	Report	Report	XXX	0.76	0.87	1.9
(Final)	0.13	0.28	XXX	0.14	0.3	0.35
Total Lead						
(Interim)	Report	Report	XXX	0.28	1.32	1.32
(Final)	0.18	0.37	XXX	0.2	0.4	0.5
Total Zinc	XXX	Report	XXX	0.11	0.2	0.25
Phenol	XXX	Report	XXX	0.015	0.026	0.032
p-Cresol	XXX	Report	XXX	0.014	0.025	0.031
Total Dissolved Solids	XXX	Report	XXX	XXX	Report	XXX
Total Nitrogen	XXX	Report	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.11 MGD (centralized waste treatment (metals & organics waste streams))—Final Limits.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	Report	XXX	XXX
BOD <sub>5</sub>	Report	Report	XXX	53	163	163
Total Suspended Solids	Report	Report	XXX	50.2	205	205
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Ammonia-Nitrogen	Report	XXX	XXX	35	XXX	88
Total Antimony	XXX	Report	XXX	0.206	0.249	0.515
Total Arsenic	XXX	Report	XXX	0.104	0.162	0.26
Total Cadmium						
(Interim)	Report	Report	XXX	0.0962	0.474	0.474
(Final)	0.015	0.03	XXX	0.016	0.032	0.04
Total Chromium	XXX	Report	XXX	3.07	15.5	15.5
Total Cobalt	XXX	Report	XXX	0.124	0.192	0.31
Total Copper						
(Interim)	Report	Report	XXX	0.76	0.87	1.9
(Final)	0.13	0.28	XXX	0.14	0.3	0.35
Total Lead						
(Interim)	Report	Report	XXX	0.28	1.32	1.32
(Final)	0.18	0.37	XXX	0.2	0.4	0.5
Total Mercury	XXX	Report	XXX	0.000739	0.00234	0.00234
Total Nickel	XXX	Report	XXX	1.45	3.95	3.95
Total Silver	XXX	Report	XXX	0.0351	0.12	0.12
Total Tin	XXX	Report	XXX	0.12	0.41	0.41
Total Titanium	XXX	Report	XXX	0.0618	0.095	0.15
Total Vanadium	XXX	Report	XXX	0.0662	0.22	0.22
Total Zinc	XXX	Report	XXX	0.42	0.5	1.05
o-Cresol	XXX	Report	XXX	0.561	1.92	1.92
2,4,6-Trichlorophenol	XXX	Report	XXX	0.106	0.155	0.265
Phenol	XXX	Report	XXX	1.08	3.65	3.65
Acetone	XXX	Report	XXX	7.97	30.2	30.2
Acetophenone	XXX	Report	XXX	0.0562	0.114	0.14
2-Butanone	XXX	Report	XXX	1.85	4.81	4.81
p-Cresol	XXX	Report	XXX	0.205	0.7	0.7
Pyridine	XXX	Report	XXX	0.182	0.37	0.455
Total Dissolved Solids	XXX	Report	XXX	XXX	Report	XXX
Total Nitrogen	XXX	Report	XXX	XXX	Report	XXX

The proposed effluent limits for Outfalls 003, 005-007 are based on a design flow of N/A MGD.

The permittee is authorized to discharge non-polluting stormwater from its site, alone or in combination with other wastewaters.

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

- Stormwater Best Management Practices
- Chemical Additives
- 3 year schedule for meeting final water quality based limits for Cadmium, Copper & Lead.
- Requirements for becoming a Centralized Waste Treatment facility

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

The EPA Waiver is in effect.

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

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

**WQM Permit No. 1314401**, Sewage, **Borough of Bowmanstown**, 490 Ore Street, Bowmanstown, PA 18030.

This proposed facility is located in Bowmanstown Borough, **Carbon County**.

Description of Proposed Action/Activity: Installation of an influent screen at the existing wastewater treatment facility.

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

**WQM Permit No. 6714401**, Sewerage, **Springettsbury Township**, 1501 Mt. Zion Road, York, PA 17402.

This proposed facility is located in Springettsbury Township, **York County**.

Description of Proposed Action/Activity: Relocation project of existing sanitary sewer piping and manholes to accommodate interchange improvements to the I-83 / Exit 18 Interchange.

**WQM Permit No. 2889426**, Sewerage, **Snow Time Inc. dba Whitetail Mountain Operating Corp.**, 13805 Blairs Valley Road, Mercersburg, PA 17236.

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

Description of Proposed Action/Activity: Amendment to expand spray irrigation into the non-snow-making period.

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

**WQM Permit No. WQG01251401**, Sewage, **Michael A. Cahill**, 1415 Luehm Avenue, North Versailles, PA 15137.

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

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

**WQM Permit No. WQG01201401**, Sewage, **Darlene Olivier**, 384 Stanford Road, Prospect, PA 16052.

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

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

**WQM Permit No. 6299401**, Sewage, Amendment No. 1, **Miracle Mountain Ranch Missions, Inc.**, 101 Rodeo Drive, Spring Creek, PA 16436.

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

Description of Proposed Action/Activity: Amendment to describe the actual treatment facilities constructed.

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

### V. Applications for NPDES Waiver Stormwater Discharges from MS4

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

#### BIOSOLIDS INDIVIDUAL PERMITS TYPE 4A (PABIG and PABIS)

The following parties have applied for either an Individual Site Permit (PABIS) or an Individual Generator Permit (PABIG) for beneficial use of sewage sludge (biosolids) by land application. Unless otherwise indicated on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection (DEP) proposes to issue a permit to land apply biosolids subject to certain requirements set forth in the permit.

Persons wishing to comment on the proposed permit are invited to submit a statement to the responsible DEP Regional Office, noted below, within 30 days from the date of this public notice. Comments received within this 30-day comment 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 of a 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 30-day comment period, the Water Management Regional Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The application and related documents, comments received, and other information are on file and may be inspected and arrangements made for copying at the responsible DEP Regional Office indicated above 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 Secretary to the Board at (717) 787-3483. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

*Department of Environmental Protection, Water Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4707*

**PABIS 3501. Municipal Authority of the Borough of Bedford**, 244 West Penn Street, Bedford, PA 15522, **Bedford County**, Bedford Borough has applied to beneficially use their biosolids on the Natali Brothers Farm in Colerain Township, Bedford County.

*Special Condition:* The permittee must notify the Regional DEP Staff 48 hours prior to each anticipated land application event at this site.

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 15613033	Sunny Ridge Farms, LLC 1515 Generals Way West Chester, PA 19380	Chester	East Goshen Township	West Branch Ridley Creek HQ—TSF
PAI01 2313008	Chadds Ford Investors, L.P. 875 Berkshire Boulevard Suite 102 Wyomissing, PA 19610	Delaware	Chadds Ford Township and Concord Township	Unnamed Tributary to Webb Creek TSF
PAI01 2313007	City of Philadelphia Division of Aviation Terminal D-E Philadelphia Int'l Airport Philadelphia, PA 19153	Delaware	Tinicum Township and City of Philadelphia	Mingo Creek to Schuylkill WWF—MF

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

<i>Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI030713002	Thomas A. Prestash PennDOT Engineering District 9-0 1620 North Juniata Street Hollidaysburg, PA 16648	Blair	Antis Township	Sandy Run (HQ-CWF), EV Wetlands (EV), Little Juniata River (TSF)
PAI030613014	Geigertown Area Joint Authority 1445 East Main Street Douglassville, PA 19518	Berks	Robeson Township, Union Township	Hay Creek and Tributaries to Hay Creek (CWF-MF), Sixpenny Creek (HQ-CWF-MF)
PAI032114001	Toigo Organic Farms LLC 750 South Mountain Estates Road Shippensburg, PA 17257	Cumberland	Middlesex Township	Letort Spring Run (HQ-CWF)

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041413009	Loesch Construction 2221 Upper Brush Valley Rd Centre Hall PA 16828	Centre	Spring Township	Logan Branch HQ-CWF

*Northwest Region: Watershed Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481  
Butler County Conservation District, 122 McCune Drive, Butler PA 16001-6501*

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

*Mercer County Conservation District, 24 Avalon Court, Suite 300, Mercer PA 16137*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI064313002	Trinity Industries Inc 2525 Stemmons Freeway Dallas TX 75207	Mercer	Hempfield Township	Mathay Run WWF

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

PAG-12            CAFOs

**PUBLIC WATER SUPPLY (PWS) PERMITS**

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

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

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

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

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

**SAFE DRINKING WATER**

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

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

<b>Permit No. 4214501</b> , Public Water Supply	
Applicant	<b>FHO Corporation (Glendorn Lodge)</b>
Township or Borough	Bradford Township

County	<b>McKean</b>
Responsible Official	Joshua Jorgensen
Type of Facility	Public Water Supply
Consulting Engineer	Steven R. Halmi, P.E. Deiss & Halmi Engineering, Inc. 105 Meadville Street Edinboro, PA 16412
Application Received Date	January 8, 2014
Description of Action	Replace UV disinfection with sodium hypochlorite disinfection.
<b>Permit No. 6616598</b> , Public Water Supply	
Applicant	<b>EWD Enterprises, Inc.</b>
Township or Borough	Oil City
County	<b>Venango</b>
Responsible Official	Elton W. DeLong, Jr.
Type of Facility	Public Water Supply
Consulting Engineer	Olgierd K. Wodzianski, P.E. Wodzianski Engineering, Inc. 1322 Elk Street Franklin, PA 16323
Application Received Date	January 9, 2014
Description of Action	Load Oil City potable water and deliver by tank truck.

**MINOR AMENDMENT**

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

*Northeast Region: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790*

<b>Application No. 581450</b> , Minor Amendment.	
Applicant	<b>PA American Water Company</b>
[Township or Borough]	Montrose Borough <b>Susquehanna County</b>
Responsible Official	Mr. David Kaufman Vice President of Engineering 800 West Hersheypark Drive Hershey, PA 17033



Type of Facility Public Water Supply  
 Consulting Engineer Mr. Bruce Brubaker, PE.  
 852 Wesley Drive  
 Mechanicsburg, PA 17055  
 Application Received Date January 8, 2014  
 Description of Action This project provides for the  
 blasting and painting of the  
 interior of the Montrose 0.38 MG  
 storage tank. Minor  
 rehabilitation of the tank is also  
 proposed.

#### Application No. 5214501MA

Applicant **Pocono Mountain Lake  
 Estates**  
 [Township or Borough] Lehman Township  
**Pike County**  
 Responsible Official Anthony Pirozzi, Assn. President  
 2095 Milford Road  
 Bushkill, PA 18324  
 Type of Facility Community Water System  
 Consulting Engineer Michael E. Gable, PE  
 Boucher & James, Inc.  
 2738 Rim Rock Road  
 Stroudsburg, PA 18360  
 570-629-0300  
 Application Received Date January 7, 2014  
 Description of Action Application for installation of a  
 sodium hydroxide chemical feed  
 system for pH adjustment at  
 Well No. 3.

#### Application No. 5214502

Applicant **Pennsylvania-American  
 Water Co.**  
 [Township or Borough] Lehman Township  
**Pike County**  
 Responsible Official David R. Kaufman, VP  
 Engineering  
 Pennsylvania-American Water  
 Co.  
 800 West Hersheypark Drive  
 Hershey, PA 17033  
 Type of Facility Community Water System  
 Consulting Engineer Daniel G. Rickard, PE  
 Pennsylvania-American Water  
 Co.  
 100 North Pennsylvania Avenue  
 Wilkes-Barre, PA 18701  
 570-830-6531  
 Application Received Date January 9, 2014  
 Description of Action Application for installation of an  
 AquaMag chemical feed system  
 for manganese sequestration at  
 Pine Ridge water system Well  
 No. 3.

#### Application No. 4513504

Applicant **Pennsylvania-American  
 Water Co.**  
 [Township or Borough] Middle Smithfield Township  
**Monroe County**

Responsible Official David R. Kaufman, VP  
 Engineering  
 Pennsylvania-American Water  
 Co.  
 800 West Hersheypark Drive  
 Hershey, PA 17033

Type of Facility Community Water System  
 Consulting Engineer Peter J. Keenan, PE  
 American Water Service  
 Company  
 1025 Laurel Oak Road  
 Voorhees, NJ 18043  
 856-727-6112

Application Received Date November 21, 2013

Description of Action Application for construction of a  
 new water filtration facility at  
 the Fernwood Resort  
 development for manganese  
 treatment of source water from  
 Well No. 9, along with increasing  
 the permitted discharge rate  
 from Well No. 9. The project also  
 provides for installation of a  
 large diameter contact pipe at  
 the site.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 1

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

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

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

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

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

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

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

**Pike County Business Park #512 Property (aka-Valient Enterprises Property)**, Well Road, Blooming Grove Township, **Pike County**, Martin Gilgallon, PA Tectonics, has submitted a Notice of Intent to Remediate on behalf of his client, Ms. Tammy Savarese, Pike County Industrial Development Authority, 209 E Harford St, Milford, PA 18337, concerning the remediation of soil found during the closure of a 1000 and a 2000 gallon underground storage tanks containing #2 fuel oil (heating oil). The applicant proposes to remediate the site to meet the Non-Residential Statewide Health Standards for soil. The intended future use of the site is for non-residential purposes. A Summary of the Notice of Intent to Remediate was published in *The Pocono Record* on December 2, 2013.

**City Auto Mart**, State & Highland Avenue, Clark Summit Borough, **Lackawanna County**, Susan Yarger, TTL Associates, Inc., 1915 North 12th Street, Toledo, Ohio 43608, has submitted a Notice of Intent to Remediate on behalf of her client, Denis Lello, City Auto Mart, concerning the remediation of three underground storage tanks previously containing gasoline were abandoned in place. The applicant proposes to remediate the site to meet the Site Specific Standard for soil and groundwater. The intended future use of the site is commercial for use of a pharmacy. A summary of the Notice of Intent to Remediate was published in *The Scranton Times*, on November 25, 2013.

#### MUNICIPAL WASTE GENERAL PERMITS

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

*Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17106-9170.*

**General Permit Application No. WMGM022A&B. Kinsley Construction, Inc., Penroc Quarry**, West Manchester Township, and Sandbank Hill, Springettsbury Township, **York County**, PA. This application is for the renewal of a general permit for the processing and beneficial use of reclaimed concrete, asphalt in various engineering applications, and timber, leaf, and yard waste for livestock bedding. The application was deemed administratively complete on January 16, 2014. Persons interested in reviewing the application may contact Scott E. Walters, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

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

**Application for Determination of Applicability for General Permit Received Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste.**

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

**General Permit Application No. WMGM044SE001. NDV Scrap Metal, Inc.**, 3630 North 2nd Street, Philadelphia PA 19140-4605. This application for determination of applicability (DOA) is for the processing and beneficial use of municipal waste under General Permit No. (WMGM044SE001) at NDV Scrap Metal, Inc., facility located in the City of Philadelphia, Philadelphia County. The application for determination of applicability was accepted as administratively complete by the Southeast Regional Office on November 27, 2013.

#### REGISTRATION FOR GENERAL PERMIT—RESIDUAL WASTE

**Application Received for Registration under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.**

*Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17106-9170.*

**General Permit Application No. WMGR097R025, Range Resources—Appalachia, LLC.**, 100 Throckmorton Street Fort Worth, TX 76102. Registration to operate under General Permit Number WMGR097R025 for research and development activities to support the beneficial use or processing prior to beneficial use. The project involves the beneficial use of vertical drill cutting from natural gas wells as an aggregate in a stabilized soil pavement for construction of Marcellus Shale and Utica well pads and access roads. The registration was received by Central Office on January 10, 2014.

Written comments concerning the research and development application should be directed to Scott E. Walters, Chief, Permits Section, Division of Municipal and Re-

sidual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984. Comments may also be submitted via e-mail at ra-epbenuseall@pa.gov. When submitting comment via e-mail, place "Comments on General Permit Number WMGR097R025" in the subject line. Faxed comments will not be accepted. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

### 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 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. 101662. Conshohocken Recycling & Rail Transfer, LLC**, 1060 Conshohocken Road, Conshohocken PA 19428-1002. This major permit modification application proposes the following three modifications: 1) Allow for additional transfer of other municipal wastes that were not included in its original permit, 2) Reduce the size of the transfer facility property to approximately 7.5 acres, and 3) Increase the height of the waste pile inside the transfer facility building from 8 feet to 12 feet. The Conshohocken Recycling and Rail Transfer facility is a construction and demolition (C&D) waste transfer facility, located in Plymouth Township, **Montgomery County**. The application was received by the Southeast Regional Office on November 25, 2013.

### AIR QUALITY

#### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS NEW SOURCES AND MODIFICATIONS

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

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

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

Persons wishing to receive a copy of a proposed Plan Approval or Operating Permit shall indicate interests to the Department regional office within 30 days of the date of this notice and shall file protests or comments on a proposed Plan Approval or Operating Permit within 30 days of the Department providing a copy of the proposed documents to persons or within 30 days of its publication in the *Pennsylvania Bulletin*, whichever comes first. Interested persons may also request that hearings be held

concerning a proposed Plan Approval or Operating Permit. A comment or protest filed with the Department regional office shall include a concise statement of the objections to the issuance of the Plan Approval or Operating Permit and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior the date of the hearing.

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

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

### PLAN APPROVALS

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

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

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

**39-309-081: Lafarge North America, Inc.** (5160 Main Street, Whitehall, PA 18052) for conversion of their No. 2 raw mill baghouse from reverse air to pulse jet at their Whitehall Plant in Whitehall Township, **Lehigh County**.

The current emission limits for this source will not change as a result of this modification. The Plan Approval will contain additional recordkeeping, testing and operating restrictions designed to keep the facility operating within all applicable air quality requirements. The facility currently has a Title V Operating Permit No. 39-00011. 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.

#### 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.

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

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

**46-0029F: Glasgow, Inc.** (Route 309 & Hartman Road, Montgomeryville, PA 18936) for replacement of the current rotary drum on the Hot Mix Asphalt (HMA) plant with a new rotary drum at their existing facility in Montgomery Township, **Montgomery County**. The current drum is 39' 4" long and 84" in diameter. The new rotary drum is 28' long and 88" in diameter. The capacity/throughput for the HMA will not change; it will remain at 200 tons/hr as established in the current operating



permit. There is no expected increase in emissions as a result of this modification. The following parameters will remain the same: percent of fines added in the aggregate mixture, gas velocity in the dryer drum, rate of rotation of the dryer, and feed rate of aggregate to the dryer. The company will be required to source test for particulate matter emissions. The Plan Approval also contains work practice standards, monitoring and recordkeeping requirements, and operating restrictions designed to keep the sources and facility operating within all applicable air quality requirements.

**46-0047A: Mueller Streamline Co.** (287 Wissahickon Avenue, North Wales, PA 19454) to meet the requirements of Section 112(j) "MACT Hammer" (Part 2) at the existing facility in Upper Gwynedd Township, **Montgomery County**. Mueller Streamline Company is a major source of Hazardous Air Pollutant (HAP) emissions and Carbon Monoxide (CO) emissions, currently operating under Title V Operating Permit No. 46-00047. The following natural gas fired sources (all less than 5.0 MMBtu/hr) are subject to the requirements of 40 CFR Part 63 Subpart DDDDD—National Emission Standards for Hazardous Air Pollutants for Major Sources for Industrial, Commercial, and Institutional Boilers and Process Heaters: Two (2) furnaces (Source ID 702 and 703), one (1) boiler (Source ID 106), and one (1) process dryer (Source ID 107A). The plan approval includes work practice standards for a one-time energy assessment and a once every five (5) years tune-up of affected sources. The plan approval will also include monitoring, testing, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or Daniel Husted, New Source Review Chief—Telephone: 717-705-4863*

**06-05002I: Lehigh Cement Company, LLC** (Evansville Cement Plant and Quarry), (537 Evansville Road, Fleetwood, Pennsylvania 19522-8541) for the replacement of two (2) fabric filters at their facility in Maiden Creek Township, **Berks County**.

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

Plan Approval No. 06-05002I is for the replacement of the two (2) existing Fuller fabric filter dust collectors (Control Ids C25 & C26), currently capturing and controlling emissions generated by Clinker Coolers No. 1 & 2 (Source Ids 125 & 126), with two (2) approximately 115,730 acfm Dustex fabric filter dust collectors (or equivalent) and associated exhaust stacks. The project is not expected to increase actual emissions since the throughput capacities of the clinker coolers are not changing. The facility will be required to comply with the amended requirements of 40 CFR 63, Subpart LLL by September 9, 2015.

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

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

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

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

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

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

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

**65-01030A: American GTL Energy Holdings, LP** (1119 Old Route 119 South, Mt. Pleasant, PA 15666) for a natural gas to liquids production plant at the New Stanton Gas-To-Liquids Facility in Hempfield Township, **Westmoreland County**. This is an initial major facility Plan Approval application submittal.

#### OPERATING PERMITS

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

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

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or Daniel Husted, New Source Review Chief—Telephone: 717-949-705-4863*

**21-05038: Holy Spirit Hospital** (503 North 21st Street, Camp Hill, PA 17011) for their hospital and medical services institution in East Pennsboro Township, **Cumberland County**.

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

The subject facility had the following actual air emissions in 2012: 7.2 tons NO<sub>x</sub>; 5.9 tons CO; 1.2 ton PM<sub>10</sub>; 0.8 ton PM<sub>2.5</sub>; 0.4 ton VOC; 0.1 ton SO<sub>x</sub>; 0.1 ton hexane; 0.1 ton aggregate HAPs; 9,818.0 tons CO<sub>2</sub>; 0.132 ton CH<sub>4</sub>; 0.013 ton N<sub>2</sub>O; and 9,824.8 tons CO<sub>2</sub>e. The Operating Permit will include emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations. Source ID 101 is subject to the requirements of 40 CFR Part 60, Subpart

Ce—Emission Guidelines and Compliance Times for Hospital Medical Infectious Waste Incinerators. Source ID 033 is subject to the requirements of 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units. Source IDs 103, 104 and 105 are subject to the requirements of 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. Source IDs 106, 107 and 108 are subject to the requirements of 40 CFR Part 60, Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines.

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

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

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

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

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

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

**56-00232: Shade Landfill, Inc.** (Cherrington Corporate Center, 625 Cherrington Parkway, Moon Township, PA 15108-4314) for the solid waste landfill at Shade Landfill in Shade Township, **Somerset County**. This is a Title V Operating Permit renewal application submittal.

**65-00125:** In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department of Environmental Protection (DEP) is providing notice that it intends to issue a renewal Title V Operating Permit (TVOP-65-00125) to **Allegheny Ludlum LLC** for the operation of the Latrobe Facility, located in Derry Township, **Westmoreland County**. The name and address of the applicant is Allegheny Ludlum LLC., 100 River Road, Brackenridge, PA 15014

The main sources at this facility consist of an Electric Arc Furnace (EAF) which is coupled to an Argon Oxygen Decarburization (AOD) unit, both equipped with bag houses, for the production of a wide variety of specialty alloy families. The plant also contains Electroslag Remelt (ESR) furnaces, which provide the Latrobe facility the ability to efficiently support the needs of ATT's flat rolled and high performance metals products.

This facility has the potential to emit the following type and quantity of air contaminants (on an annual basis): 99.6 tons of carbon monoxide, 32.1 tons of nitrogen oxides, 65.4 tons of particulate matter, 14.0 tons of sulfur

oxides, 48.2 tons of volatile organic compounds, 2.4 tons of total hazardous air pollutants. No emission or equipment changes are being proposed by this action. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the TVOP have been derived from the applicable requirements of 40 CFR Parts 60& 63 and 25 Pa. Code Chapters 121—145.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public inspection during normal business hours at DEP, 400 Waterfront Drive, Pittsburgh, PA 15222. Appointments for scheduling a file review may be made by calling 412-442-4286. Any person wishing to provide DEP with additional information that they believe should be considered prior to the issuance of this permit may submit the information to DEP at the address shown above. A 30-day comment period, from the date of this publication, will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify TVOP-04-00235) and concise statements regarding the relevancy of the information in the proposed permit or objections to issuance of the permit.

A public hearing may be held, if DEP, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where DEP determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Barbara Hatch, Air Quality Environmental Engineer Manager, DEP, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222, (412) 442-5226.

#### **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*

**46-00050: Rohm & Haas Co.** (727 Norristown Road, P. O. Box 904, Spring House, PA 19477-0904) for renewal of a State Only Operating Permit in Lower Gwynedd Township, **Montgomery County**. The facility operates five (5) natural-gas and no. 2 fuel oil fired boilers, one (1) dry cleaning unit, and two (2) metal parts washers. No new sources have been added and there have been no changes to any of the existing sources. The site shall continue to maintain a synthetic minor status for NO<sub>x</sub> emissions. The permit shall include monitoring, record keeping, and reporting requirements designed to address all applicable air quality requirements.

**09-00142: ML 35 LLC** (35 Runway Road, Levittown, PA 19057) for a data center facility that operates various electricity generating engines located at 35 Runway Road, Levittown, Bristol Township, **Bucks County**. This action is a renewal of the facility's Synthetic Minor State Only Operating Permit originally issued on March 20, 2008. The renewal does not allow any new changes other than updating of source inventory and changes of minor significance. The permit includes monitoring, recordkeeping and reporting requirements designed to keep the plant operating within all applicable air quality requirements.

**46-00171: John Evans' Sons, Inc.**, (1 Spring Avenue, Lansdale, PA 19446) for the renewal of a Non-Title V



Facility, State-Only, Natural Minor Permit in Lansdale Borough, **Montgomery County**. John Evans' Sons, Inc. operates a boiler, a parts washer, and a number of spring forming machines. The facility has a potential to emit 3 tons of hazardous air pollutants per year, and less than 2.7 tons of n-propyl bromide. Monitoring, record keeping and reporting requirements have been added to the permit to address applicable limitations.

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

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

**45-00027: Pleasant Valley School District—Polk Township Elementary School**, (Route 209, Brodheadsville, PA 18322) for operation of elementary and secondary schools in Folks Township, **Monroe County**. The primary sources consist of one (1) coal fired boiler and one (1) #2 oil fired boiler. A regenerative centrifugal cyclone is used for a control device for the sources. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), particulate matter (PM<sub>10</sub>), and volatile organic compounds (VOC) emissions. This is a renewal State-Only Synthetic Minor operating permit. The State-Only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**45-00011: Pleasant Valley School District—Pleasant Valley High and Middle Schools**, (Route 209, Brodheadsville, PA 18322) for operation of elementary and secondary schools in Chestnuthill Township, **Monroe County**. The primary sources consist of two (2) coal fired boilers and one (1) #2 oil fired boiler. Regenerative centrifugal cyclones are used for control devices for the sources. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), particulate matter (PM<sub>10</sub>), and volatile organic compounds (VOC) emissions. This is a renewal State-Only Synthetic Minor operating permit. The State-Only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**48-00095: ECOPAX, LLC** (3600 Glover Road, Easton, PA 18040) for operation of a food grade polystyrene foam manufacturing facility located in Forks Township, **Northampton County**. This is an initial State-Only Natural Minor operating permit. The State-Only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or Daniel Husted, New Source Review Chief—Telephone: 717-705-4863*

**21-05027: Gulf Oil Limited Partnership** (100 Crossing Blvd., Framingham, MA 01702-5401) for a petroleum product loading terminal in Hampden Township, **Cumberland County**. This is a renewal of their State-Only Operating Permit issued in November 2008.

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

Gulf Oil, Mechanicsburg Terminal is a synthetic minor facility subject to the operating permit requirements of 25 Pa. Code Chapter 127, Subchapter F (relating to operating permit requirements). The facility is a petroleum product bulk storage and truck loading terminal. The primary emissions from the facility are the volatile organic compounds. The actual VOC emission in 2012 AIMS was 15.69 tons. The gasoline loading rack and storage tanks are subject to 40 CFR 63, Subpart BBBBBB—National Emission Standards for Hazardous Air Pollutants for Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities. Source IDs 107 and 110, Tank Nos 107 and 109 are subject to 40 CFR 60, Subpart Kb—Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984.

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

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

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

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

**21-03021: Amsted Rail Co.** (3420 Simpson Ferry Road, Camp Hill, PA 17011) for a paint spray booth located in Lower Allen Township, **Cumberland County**. This is a renewal of their State-Only Operating Permit issued in December 2008.

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

Amsted Rail is a natural minor facility subject to the operating permit requirements of 25 Pa. Code, Chapter 127, Subchapter F (relating to operating permit requirements). The facility manufactures railway specialty products. The primary emissions from the facility are the volatile organic compounds. The potential VOC emissions are approximately 20 tpy.

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

A person may oppose the proposed operating permit, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person

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

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

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

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

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

**08-00013: Cooley Tioga Point Cremation and Burial Options, Inc.** (802 North Main Street, Athens, PA 18810-1826) for renewal of the State Only (Natural Minor) Operating Permit for the Tioga Point Crematory in Athens Borough, **Bradford County**. The subject facility has the following potential emissions: 0.03 TPY of CO; 0.8 TPY of NO<sub>x</sub>; 0.004 TPY of SO<sub>x</sub>; 0.36 TPY of PM/PM<sub>10</sub>; 0.04 TPY of VOC; 0.04 TPY of HAPs and 936 TPY of CO<sub>2e</sub>. The facility's sources include one (1) natural gas-fired All Crematory model 2500 Elite human remains crematory incinerator equipped with an integral secondary combustion chamber.

The emission restriction, testing, monitoring, record-keeping, reporting and work practice conditions of the NMOP have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145.

The renewal State Only (Natural Minor) operating permit contains applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State air quality regulations.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550. Any person(s) wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the Department of Environmental Protection at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the following: Name, address and telephone number of the person submitting the comments; Identification of the proposed permit (specify Permit No. 08-00013); Concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department of Environmental Protection determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Environmental Program Manager, Department of Envi-

ronmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-3648.

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

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

**20-00302: ITU, Inc.—Titusville Plant** (818 West Spring Street, P. O. Box 326 Titusville, PA 16354) for a Synthetic Minor Permit to operate an industrial laundries located in City of Titusville, **Crawford County**. The emitting sources included are, 1) Solvent recovery dryers (two), 2) Washers (five), 3) Dryers (four), 4) Miscellaneous combustion sources, and, 5) Wastewater treatment. The facility has lint filters on the dryers to control particulate emissions. The facility have taken a restriction on solvent recovered print towel throughput of 1,150,000 lbs/yr, a limit of 50,000 lbs/yr of non-solvent recovered print towels, and, a limit of total other towel throughput of 3,300,000 lbs/yr to qualify as a Synthetic Minor facility. The potential emissions from the facility after taking the limitations are: VOC: 43.118 Tons per year (TPY), PM: 60.24 TPY, PM<sub>-10</sub>: 60.24 TPY, PM<sub>-2.5</sub>: 0.482 TPY, SO<sub>2</sub>: 0.038 TPY, NO<sub>x</sub>: 6.338 TPY, CO: 5.324 TPY, Total HAPs: 8.343 TPY. The operating permit incorporates the requirements of plan approval 20-302A, requirements of the odor plan developed by the facility, and all State and Federal applicable requirements.

#### PLAN APPROVALS

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

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

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

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to **Florey Knob Energy LLC** (301 Oxford Valley Road, Suite 1603A, Yardley, PA 19067) for their facility to be located in Washington Twp., **Wyoming County**. This Plan Approval No. 66-00011A will be incorporated into a Natural Minor Permit through an administrative amendment at a later date.

Plan Approval No. 66-00011A is for the construction of 22MW electric generating plant. The plant will include five (5) Jenbacher natural gas fired engines with oxidation catalysts and SCR technology. The VOC emissions from the facility will not equal or exceed 50 TPY, based on a 12-month rolling sum. The NO<sub>x</sub> emissions from the facility will not equal or exceed 100 TPY, based on a 12-month rolling sum. Total PM, SO<sub>x</sub>, and CO emissions from the facility will not equal or exceed 100 TPY, based on a 12-month rolling sum. The HAPs from the facility must never equal or exceed 10 TPY of any single HAP and must never equal or exceed 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.



The facility is subject to NSPS Subpart JJJJ, MACT Subpart ZZZZ and 25 Pa. Code § 127.12(a)(5) Best Available Technology (BAT) requirements. The visible emission opacity shall not be equal to or greater 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 engines will meet BAT, MACT ZZZZ & 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.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 66-00011A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

**48-00095: ECOPAX, LLC** (3600 Glover Road, Easton, PA 18040) for operation of a food grade polystyrene foam manufacturing facility located in Forks Township, **Northampton County**. This is an initial State-Only Natural Minor operating permit. The State-Only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

The following permit applications to conduct mining activities have been received by the Department. A copy of the application is available for inspection at the district

mining office indicated before each application. Notices of requests for 401 Water Quality Certifications are included in individual application notices, as noted.

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

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

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

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

### *Coal Applications Received*

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

**17743702 and NPDES No. PA0215490. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To revise the permit for the Lady Jane Plant in Huston Township, **Clearfield County** and related NPDES permit to install two sludge disposal boreholes and related pipeline. Surface Acres Proposed 6.9. No additional discharges. The application was considered administratively complete on January 15, 2014. Application received November 6, 2013.

**6071301 and NPDES No. PA0235814 and GP12-56071301. RoxCOAL, Inc.**, (PO Box 149, Friedens, PA 15541). To renew the permit for the Horning Deep Mine in Stonycreek Township, **Somerset County** and related NPDES permit. Includes renewal of Air Quality GPA/GP12 Authorization. No additional discharges. The application was considered administratively complete on January 16, 2014. Application received November 7, 2013.

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

**Permit No. 32813031 and NPDES No. PA0125547. Indiana Investments**, 4460 McCreight Road, Shelocta, PA 15774, permit renewal for reclamation only of a bituminous surface and auger mine in Center Township, **Indiana County** affecting 97.0 acres. Receiving streams: unnamed tributary to/and Tearing Run classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: December 18, 2013.

**Permit No. 11960202 and NPDES No. PA0234311. Ebensburg Power Co.**, 2840 New Germany Road, P. O.

Box 845, Ebensburg, PA 15931, permit renewal for reclamation only of a bituminous surface coal refuse reprocessing mine in Cambria Township, **Cambria County** affecting 29.8 acres. Receiving stream: South Branch Blacklick Creek classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: December 18, 2013.

**Permit No. 11880201 and NPDES No. PA0598208. Ebensburg Power Co.**, 2840 New Germany Road, P. O. Box 845, Ebensburg, PA 15931, permit renewal for reclamation only of a bituminous surface coal refuse reprocessing mine in Cambria Township, **Cambria County** affecting 56.5 acres. Receiving streams: unnamed tributary to/and South Branch Blacklick Creek classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: December 18, 2013.

**Permit No. 11130201, NPDES No. PA0269280 and General Permit GP12-11130201. Ebensburg Power Company**, 2840 New Germany Road, P. O. Box 845, Ebensburg, PA 15931, revision of revision of an existing bituminous coal refuse site to obtain coverage for coal refuse reprocessing under air quality general permit GP-12 in Richland Township, **Cambria County**, affecting 63.158 acres. Receiving stream: Paint Creek classified for the following use: trout stocked fishery. There are no potable water supply intakes within 10 miles downstream. Application received: January 14, 2014.

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

**63090104 and NPDES Permit No. PA0251836. S & K Energy, Inc.** (5945 Pudding Stone Lane, Bethel Park, PA 15102). Revision application for boundary change and add a landowner to an existing bituminous surface mine, located in Smith Township, **Washington County**, affecting 219.3 acres. Receiving stream: unnamed tributary to Raccoon Creek, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: January 8, 2014.

**03060103 and NPDES Permit No. PA0250911. Bedrock Mines LP** (111 Freeport Road, Pittsburgh, PA 15215). Renewal application for reclamation only to an existing bituminous surface mine, located in Burrell Township, **Armstrong County**, affecting 75.3 acres. Receiving streams: unnamed tributaries to Crooked Creek, classified for the following use: WWF. There is no potable

water supply intake within 10 miles downstream from the point of discharge. Renewal application received: January 9, 2014.

**26080103 and NPDES Permit No. PA0251402. Amerikohl Mining, Inc.** (1384 State Route 711, Stahlstown, PA 15687). Renewal application for reclamation only to an existing bituminous surface mine, located in Wharton Township, **Fayette County**, affecting 94.1 acres. Receiving streams: McIntyre Run and unnamed tributaries to McIntyre Run and Mill Run, classified for the following use: HQ-CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: January 10, 2014.

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

**33723006 and NPDES Permit No. PA0603406. Consol Mining Company, LLC** (CNX Center, 1000 Energy Drive, Canonsburg, PA 15317) Transfer of an existing bituminous surface and auger mine and associated NPDES permit from Keystone Coal Mining Corporation in Winslow Township, **Jefferson County**, affecting 450.2 acres. Receiving streams: Unnamed tributary to Soldier Run and Soldier Run, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: January 6, 2014.

**33110101. MSM Coal Company, Inc.** (P. O. Box 243, DuBois, PA 15801) Revision to add 2.0 acres to an existing bituminous surface mine in Beaver Township, **Jefferson County**, affecting a total of 32.0 acres. Receiving streams: Unnamed tributary No. 1 to Reitz Run, classified for the following uses: CWF. The first downstream potable surface water supply intake from the point of discharge is Redbank Valley Municipal Authority. Application received: January 15, 2014.

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

**Permit No. 49970203R3. Mid-Valley Coal Sales, Inc.**, (212 West Cherry Street, Mt. Carmel, PA 17851), renewal of an existing anthracite coal refuse reprocessing and disposal operation in Coal Township, **Northumberland County** affecting 533.0 acres, receiving stream: Shamokin Creek, classified for the following use: cold water fishes. Application received: December 23, 2013.

*Noncoal Applications Received*

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

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

\* The parameter is applicable at all times.

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

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

**37080305 and NPDES Permit No. PA0258636. Terra Resources, LLC** (267 Gilmore Road, Enon Valley, PA 16120) Renewal of an existing large industrial minerals permit and NPDES permit in Slippery Rock Township, **Lawrence County**. Receiving streams: Unnamed tributary to Slippery Rock Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: January 8, 2014.

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

**08110301 and NPDES No. PA0257532. Bishop Brothers Construction Company, Inc.** (P. O. Box 289, Ulster, PA 18850). Transfer of an existing large industrial minerals mine from Always Ready Excavating located in Wyalusing Township, **Bradford County** affecting 16.9 acres. Receiving streams: Unnamed Tributary to Wyalusing Creek to Wyalusing Creek classified for the following use(s): Warm Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: January 9, 2014.

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

**Permit No. 40890302T. Barletta Materials & Construction, Inc.**, (P. O. Box 550, Tamaqua, PA 18252), transfer from JA & WA Hess, Inc. and correction of existing quarry operation (merge part of Permit No. 5776SM8 into 40890302) in Nescopeck Township, **Luzerne County** affecting 10.8 acres, receiving stream: unnamed tributary to Susquehanna River, classified for the following uses: warm water and migratory fishes. Application received: December 12, 2013.

**Permit No. 13930301C5 and NPDES Permit No. PA0595829. Haines & Kibblehouse, Inc.**, (P. O. Box 196, Skippack, PA 19474), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Penn Forest Township, **Carbon County** affecting 14.9 acres, receiving stream: Stony Creek, classified for the following use: EV. Application received: December 23, 2013.

**Permit No. 6275SM2C12 and NPDES Permit No. PA0594539. Hanson Aggregates PA, LLC**, (7660 Imperial Way, Allentown, PA 18195), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Limestone and Liberty Townships, **Montour County** affecting 285.5 acres, receiving stream: unnamed tributary to Chillisquaque Creek, classified for the following uses: warm water and migratory fishes. Application received: January 13, 2014.

#### MINING ACTIVITY NPDES DRAFT PERMITS

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

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

##### *Effluent Limits for Coal Mining Activities*

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

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

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

\*The parameter is applicable at all times.

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

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

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

##### *Effluent Limits for Noncoal Mining Activities*

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



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

\* The parameter is applicable at all times.

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

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

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

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

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

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

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

#### *Coal NPDES Draft Permits*

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

**NPDES No. PA0235407 (Mining Permit No. 03991301), Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). A revision to the NPDES and mining activity permit for the Logansport Mine in Bethel Township, **Armstrong County** to revise the water handling plan to reroute NPDES outfalls to the Allegheny River. Surface Acres Affected 120.9. Receiving stream: Allegheny River, classified for the following use: WWF. The application was considered administratively complete on October 3, 2013. Application received September 18, 2013.

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

*Outfall 006 discharges to: Allegheny River*

The proposed effluent limits for *Outfall 006* (Lat: 40° 44' 15.2" Long: 79° 35' 09.7") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)		4.1	
Iron	(mg/l)	3.0	6.0	7.0
Manganese	(mg/l)	2.0	4.0	5.0
Aluminum	(mg/l)	1.3	2.0	3.3
Total Suspended Solids	(mg/l)	35	70	90
Total Dissolved Solids	(mg/l)	Report		Report
Chlorides	(mg/l)	Report		Report
Sulfates	(mg/l)	Report		Report
Bromide	(mg/l)	Report		Report

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

**NPDES No. PA0269217 (Mining permit no. 32130101), K.M.P. Associates, Inc.**, 3756 Route 981 Saltsburg, PA 15681-1475, new NPDES permit for surface coal mining in Conemaugh and Young Townships, **Indiana County**, affecting 27.0 acres. Receiving streams: unnamed tributaries to/and Big Run, classified for the following use: cold water fisheries. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: October 22, 2013.

The outfalls listed below discharge to unnamed tributaries to/and Big Run:

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

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

<i>Outfalls: 001, 003, 004, and 005</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.8
Total Suspended Solids (mg/l)	35.0	70.0	90.0

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

<i>Outfall: 002</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.8
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Osmotic Pressure (milliosmoles/kg)	50.0	50.0	50.0

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

#### *Noncoal NPDES Draft Permits*

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

**NPDES No. PA0212032 (Permit No. 37860305). Three Rivers Aggregates, LLC** (1807 Shenango Road, New Galilee, PA 16141) Renewal of an NPDES permit for a large industrial minerals surface mine in Plain Grove Township, **Lawrence County**, affecting 103.0 acres. Receiving streams: Taylor Run, classified for the following uses: CWF. TMDL: None. Application received: December 23, 2013.

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

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

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
SP4	N
SP5	N

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

**NPDES No 53120301GP-104 (Mining Permit No. 53120301). Glenn O. Hawbaker, Inc.**, 1952 Waddle Road, Suite 203, State College, PA 16803, new General NPDES Permit For Stormwater Discharges Associated With mining Activities (BMR GP-104) For Noncoal Surface Mine in Roulette Township, **Potter County** affecting 59.3 acres. Receiving stream(s): Unnamed Tributaries to Trout Brook and Allegheny River classified for the following use(s): CWF. Permit issued: January 10, 2014.

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

**NPDES Permit No. PA0225401 on Permit Nos. 64142801 and 64141001. Litts & Sons Stone Co., Inc.**, (19 Primrose Drive, Springbrook Township, PA 18444), new NPDES Permit for a Small Noncoal Surface Mining Permit and General Permit for Short-Term Construction (GP103) quarry operation in Sterling Township, **Wayne**

**County**, affecting 13.5 acres. Receiving stream: Butter-nut Creek to West Branch Wallenpaupack Creek/Lackawanna River Watershed, classified for the following use: Designated Use HQ-cold water fishes, Existing Use: EV. Application received: December 12, 2013.

Non-discharge BMP's shall be in effect.

### **FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401**

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

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

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

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

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E08-484. Athens Borough**, 2 South River Street, Athens PA, 18810-1702. Susquehanna River bank stabilization in Athens Borough, **Bradford County**, ACOE Baltimore District. (Sayre, PA Quadrangle Latitude: 41° 57' 27"; Longitude: -76° 30' 58").

To stabilize the western bank of the Susquehanna River (WWF) with R-7 Rip Rap from the Borough building in the north to the Front Street Bridge on the south. Total project will permanently impact 2,800 feet along the River.

**E18-488. Pennsylvania Department of Transportation**, Engineering District 2-0, 1924 Daisy Street Extension, Clearfield, PA 16830. SR 2016 Section A01 Bridge Replacement and Stream bank Stabilization in Mill Hall Borough, **Clinton County**, ACOE Baltimore District (Mill Hall, PA Quadrangle; Latitude: 41°06'06"; Longitude -77°29'04").

PA DOT Engineering District 2-0 proposes to replace a two span steel I-beam bridge with a two span prestressed concrete spread box beam bridge. The existing bridge has a span of 101.0 Ft., a skew of 90 degrees, an underclearance of 9.99 Ft., a low chord of 578.99 Ft. and a hydraulic opening of 116.47 Ft<sup>2</sup>. The proposed bridge has a span of 135.5 Ft., a skew of 90 degrees, an underclearance of 10.35 Ft., a low chord of 579.35 Ft. and a hydraulic opening of 1,476.72 Ft<sup>2</sup>. The proposed structure will be located 36 Ft. downstream of the existing structure. In addition PA DOT proposed to stabilize approximately 270 Ft. of stream bank with R-8 Rip-Rap. The project will temporarily impact 0.01 acre of wetlands and does not require mitigation. Fishing Creek is classified as a Cold Water Fishery by Title 25, Chapter 93 Water Quality Standards. The project will not require mitigation.

**E41-651. Pennsylvania Department of Transportation**, Engineering District 3-0, PO Box 218 Montoursville, PA 17754-0218. S.R. 0287, Section 137, Unnamed Tributary to the Second Fork of Larrys Creek Bridge Replacement, Cogan House Township, **Lycoming County**, Baltimore ACOE (English Center, PA Quadrangle N: 41°23' 29"; W: -77° 15' 14").

PA DOT Engineering District 3-0 proposes to replace a single span concrete slab bridge with a 58X91 inch Concrete Elliptical Pipe. The existing bridge has a span of 8.33 Ft., a skew of 90 degrees, an underclearance of 3.5 Ft., a low chord of 1,265.710 Ft. and a hydraulic opening of 25.2 Ft<sup>2</sup>. The proposed elliptical pipe has a span of 7.58 Ft., a skew of 80 degrees, an underclearance of 3.83 Ft., a low chord of 1,264.78 Ft. and a hydraulic opening of 29.4 Ft<sup>2</sup>. The project will temporarily impact 0.01 acre and permanently impact 0.08 acre of jurisdictional wetlands

and will be debited from the Vargo wetland bank. In addition, approximately 78 Ft. of the unnamed tributary will be impacted by a minor realignment. The unnamed tributary to the Second Fork of Larrys Creek is classified as a High Quality Cold Water Fishery by Title 25, Chapter 93 Water Quality Standards.

**E41-653. DCNR—Pleasant Stream Road**, Racheal Carson State Office Building, 6th Floor, PO Box 8552, Harrisburg, PA 17105-8552. Pleasant Stream Road Reconstruction Project in Cascade and McIntyre Townships, **Lycoming County**, ACOE Baltimore District (Bodines, PA Quadrangle Lat: 41° 29' 41.9"; Long: -76° 55' 30.2").

To restore, construct and maintain Pleasant Stream Road in Cascade and McIntyre Township—Lycoming County, which is located over Pleasant Stream. The previous roadway and structures were destroyed during Tropical Storm Lee in September 2011. The road has been closed as a result of the damage. The scope of the repairs is to reconstruct the road with generally the same geometry horizontal and vertical cross sections. The project will also consist of stream bank stabilization and the removal of a gravel bar.

A total of approximately 2,120 linear feet of new roadway embankment will be resurfaced with Driving Surface Aggregate (DSA). Approximately 970 lineal feet of roadway embankment will be reconstructed. Approximately 620 lineal feet or riprap slope protection will be installed in three separate areas and 540 feet of gravel bar will be shaved down in two separate areas. The project will also consist of the construction of 14 multi-log vane deflectors and three root wad deflectors.

The total estimated stream impacts for the project are approximately 32,200 ft<sup>2</sup> of permanent impacts. The proposed crossings will not permanently impact wetlands, cultural or archaeological resources, national/state/local parks, forests recreational areas, landmarks wildlife refuge or historical sites. Pleasant Stream is classified with a designated use of High Quality-Cold Water Fishery (HQ-CWF) and with an existing use of Exceptional Value (EV).

**E57-129. Fox Township**, 44 Middle Road, Shunk PA, 17768-0011. Road and bridge repairs in Fox Township, **Sullivan County**, ACOE Baltimore District. (Hills Grove, PA Quadrangle, Latitude: 41° 29' 13", Longitude: -76° 42' 27"). To repair 4-roadway washouts with rock protection and replace two washed out bridges along Hoagland Branch. Bridges will be pre-stressed concrete spread box beam on spread footings at same location as existing. Total impacts include 1,120 feet of permanent impacts and 1,249 feet of temporary construction impacts.

*Northwest Region: Oil and Gas Program Manager, 230 Chestnut Street, Meadville, PA 16335 814-332-6860*

**E10-08-003, XTO Energy, Inc.**, 502 Keystone Drive, Warrendale, PA 15086, Welter to Cypher Temporary Water Pipeline in Clearfield, Donegal, Oakland and Summit Townships, **Butler County**, ACOE Pittsburgh District. (East Butler Quadrangle N: 40° 52' 57.35"; W: -79° 44' 59.84").

The applicant proposes to install approximately 3.2 miles of 12" diameter temporary water pipeline with associated temporary access roads, in Clearfield, Donegal, Oakland and Summit Townships, Butler County. The project will result in 92 linear feet of temporary stream impacts and .061 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	A temporary road crossing of, and a 12" diameter temporary water pipeline to be placed as an aerial crossing over, a UNT to Bonnie Brook (WWF) and its associated floodway, having 8 linear feet of temporary stream impact.	41°53'33.98"N -79°47'4.90"W
2	A temporary road crossing of, and a 12" diameter temporary water pipeline to be placed as an aerial crossing over, a palustrine emergent (PEM) wetland, having .011 acre of temporary wetland impact.	40°53'30.25"N -79°47'6.62"W
3	A temporary road crossing of, and a 12" diameter temporary water pipeline to be placed as an aerial crossing over, a UNT to Bonnie Brook (WWF) and its associated floodway consisting of palustrine emergent (PEM) and palustrine shrub-scrub (PSS); having 23 linear feet of temporary stream impact and .0054 acre of temporary wetlands impacts.	40°52'58.78"N -79°46'51.31"W
4	A temporary road crossing of, and a 12" diameter temporary water pipeline to be placed as an aerial crossing over, a UNT to Bonnie Brook (WWF) and its associated floodway, having 13 linear feet of temporary stream impact.	41°52' 59.78"N -79°46'31.20"W
5	A temporary road crossing of, and a 12" diameter temporary water pipeline to be placed as an aerial crossing over, a UNT to Little Buffalo Run (HQ-TSF) and its associated floodway, having 10 linear feet of temporary stream impact.	40°53'0.20"N -79°46'9.52"W
6	A temporary road crossing of, and a 12" diameter temporary water pipeline to be placed as an aerial crossing over, a UNT to Little Buffalo Run (HQ-TSF) and its associated floodway consisting of palustrine emergent (PEM); having 16 linear feet of temporary stream impact and .033 acre of temporary wetlands impacts.	40°52'55.23"N -79°45'47.66"W
7	A temporary road crossing of, and a 12" diameter temporary water pipeline to be placed as an aerial crossing over, a palustrine emergent (PEM) wetland, having .008 acre of temporary wetland impact.	40°52'56.04"N -79°45'15.48"W
8	A temporary road crossing of, and a 12" diameter temporary water pipeline to be placed as an aerial crossing over, a palustrine emergent (PEM) wetland, having .004 acre of temporary wetland impact.	40°52'56.10"N -79°45'12.73"W
9	A temporary road crossing of, and a 12" diameter temporary water pipeline to be placed as an aerial crossing over, a UNT to Little Buffalo Run (HQ-TSF) and its associated floodway consisting of palustrine emergent (PEM); having 22 linear feet of temporary stream impact and .0009 acre of temporary wetlands impacts.	40°52'56.17"N -79°45'10.29"W

#### DAM SAFETY

Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 3, 400 Market Street, P. O. Box 8460, Harrisburg, PA 17105-8460

**D64-047. Douglas Dorsett**, 75 Livingston Street, Brooklyn, NY 11201. To modify, operate, and maintain Mill Pond Dam across an unnamed tributary to Middle Creek (HQ-CWF, MF), for the purpose of complying with the Commonwealth's regulations. (Lake Ariel, PA Quadrangle Latitude: 41.485°; Longitude: -75.3978°) in South Canaan Township, **Wayne County**.

### ACTIONS

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

### FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

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

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

Sections I—VI contain actions regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains

notices for parties who have submitted NOIs for Coverage under General NPDES Permits. The approval for coverage under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions in each General Permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions in the respective permit. The permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

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

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

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

### I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0051764 (Sew)	Galen Hall Corporation 815 Lancaster Avenue Reading, PA 19607-1636	Berks County South Heidelberg Township	UNT to Little Cocalico Creek / 7-J	Y
PA0261092 (SRSTP—Sew)	Carla & Graham Snyder 1144 Piketown Road Harrisburg, PA 17112	Dauphin County West Hanover Township	UNT to Beaver Creek / 7-D	Y
PA0027405 (Sew)	Ephrata Borough Authority 124 South State Street Ephrata, PA 17522-2411	Lancaster County Ephrata Borough	Cocalico Creek / 7-J	Y
PA0087181 (Sew)	Ephrata Borough Authority 124 South State Street Ephrata, PA 17522-2411	Lancaster County Ephrata Township	Cocalico Creek / 7-J	Y
PA0030643 (Sew)	Borough of Shippensburg 111 North Fayette Street PO Box 129 Shippensburg, PA 17257-0129	Cumberland County Shippensburg Borough	Middle Spring Creek / 7-B	Y
PA0081825 (Sew)	UMH PA Rolling Hills Estates LLC 3499 Route 9 North, Suite 3C Freehold, NJ 07728	Cumberland County Lower Frankford Township	Conodoguinet Creek / 7-B	Y

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

<i>Facility Location Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Harris Township Centre County	PAG045268 T-1	Alexander K. Klippell PO Box 618 Boalsburg, PA 16827-0618	UNT to Spring Creek—9-C	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.0530



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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0102652 (Sewage)	Countryside MHP 8158 Bargain Road McKean, PA 16426-1322	Erie County McKean Township	Unnamed Tributary to Elk Creek (15-A)	Y
PA0030341 (Sewage)	Plain Grove Apartments 1352 Golf Course Road, Volant, PA 16156	Lawrence County Plain Grove Township	Unnamed Tributary to Taylor Run (20-C)	Y
PA0100960 (Sewage)	Bloomfield Township STP 22978 Shreve Ridge Road Union City, PA 16438-3550	Crawford County Bloomfield Township	Oil Creek (16-E)	Y

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

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

**NPDES Permit No. PA0262153**, Sewage, **Point View Cottage Association Permit #1**, 138 Point View Drive, Williamsburg, PA 16693.

This proposed facility is located in Catharine Township, **Blair County**.

Description of Proposed Action/Activity: Permit approval for authorization to discharge to Township Run in Watershed 11-A.

**NPDES Permit No. PA0262111**, Sewage, **Reliance Bank**, 1119 12th Street, Altoona, PA 16601.

This proposed facility is located in Freedom Township, **Blair County**.

Description of Proposed Action/Activity: Authorization to discharge to a UNT to South Dry Run in Watershed 11-A.

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

**NPDES Permit No. PA0232416**, Sewage, SIC Code 4952, **Carol Phillips**, 22861 Route 287, Morris, PA 16938.

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

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated sewage.

**NPDES Permit No. PA0228656**, Industrial Waste, SIC Code 4941, **Irvona Municipal Authority**, P.O. Box 247, Irvona, PA 16656.

This proposed facility is located in Irvona Borough, **Clearfield County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated water treatment filter backwash.

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

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

**WQM Permit No. 0713403**, Sewerage, **Point View Cottage Association Permit #1**, 138 Point View Drive, Williamsburg, PA 16693.

This proposed facility is located in Catharine Township, **Blair County**.

Description of Proposed Action/Activity: Permit approval for the construction / operation of a small flow treatment facility consisting of: Five (5) 1,000-gallon two-compartment deptic tanks with a biotube effluent filter; Orenco AdvanTex AX-20 filter with AX-UV disinfection; an outfall structure and other associated appurtenances.

**WQM Permit No. 0713402**, Sewerage, **Reliance Bank**, 1119 12th Street, Altoona, PA 16601.

This proposed facility is located in Freedom Township, **Blair County**.

Description of Proposed Action/Activity: Permit approval for the construction / operation of sewage facilities consisting of a two compartment 1000-gallon Septic tank with effluent filter, and Orenco AdvanTex AX20—RTUV treatment system.

**WQM Permit No. 2186430 Transfer 1**, Sewerage, **UMH PA Rolling Hills Estates, LLC**, 3499 Route 9 North, Suite 3C, Freehold, NJ 07728.

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

Description of Proposed Action/Activity: Permit transfer approving the operation / transfer of sewage facilities consisting of Three-cell aeration lagoon; Lagoon effluent tank; Two (2) clarifiers; Chlorine Contact tank; Flocc tank (chemical addition); AquaMiniDisk cloth media filter; Dechlorinator; Two (2) sludge holding tanks; Outfall structure and other associated appurtenances.

*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. 02171301**, SIC Code 4952, **Curwensville Borough**, 900 Susquehanna Avenue, Curwensville, PA 16833.

This proposed facility is located in Curwensville Borough, **Clearfield County**.

Description of Proposed Action/Activity: Construction of the Arnoldtown sewer extension and pump station. The extension will connect 5 homes in the Arnoldtown area which currently have failing on lot systems. The pump station will pump the wastewater under the West Branch Susquehanna River to the Curwensville Municipal Authority Sewage Treatment Plant.

**WQM Permit No. 4113402**, Sewage, SIC Code 4952, **Carol Phillips**, 22861 Route 287, Morris, PA 16938.

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

Description of Proposed Action/Activity: Issuance of a WQM Permit for a new discharge of treated sewage.

**WQM Permit No. 1713403**, Sewage, SIC Code 4952, **Christoff Mitchell Petro Inc.**, 2719 Walton Street, Philipsburg, PA 16866.

This proposed facility is located in Decatur Township, **Clearfield County**.

Description of Proposed Action/Activity: SFTF to replace the malfunctioning septic system currently serving the property. SFTF proposed to serve a sales office to include septic tank, followed by Orenco RTUV unit prior to discharge.

**WQM Permit No. 4713401**, Sewerage, SIC Code 4952, **Valley Township Municipal Authority**, P.O. Box 307, Danville, PA 17821-0307.

This proposed facility is located in Valley Township, **Montour County**.

Description of Proposed Action/Activity: A pumps station with two (2) 50 hp suction lift pumps and the associated controls, floats, flow meter, communitor, and alarms. Approximately 8,650 LF of 6" PVC force main to a manhole in Danville Municipal Authorities collection system.

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

**WQM Permit No. WQG01611301**, Sewage, **Mark A. Landsberger**, 8900 Huron Trail, Negley, OH 44441-9738.

This proposed facility is located in President Township, **Venango County**.

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAI132228	Lower Nazareth Township Northampton County, 306 Butztown Road, Bethlehem, PA 18017	Northampton	Lower Nazareth Township	East Branch Monocacy Creek, Monocacy Creek and Unnamed Tributary to Shoeneck Creek / HQ-CWF and MF
PAI132216	Easton City Northampton County, 1 S 3rd Street, Easton, PA 18042	Northampton	Easton City	Bushkill Creek, Delaware River and Lehigh River / HQ-CWF, MF, WWF and MF
PAI132229	Wind Gap Borough Northampton County, 29 Mechanic Street, Wind Gap, PA 18091-1320	Northampton	Wind Gap Borough	Unnamed Tributary to Little Bushkill Creek / HQ-CWF and MF

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#### V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAI01 5113011	Frankford Valley Foundation for Literacy II 13000 Lincoln Drive West Suite 302 Marlton, NJ 08053	Philadelphia	City of Philadelphia	Delaware River WWF

*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>
PAI023913006	Posh Properties 2216 Willow Park Road Bethlehem, PA 18017	Lehigh	Salisbury Township	Little Lehigh Creek (HQ-CWF, MF)

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024812019	Country Meadows Associates 830 Cherry Street Hershey, PA 17033	Northampton	Forks Township	Bushkill Creek (HQ-CWF, MF)
PAI026413004	Richard Prezelski 952 Wilkes-Barre Township Boulevard Wilkes-Barre, PA 18702-6162	Wayne	Cherry Ridge and South Canaan Townships	Pond Brook (HQ-CWF, MF) Mile Brook (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>
City of Allentown Lehigh County	PAG02003912015(1)	J.B. Reilly Two City Center, OP, LP and City Center Investment Corp. 702 Hamilton St., 3rd Floor Allentown, PA 18101	Jordan Creek (TSF, MF)	Lehigh County Conservation District 610-391-9583
Palmer Township Northampton County	PAG02004809007R	Abraham Atiyeh Palmer, L.P. 1177 Sixth Street Whitehall, PA 18052	Lehigh River (WWF, MF)	Northampton County Conservation District 610-746-1971
Washington Township Northampton County	PAG02004813015	Michael Hillis 132 Palomino Circle Bangor, PA 18013	Main Stem Martins Creek (TSF, MF)	Northampton County Conservation District 610-746-1971

*Facility Location:  
Municipality &  
County**Permit No.**Applicant Name &  
Address**Receiving  
Water / Use**Contact Office &  
Phone No.*City of Bethlehem  
Northampton  
County

PAG02004813013

John Tallarico  
Bethlehem Earth, LP  
491 Old York Road  
Suite 200  
Jenkintown, PA 19046Saucon Creek  
(CWF, MF)Northampton County  
Conservation District  
610-746-1971Clean Earth, Inc.  
Attn: Aerial Rance  
334 South Warminster  
Rd.  
Hatboro, PA 19040Pen Argyl Borough  
Northampton  
County

PAG02004813001(1)

John Goffredo  
Nu Cor Management, Inc.  
122 North Broadway  
Wind Gap, PA 18091Waltz Creek  
(CWF, MF)Northampton County  
Conservation District  
610-746-1971West Brunswick  
Township  
Schuylkill County

PAG02005413013

HRI Incorporated  
1750 W. College Avenue  
Suite 2  
State College, PA 16801Pine Creek  
(CWF, MF)Schuylkill County  
Conservation District  
570-622-3742*Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Nathan Crawford, Section Chief,  
717.705.4802**Facility Location:  
Municipality &  
County**Permit No.**Applicant Name &  
Address**Receiving  
Water / Use**Contact Office &  
Phone No.*Tyrone Township,  
Adams CountyPAG02000108014R  
(Issued)Ira Reed  
Hillandale Gettysburg, LP  
3910 Oxford Road  
Gettysburg, PA 17325Tributary to  
Conewago Creek  
(WWF)Adams Co.  
Conservation District  
670 Old Harrisburg Rd,  
Suite 201  
Gettysburg, PA 17325  
717.334.0636Muhlenberg  
Township,  
Berks CountyPAG02000613055  
(Issued)Kathryn Kunkel  
Metropolitan Edison  
Company  
PO Box 16001  
Reading, PA 19403Laurel Run (WWF),  
Schuylkill River  
(WWF, MF)Berks County  
Conservation Dist.  
1238 County Welfare Rd,  
Ste 200  
Leesport, PA 19533-9710  
610.372.4657, Ext. 142Union Township,  
Berks CountyPAG02000613046  
(Issued)Louis Mascaro  
Ethan Michael, Inc.  
2650 Audubon Road  
Audubon, PA 19403UNT to Schuylkill  
River & Sixpenny  
Creek (WWF)Berks County  
Conservation Dist.  
1238 County Welfare Rd,  
Ste 200  
Leesport, PA 19533-9710  
610.372.4657, Ext. 142Washington  
Township,  
Berks CountyPAG02000609060R  
(Issued)Mark D. Stinley  
391 Weinsteiger Road  
Bechtelsville, PA 19505Middle Creek.,  
Swamp Creek,  
Perkiomen Creek  
(TSF,MF)Berks County  
Conservation Dist.  
1238 County Welfare Rd,  
Ste 200  
Leesport, PA 19533-9710  
610.372.4657, Ext. 142Richmond  
Township,  
Berks CountyPAG02000613013  
(Issued)Fred Grande  
Grande Land, LP  
2213 Quarry Road  
West Lawn, PA 19609Willow Creek  
(CWF, MF)Berks County  
Conservation Dist.  
1238 County Welfare Rd,  
Ste 200  
Leesport, PA 19533-9710  
610.372.4657, Ext. 142



<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
City of Altoona, Blair County	PAG02000712002R (Issued)	Jaggard Street Realty, LLC 305 Cayuga Avenue Altoona, PA 16602	Brush Run (WWF)	Blair Co Conservation District 1407 Blair St Hollidaysburg, PA 16648 814.696.0877
Halifax Township, Dauphin County	PAG02002213048 (Issued)	Sheetz, Inc 5700 6th Avenue Altoona, PA 16602	Susquehanna River (WWF)	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
West Hanover Township, Dauphin County	PAG02002212043 (Issued)	Margy Ehmann 661 Knight Road Harrisburg, PA 17111	Beaver Creek (WWF)	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
Washington Township, Franklin County	PAG02002813046 (Issued)	Antietam Humane Society Andrea Haugh 8513 Lyons Road Waynesboro, PA 17268	East Branch of the Antietam Creek (CWF)	Franklin Co Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717.264.5499
Greene Township, Franklin County	PAG020028040501R (Issued)	Platea USA John VanHorn LIDA 5540 Coffey Avenue Chambersburg, PA 17201	Back Creek (CWF)	Franklin Co Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717.264.5499
Montgomery Township, Franklin County	PAG02002812017R (Issued)	Mercer Vu Farms Richard Hissong 12275 Mount Pleasant Road Mercersburg, PA 17236	UNT to Johnston Run (WWF)	Franklin Co Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717.264.5499

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

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Benner & Spring Twps Centre County	PAG02001405014R	Amberleigh LP 701 Creekside Ln Lititz PA 17543	UNT to Spring Creek CWF	Centre County Conservation District 414 Holmes Avenue, Suite 4 Bellefonte, PA 16823 (814) 355-6817
College Township Centre County	PAG02001410002R	NPK Southridge Assoc LP 210 W Hamilton Ave State College PA 16801	Slab Cabin Run CWF	Centre County Conservation District 414 Holmes Avenue, Suite 4 Bellefonte, PA 16823 (814) 355-6817
City of Shamokin Coal Township Northumberland County	PAG02004912001R	Shamokin/Coal Twp Joint Sewer Authority 114 Bridge St Shamokin PA 17872	Carbon & Furnace Runs CWF, MF Shamokin Creek WWF, MF	Northumberland County Conservation District 441 Plum Creek Rd Sunbury, PA 17801 Phone: (570) 286-7114 ext. 4

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

*Facility Location:  
Municipality &  
County*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
PAG02001613009	PADOT, District 10 2550 Oakland Avenue PO Box 429 Indiana PA 15701-0429	Trout Run CWF	Clarion County Conservation District 814-297-7813
PAG02-1135-14-001	PA DEP Bureau of Abandoned Mine Reclamation 2 Public Square Fifth Floor Wilkes-Barre, PA 18701-0790	Lackawanna River (HQ-CWF)	PA DEP Bureau of Abandoned Mine Reclamation 2 Public Square Fifth Floor Wilkes-Barre, PA 18701-0790 (570) 826-2371

*General Permit Type—PAG-3*

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

*Facility Location:  
Municipality &  
County*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
PAR123532	Wenger's Feed Mill Inc. 101 West Harrisburg Avenue PO Box 26 Rheems, PA 17570-0026  Wenger's Feed Mill Inc.,— Rheems Mill 111 West Harrisburg Avenue Rheems, PA 17570	UNT to Donegal Creek / CWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

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

*Facility Location:  
Municipality &  
County*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
PAR214836	Centre Concrete Co. 2280 East College Avenue State College, PA 16801	UNT to Abes Run—8-C	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.0530

*General Permit Type—PAG-4*

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

*Facility Location:  
Municipality &  
County*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
PAG041133	Mark A. Landsberger, 8900 Huron Trail, Negley, OH 44441-9738	Allegheny River 16-E	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-10*

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

*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>
Cumberland County Monroe Township	PAG103562	Columbia Gas Transmission LLC 1700 MacCorkle Avenue SE PO Box 1273 Charleston WV 25314	UNT to Hogestown Run	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Adams County Abbottstown Borough Hamilton Township Reading Township	PAG103561	Columbia Gas Transmission LLC 1700 MacCorkle Avenue SE PO Box 1273 Charleston WV 25314	Pine Run / Markel Run / Conewago Creek	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
		Columbia Gas Transmission LLC Line 1655 North Replacement Project Intersection of Route 30 & Woods Road Abbottstown, PA 17301		

*General Permit Type—PAG-13*

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>	<i>DEP Protocol (Y/N)</i>
PAG138332	Fairview Township 7471 McCray Road, Fairview, PA 16415-2401	Erie	Fairview Township	Bear Run, Trout Run, Walnut Creek and an unnamed tributary to Lake Erie 15	Y

## STATE CONSERVATION COMMISSION

### NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

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

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

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

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

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

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Wen-Crest Farms 549 Schaeffer Road Lebanon, PA 17042	Lebanon	920	890.03	Broilers, beef, sheep & equine	NA	Approved
Furnace Hill Holsteins 480 Schaeffer road Lebanon, PA 17042	Lebanon	150	383.38	Dairy	NA	Approved
Aspen Perry Farm 2127 Oak Hall Road Newport, PA 17074	Perry	85.9	1865	Swine	HQ-CWF	Approved
Willard Hackman 1035 Dean Hill Rd Wellsboro, PA 16901	Tioga	366	617.14	617.14	CWF	Approved
Drew Remley 1170 Salt Spring Road Roaring Branch, PA 17765	Tioga	255.8	1319.26	Beef/ hog	HQ Salt Spring Run	Approved
Todd Hiller 84 Hiller Lane Allenwood PA 17810	Union	676.8	601.6	Swine Beef	White Deer Hole Creek—HQ	Approved

**PUBLIC WATER SUPPLY PERMITS**

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

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

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

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

**SAFE DRINKING WATER**

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

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

**Permit No. PERMIT BY RULE, Public Water Supply.**

Applicant	<b>Nestle Waters North America, Inc.</b> 305 Nestle Way Breinigsville, Pa
[Township or Borough]	Upper Macungie Twp, <b>Lehigh Co.</b>
Responsible Official	Eric Andreus, Natural Resource Manager
Type of Facility	Bottled Water
Consulting Engineer	Edward Davis, PE Forino Company, LP 555 Mountain Home Rd Sinking Spring, Pa
Application Received Date	January 10, 2013
Description of Action	As of January 10, 2013, the applicant has qualified and is operating under permit by rule, Chapter 109.1005. It applies to the installation and operation of one additional ultraviolet disinfection unit and the relocation and operation of two ultraviolet disinfection units. Nestle is in compliance with 109.1005(c)(1) through (5) and has provided acceptable documentation. Materials and chemicals meet chapter 109.606, and or the FDA standards. The ultraviolet units are of a model that has undergone an EPA validation procedure and NSF (national sanitation foundation) audit. The units have been validated to meet the log 4 inactivation of viruses.



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

**Permit No. 1413504-MA**—Construction Public Water Supply.

Applicant	<b>Bellefonte Borough</b>
Township/Borough	Benner Township
County	<b>Centre</b>
Responsible Official	Ralph W. Stewart Borough Manager Bellefonte Borough 236 West Lamb Street Bellefonte, PA 16823
Type of Facility	Public Water Supply
Consulting Engineer	John P. Mazich, P.E. Uni-Tec Consulting Engineers, Inc. 2007 Cato Avenue State College, PA 16801
Permit Issued	January 16, 2014
Description of Action	Construction of the bulk water loading station known as Penn Eagle Bulk Water Filling Station.

**Permit No. 4113502-MA**—Operation Public Water Supply.

Applicant	<b>Hughesville Borough Water Authority</b>
Township/Borough	Wolf Township
County	<b>Lycoming</b>
Responsible Official	Mr. Clifford Hoffman Public Works Supervisor Hughesville Borough Water Authority 147 South Fifth Street Hughesville, PA 17737
Type of Facility	Public Water Supply
Consulting Engineer	David M. Wieller, P.E. Borton Lawson Engineering 3897 Adler Place Bethlehem, PA 18017
Permit Issued	1/21/14
Description of Action	Authorizes the use of sodium hypochlorite in place of gas chlorine to disinfect water from Well 101 and from Well 102.

#### WATER ALLOCATIONS

**Actions taken on applications received under the Act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631—641) relating to the acquisition of rights to divert waters of the Commonwealth.**

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

**WA 19-144C, Water Allocations. United Water Pennsylvania—Bloomsburg**, 90 Irondale Road, Bloomsburg, PA 17815, Town of Bloomsburg, **Columbia County**. This Water Allocation Permit issued December 17, 2013 has been rescinded in order to consider additional information as it relates to determining an appropriate passby

flow requirement at the intake on Fishing Creek. Existing water allocation permit WA 144-B will remain in effect until its expiration on November 10, 2014.

#### SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Freeland Borough	Foster Township P.O. Box C Freeland, PA 18224 P.O. Box 465 Freeland, PA 18224	Luzerne

*Plan Description:* The Plan's selected construction alternative is Alternative No. 4—Construct Parallel Ten-Inch Force Mains. This alternative proposes the construction of two, ten-inch, PVC force mains (each approximately 4,400 feet in length) between the existing Wyoming Street Pump Station Site and the point at which wastewater flow transitions from pressurized to gravity flow on Highland Street as shown on the graphic found in Appendix H of the Plan. The alternative further proposes the replacement of approximately 2,600 feet of an existing twelve-inch, gravity wastewater conveyance line, located between the pressure-to-gravity transition point on Highland Street and the Freeland Municipal Authority's (Authority) Wastewater Treatment Facility as shown on the graphic found in Appendix H of the Plan. The twelve-inch gravity line will be replaced with a fifteen-inch, PVC gravity wastewater conveyance line, in an alignment shown on the graphic found in Appendix H of the Plan. All of the previously listed construction activities are designed to facilitate the abandonment of the Authority's existing eight-inch, cast-iron force main that conveys wastewater between the Wyoming Street Pump Station Site and the Authority's wastewater treatment facility.

This planning approval also recognizes the following facilities that were previously constructed by the Authority and/or Foster Township (Township) without first receiving explicit sewage planning approval from the Department:

- Replacement of the Authority's only permitted Combined Sewer Overflow (CSO) Point's control and overflow structures at a location adjacent to the existing control and overflow structures, in lieu of locating the control and overflow structures adjacent to the Wyoming Street Pump Station Site.

- Construction of 400,000 gallons of equalization capacity, in lieu of 250,000 gallons of equalization capacity, at the Authority's wastewater treatment facility.

- Decrease, from three to two, in the number of primary clarifier trains at the Authority's wastewater treatment facility.

- The construction of one pump station, in lieu of two pump stations (as proposed in the Borough's and Township's previously approved Official Sewage Facilities Plans) at the Wyoming Street Pump Station Site.

The Plan also calls for the preparation of a Special Study (defined in Section 71.1 of the Department's regulations), as a revision to the Official Sewage Facilities Plans of Freeland Borough (Borough) and Foster Township. The

Special Study will be completed to thoroughly investigate the technical adequacy of the existing Wyoming Street Pump Station (previously constructed and now owned by Foster Township and operated by the Authority) to meet both the Borough's and the Township's long-term wastewater disposal needs. The investigation will include a period of wastewater flow monitoring, as described in the Plan, in both the Authority's and Foster Township's collection/conveyance systems. The flow monitoring data will be utilized to evaluate the following:

1. The ability of the Wyoming Street Pump Station (owned by the Township) and its associated force main(s) (owned by the Authority) to adequately convey both dry and wet-weather (including snowmelt) wastewater flows to the Authority's wastewater treatment facility under peak instantaneous flow conditions.

2. The ability of the Wyoming Street Pump Station to meet the redundancy and all other requirements found in the Department's Domestic Wastewater Facilities Manual in Major Section 30—Wastewater Pumping Stations.

3. The wastewater flow value, in gallons per day, of an Equivalent Dwelling Unit in both the Authority's and the Township's wastewater collection system service area. The base wastewater, sanitary component and the infiltration/inflow (I/I) component shall be determined for both wastewater collection systems' service areas. These figures will then be utilized to determine the peak hourly flow that can pass through the Authority's wastewater treatment facility, during wet-weather and snowmelt periods, with the treated discharge of the facility meeting all treated effluent discharge parameters found in the Authority's National Pollutant Discharge Elimination System (NPDES) Permit.

4. Based on the flow data gathered, as described in Item 3 above, and an evaluation of the Authority's wastewater collection, and Borough-owned stormwater collection systems in Sub-Areas 3 and 4 that are tributary to the existing CSO point, whether the existing CSO point still qualifies as a bona fide combined sewer overflow point under both the Department's and the United States Environmental Protection Agency's rules, regulations and technical guidance documents. If the Special Study concludes that the Authority's existing CSO point no longer qualifies as a bona fide combined sewer overflow point, the Special Study will provide alternatives for the adequate collection and conveyance of all dry and wet-weather flows (including snowmelt) to the Authority's wastewater treatment facility for treatment.

5. Based on the flow data gathered, as described in Item 3 above, and if it is determined that the Authority's existing CSO point is justified to remain in service, an analysis, using peak instantaneous flow data, which clearly determines whether the Authority's existing CSO point is able to capture, 85%, by volume, of the combined wastewater flows that pass through the point's control structure. This analysis will also evaluate alternatives to facilitate the capture of 85%, by volume, of the combined wastewater flows if it is determined that the Authority's wastewater conveyance system (including the Wyoming Street Pumping Station) cannot capture 85%, by volume, of the Authority's combined wastewater flows.

6. The need for additional rehabilitation and/or replacement of portions of the Authority's wastewater collection system to reduce infiltration and inflow to acceptable, non-excessive levels, as specified in Paragraph four found on Pages three and four of the Amendment to Consent Order and Adjudication dated January 13, 2000.

While this sewage planning approval correspondence now recognizes the existence of the Township-owned Wyoming Street Pump Station in the configuration described in the Plan, the Department, for sewage planning purposes, does not recognize a rated capacity for the pump station at this time. Numerous factors discussed in the Plan, with respect to incomplete or non-existent wastewater flow data, justify this position. Until adequate wastewater flow data and subsequent analyses (to be completed as part of the Special Study) fully substantiate the actual capacity of the Wyoming Street Pumping Station and its associated wastewater conveyance and treatment systems, new or additional wastewater flow that is to be conveyed through the Wyoming Street Pump Station will be controlled via sewer connection allocations administered by the Authority and granted by the Department under the terms of the January 13, 2000 Amendment to Consent Order and Adjudication between the Borough, Authority and the Department. The capacity of the Wyoming Street Pump Station shall be indeterminate until the Special Study proposed in the Plan is completed, approved by the Department and its recommended alternative(s) fully implemented.

Implementation of the selected wastewater disposal alternative and operation of the proposed facilities will be performed by the Freeland Municipal Authority in conjunction with the tributary municipalities of Foster and Butler Townships.

Financing of the proposed wastewater conveyance system improvements is to be provided by the United States Department of Agriculture's Rural Development Program.

Any additional wastewater-related improvements, additions, deletions or changes outside of those explicitly described in the Plan and its correspondence, must be in compliance with the Department's regulations and be submitted to and approved by the Department in writing. This approval correspondence covers only the wastewater planning aspects of the selected wastewater disposal alternative as it relates to Freeland Borough's and Foster Township's Official Sewage Facilities Plan. This review has also not identified any significant environmental impacts resulting from this proposal.

## **HAZARDOUS SITES CLEAN-UP UNDER THE ACT OF OCTOBER 18, 1988**

### **Notice of Prompt Interim Response**

#### **Palmerton Leaking Sulfuric Acid Tank Site, Palmerton Borough, Carbon County**

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P.S. §§ 6020.101—6020.1305) has initiated a prompt interim response at the Palmerton Leaking Sulfuric Acid Tank Site located at 900 Delaware Avenue, Palmerton Borough, Carbon County. This response has been started pursuant to Sections 501(a) and 505(b) of the HSCA (35 P.S. §§ 6020.501(a) and 6020.505(b)).

The Palmerton Leaking Sulfuric Acid Tank Site involves an abandoned 5,000 gallon capacity above-ground carbon steel storage tank that contains concentrated liquid sulfuric acid and sludge. On the afternoon of October 30, 2013 a PADEP representative discovered that the tank was leaking acid into the diked concrete secondary containment area. The acid was dripping from the bottom of the tank at a plug into the containment area which at the time contained about six inches of a brown

liquid with white foam and an acidic odor. The pH was measured with pH paper and color pH indicator strips and found to be zero.

The Acid tank is located within the former New Jersey Zinc East Plant property at 900 Delaware Avenue, Palmerton Borough, Carbon County. The acid tank was registered as an above-ground hazardous substance storage tank with the Department by the Zinc Corp. of America, a subsidiary of Horsehead Industries, Inc., under Facility ID of 13-11273 and Tank ID of 617718 and Tank sequence number ZCA023A. The sulfuric acid, reportedly a 96% concentration, was used for the neutralization/pH reduction of the wastewater/groundwater treatment plant discharge most recently operated by Horsehead Industries, Inc. Horsehead Industries, Inc. declared Chapter 11 bankruptcy in August 2002 and subsequently shutdown the treatment plant. Horsehead Corp. acquired portions of the property in December 2003 from the bankruptcy court not including the property on which the acid tank is located.

The Carbon County tax assessment parcel is reportedly 42A-47-B3 and Horsehead Liquidating Corp. is reportedly the property owner of record after the bankruptcy of Horsehead Industries, Inc. Access to the Site is through the entrance and the security guard shack of Horsehead Corp., who owns the property directly adjacent to the acid tank. The tank and containment area are within twenty feet of the outfall pit and weir that flows directly to the Aquashicola Creek. The Creek is about 300 feet from the tank. The closest residence is about 500 feet from the tank across the Creek along Little Gap Road.

The primary threats associated with the leaking sulfuric acid are the human health threat via direct contact with the acid and acidic solutions which could cause burns and tissue damage and the threat to the plants and animals in the Aquashicola Creek if the acid is released to the surface water and lowers the pH causing injury or mortality. Addition of water to the acid or many other chemicals could potentially cause an exothermic reaction that could release fumes and present a threat to nearby workers.

The Department decided that prompt action was needed to address the leaking concentrated sulfuric acid and the only practical alternative that would address the problem includes the transfer of the leaking acid and the acid/water solution from the diked secondary containment area into plastic tanks and containers. The response includes the cleaning and neutralization of the tank and containment area and the transportation and disposal of the waste liquids and sludges to hazardous waste management facilities.

The cleanup and neutralization of the tank and containment area was completed on December 23, 2013. The wastes generated from this cleanup include: the acid sludge and contaminated debris stored in 55-gallon drums (12) and the acid solution stored in 275 gallon totes (8) within secondary containment berms on the property. Off-site shipment of the wastes to a Hazardous Waste Treatment and Disposal Facility is planned for January 2014.

This notice is being provided pursuant to Section 506(b) of HSCA. The administrative record which contains the information that forms the basis and documents the selection of the response action is available for public review and comment. The administrative record is located at the Palmerton Public Library located at 402 Delaware Avenue in Palmerton and available for review during library hours.

The administrative record will be open for comment from February 1, 2014 until May 1, 2014. Persons may submit written comments into the record during this time only, by sending them to James Kunkle, PADEP Supervisor, at 4530 Bath Pike, Bethlehem, PA 18017 or by email to jkunkle@pa.gov.

In addition, persons may present oral comments, for inclusion in the administrative record, at a public hearing. The Department has scheduled the hearing on Thursday March 13, 2014 at 10AM at the Palmerton Borough Hall located at 443 Delaware Avenue.

Persons with a disability who wish to attend the hearing and require auxiliary aid, service, or other accommodation to participate in the proceedings, should call James Kunkle at 610-861-2080 or through the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate their needs.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 2

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

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

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

The Department has received the following plans and reports:



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

**Pike County Business Park #512 Property** (aka-Valient Enterprises Property), Well Road, Blooming Grove Township, **Pike County**, Martin Gilgallon, PA Tectonics, has submitted a Final Report on behalf of his client, Ms. Tammy Savarese, Pike County Industrial Development Authority, 209 E Harford St, Milford, PA 18337, concerning the remediation of soil found during the closure of a 1000 and a 2000 gallon underground storage tanks containing #2 fuel oil (heating oil). The applicant proposes to remediate the site to meet the Non-Residential Statewide Health Standards for soil. The intended future use of the site is for non-residential purposes. A Summary of the Final Report was published in The Pocono Record on December 12, 2013.

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

**Dean May Property**, 2002 Buckhill Road, Wolf Township, **Lycoming County**. Liberty Environmental, Inc., 50 North Fifth Street, 5th Floor, Reading, Pa 19601, on behalf of Ms. Reba Fry of Fry's Gas and Oil Company, 955 Rt. 405, Hughesville, Pa 17737 submitted a Final Report concerning remediation of site soil and groundwater contaminated with #2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Munro Farm Site**, Lower Creek Road, Castanea Township, **Clinton County**. Mr. Mark Lahr/Sr. Project Engineer, KEY Environmental, Inc., 200 Third Avenue, Carnegie, PA 15106, on behalf of Mr. Jesse Overgord/Senior Project Manager, American Color & Chemical, LLC. Mt. Vernon Street, PO Box 88, Lock Haven, PA 17745, submitted a Final Report concerning remediation of site soils contaminated with Benzene, Chlorobenzene, Methylene chloride, Nitrobenzene, 4-Chloroaniline, 1,2-Dichlorobenzene, 1,4-Dichlorobenzene, 2-Nitroaniline and 4-Nitroaniline. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Penn DOT Right of Way**—US Route 15 North, Richmond Township, **Tioga County**. Mr. Steven R. Vedder/Project Manager, Environmental Products & Services of Vermont, Inc., 5100 Paxton Street, Harrisburg, Pa 17111, on behalf of Scott Bartholomew, Snowflake Transportation, LLC, 5520 Route 63, PO Box 190, Mt. Morris, NY 14510, submitted a Final Report concerning the remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Naphthalene, MTBE, Cumene, 1,2,4-Trimethyl benzene, 1,3,5-Trimethyl benzene, Benzo(a)-anthracene, Benzo(a)pyrene, Benzo(b) fluoranthene, Benzo (g.h.i.)perylene, Chrysene, Indeno (1,2,3-cd)pyrene, Pyrene, Lead. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**BRT, Inc. Tanker Accident**—I-80 Westbound, Mile Marker 236.5 Interstate I-80 Westbound Mile Marker 236.5, Scott Township, **Columbia County**. Mr. Steven R. Vedder/Project Manager, on behalf of Ms. Tara Carty, BRT, Inc., 813 North Octorara Trail, Parkersburg, PA 19365, submitted a Final Report concerning remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Cumene, MTBE, Naphthalene, 1,2,4-Trimethyl Benzene, 1,3,5-Trimethyl Benzene, Xylenes. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Childs Property**, 1086 White Deer Pike, White Deer Township, **Union County**. Mr. Martin Gilgallon, P.G., Pennsylvania Tectonics, Inc., 723 Main Street, Archbald, PA 18403. Mr. Martin Gilgallon, P.G., Pennsylvania Tectonics, Inc., 723 Main Street, Archbald, PA 18403 on behalf of Mr. Wayne C. Moore, Nationwide Mutual Insurance Company, as successor by merger to Harleysville Mutual Insurance Company, PO Box 227, Harleysville, Pa 19438, submitted a Final Report concerning remediation of site soils contaminated with Benzene, Ethylbenzene, Cumene, MTBE, Naphthalene, Toluene, 1,2,4-TMB, 1,3,5-TMB. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Hamil Transportation, LLC**, SR 254 @ I-80 Interchange, Turbot Township, **Northumberland County**. Northridge Group, Inc., 1172 Ridge Road, Northumberland, Pa 17857, on behalf of Hamil Transportation, LLC, 2390 Hilltop Drive, Bemen, GA 20110 has submitted a Final Report concerning remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Cumene, Naphthalene, 1,3,5-Trimethylbenzene, 1,2,4-Trimethylbenzene, and Methyl Tertiary Butyl Ether. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Rush Compression Facility**, 3405 Cragle Road, Orwell Township, **Bradford County**, Environmental Product & Services of Vermont, Inc., 5100 Paxton Street, Harrisburg, Pa 17111, on behalf of Mr. Mark Sullivan, Access Midstream Partners, L.P., 100 Interstate Center, Horseheads, NY 14845. submitted a Final Report concerning remediation of site soils contaminated with Benzene, Toluene, Ethyl benzene, Methyl-tert-butyl ether, Isopropylbenzene (cumene), Naphthalene, 1,3,4-Trimethyl Benzene, 1,2,4-Trimethyl Benzene. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Zachrich Transport**, Interstate 80 @ MM190E (passing lane), Greene Township, **Clinton County**. Mr. David A. Bogovich, President, Northridge Group, Inc., 1172 Ridge Road, Northumberland, Pa 17857, on behalf of Northridge Group, Inc., submitted a Final Report concerning remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Cumene, Naphthalene, 1,3,5-Trimethylbenzene, 1,2,4-Trimethylbenzene, Methyl Tertiary Butyl Ether. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

**I-80 Westbound MM 36** (Eldredge Interstate 80 Westbound Mile-Marker 36), I-80 Westbound Mile-Marker 36, Clinton Township, **Venango County**. Groundwater & Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Township, PA 16066 on behalf of Eldredge, Inc., 898 Fernhill Road, West Chester, PA 19380 submitted a Final Report concerning the remediation of site soils and site groundwater contaminated with Fluoride, Aluminum, Cadmium, Chromium-trivalent, Chromium-hexavalent, Copper, Iron, Lead, Nickel, and Arsenic. The report is intended to document remediation of the site to meet the Statewide Health and Background Standards.

**CORRECTION: OMG Americas**, 240 Two Mile Run Road, Sugar creek Borough, **Venango County**. Civil & Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205, on behalf of OMG Americas, Inc., 240 Two Mile Run Road submitted a Cleanup Plan concerning the remediation of site soil contaminated with



lead, arsenic, barium, cadmium, cobalt, copper, nickel, silver, thallium, benzo[a]pyrene and site groundwater contaminated with benzene and naphthalene. The report is intended to document remediation of the site to meet the Site-Specific Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995  
PREAMBLE 3

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

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

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

The Department has received the following plans and reports:

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

**Castrogiovanni 4H Well Site**, 1308 Post Pond Road, Bridgewater Township, **Susquehanna County**, Dawn Washo, Resource Environmental, 36 Taylor Lane, Montrose, PA 18801 has submitted a Final Report, (on behalf of her client, Cabot Oil & Gas Corporation, 5 Penn Center West, Suite 401, Pittsburgh, PA 15276), concerning the remediation of soil from approximately 147 gallons of off-road diesel fuel. The report documented attainment of the Residential Statewide Health Standards for soil and was approved on December 20, 2013. The report was originally submitted within 90 days of the release.

**Lauretta Button Property**, 175 S Lake Road, Liberty Township, **Susquehanna County**, Dawn Washo, Resource Environmental, has submitted a Final Report on behalf of her client, Lauretta Button, 312 Cantone Road, Montrose, PA 18801, concerning the remediation of soil due to an unknown amount of heating oil (#2 fuel oil) released from and aboveground storage tank. The report documented attainment of the Residential Statewide Health Standard for soils and was approved on December 6, 2013.

**Marlene Wolf Property**, 1703 Valley Forge Road, South Whitehall Township, **Lehigh County**, Thomas Martinelli, JMT Environmental, has submitted a Final Report on behalf of his client, Marlene Wolfe, concerning the remediation of soil from a leaking underground storage tank containing heating oil. The report documented attainment of the Residential Statewide Health Standard for soil and was approved on December 6, 2013. The report was originally submitted within 90 days of the release.

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

**Dean May Property**, 2002 Buckhill Road, Wolf Township, **Lycoming County**. Liberty Environmental, Inc., 50 North Fifth Street, 5th Floor, Reading, Pa 19601, on behalf of Fry's Gas and Oil Company, 955 Rt. 405, Hughesville, Pa 17737, submitted a Final Report concerning the remediation of site soil and groundwater contaminated with #2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on November 26, 2013.

**Munro Farm Site**, Lower Creek Road, Castanea Township, **Clinton County**. Mr. Mark Lahr/Sr. Project Engineer, KEY Environmental, Inc., 200 Third Avenue, Carnegie, PA 15106 on behalf of Mr. Jesse Overgard/Senior Project Manager, American Color & Chemical, LLC, Mt. Vernon Street, PO Box 88, Lock Haven, PA 17745, submitted a Site-Specific Report concerning the remediation of site soils contaminated with Benzene, Chlorobenzene, Methylene chloride, Nitrobenzene, 4-Chloroaniline, 1,2-Dichlorobenzene, 1,4-Dichlorobenzene, 2-Nitroaniline and 4-Nitroaniline. The Final Report demonstrated attainment of the Site-Specific Standard, and was approved by the Department on January 3, 2014.

**Penn DOT Right of Way**—US Route 15 North, Richmond Township, **Tioga County**. Mr. Steven R. Vedder/Project Manager, Environmental Products & Services of Vermont, Inc., 5100 Paxton Street, Harrisburg, Pa 17111, on behalf of Scott Bartholomew, Snowflake Transportation, LLC, 5520 Route 63, PO Box 190, Mount Morris, NY 14510, submitted a Final Report concerning the remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Napthalene, MTBE, Cumene, 1,2,4-Trimethyl benzene, 1,3,5-Trimethyl benzene, Benzo(a)-anthracene, Benzo(a)pyrene, Benzo(b) fluoranthene,

Benzo (g.h.i.)perylene, Chrysene, Indeno (1,2,3-cd)pyrene, Pyrene, Lead. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on January 16, 2014.

**Appalachia Midstream Rush Yard Diesel Release Cleanup**, Orwell Township, **Bradford County**. Appalachia Midstream submitted a Final Report concerning remediation of site soil contaminated with Diesel Fuel. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on December 23, 2013.

**Zachrich Transport**, Interstate 80 @ MM190E (passing lane), Greene Township, **Clinton County**. Mr. David A. Bogovich, President, Northridge Group, Inc., 1172 Ridge Road, Northumberland, Pa 17857 on behalf of Northridge Ridge Group, Inc., submitted a Final Report concerning the remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Cumene, Naphthalene, 1,3,5-Trimethylbenzene, 1,2,4-Trimethylbenzene, Methyl Tertiary Butyl Ether. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on January 8, 2014.

**BRT, Inc. Tanker Accident**—I-80 Westbound, Mile Marker 236.5, Interstate I-80 Westbound Mile Marker 236.5, Scott Township, **Columbia County**. Mr. Steven R. Vedder/Project Manager, Environmental Product & Services of Vermont, Inc., 5100 Paxton Street, Harrisburg, PA 17111 on behalf of Ms. Tera Carty, BRT, Inc., 813 North Octorara Trail, Parkersburg, PA 19365, submitted a Final Report concerning the remediation of site soils contaminated with Benzene, Toluene, Ethyl benzene, Cumene, MTBE, Naphthalene, 1,2,4-Trimethyl Benzene, 1,3,5-Trimethyl Benzene, Xylenes. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on January 6, 2014.

**Childs Property**, 1086 White Deer Pike, White Deer Township, **Union County**. Mr. Martin Gilgallon, P.G., Pennsylvania Tectonics, Inc., 723 Main Street, Archbald, Pa 18403 on behalf of Mr. Wayne C. Moore, Nationwide Mutual Insurance Company, as successor by merger to Harleysville Mutual Insurance Company, PO Box 227, Harleysville, PA 19438 submitted a Final Report concerning the remediation of site soils contaminated with Benzene, Ethylbenzene, Cumene, MTBE, Naphthalene, Toluene, 1,2,4-TMB, 1,3,5-TMB. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on January 7, 2014.

**Hamil Transportation, LLC**, SR 254 @ I-80 Interchange, Turbot Township, **Northumberland County**. Northridge Group, Inc., 1172 Ridge Road, Northumberland, Pa 17857, on behalf of Hamil Transportation, LLC, 2390 Hilltop Drive, Bemen, GA 20110 submitted a Final Report concerning the remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Cumene, Naphthalene, 1,3,5-Trimethylbenzene, 1,2,4-Trimethylbenzene, and Methyl Tertiary Butyl Ether. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on January 6, 2014.

**Rush Compression Facility**, 3405 Cragle Road, Orwell Township, **Bradford County**, Mr. Steven R. Vedder, Environmental Product & Services of Vermont, Inc., 5100 Paxton Street, Harrisburg, PA 17111, on behalf of Mr. Mark Sullivan, Access Midstream Partners, L.P., 100 Interstate Center, Horseheads, NY 14845, submitted a Final Report concerning the remediation of site soils contaminated with Benzene, Toluene, Ethyl benzene, Methyl-tert-butyl ether, Isopropylbenzene (cumene),

Naphthalene, 1,3,4-Trimethyl Benzene, 1,2,4-Trimethyl Benzene. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on December 23, 2013.

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

**Quality Components—Daguschahonda Plant**, 103 Bridge Street, Ridgway Township, **Elk County**. American Geosciences, Inc., 3925 Reed Boulevard, Suite 400, Murrysville, PA 15668-1848, on behalf of CMSJLP, LLC., 5038 Bakerstown Road, Gibsonia, PA 15044, submitted a Remedial Investigation /Risk Assessment Report concerning the remediation of site soils and groundwater contaminated with Trichloroethene, cis-1,2-dichloroethene, 1,1-dichloroethene, vinyl chloride, and 1,1,1-trichloroethane. The Report was disapproved by the Department on December 30, 2013.

**International Paper—Dunn Brickyard**, 1540 East Lake Road, City of Erie, **Erie County**. AMEC Environmental & Infrastructure, Inc., 800 N. Bell Avenue, Suite 200, Pittsburgh, PA 15106, on behalf of the Greater Erie Industrial Development Corporation, 5240 Knowledge Parkway, Erie, PA 16510, submitted a Final Report concerning the remediation of site soils contaminated with Arsenic. The Final Report demonstrated attainment of the Site-Specific standard, and was approved by the Department on January 17, 2014.

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

**Windy Ridge Business & Technology Park, (formerly Windy Ridge Farm)**, Lot No. 2, 54 Windy Ridge Road, Indiana, PA 15701, **Indiana County**. Stiffler, McGraw & Associates, 1731 N. Juniata Street, Hollidaysburg, PA 16648 on behalf of Indiana County Development Corporation, 801 Water Street, Indiana, PA 15701 submitted a final report concerning the remediation of site soils contaminated with fuel oil. The final report demonstrated attainment of residential statewide health standard for soils and was approved by the Department on January 15, 2014.

**Former Rosedale Coke Plant**, Hinckston Run Road, Middle Taylor Township, **Cambria County**. Civil & Environmental Consultants, Inc. 333 Baldwin Road, Pittsburgh, PA 15205 on behalf of Tecumseh Redevelopment Inc., 420 Kinross Lakes Parkway, Richfield, OH 44286 has submitted a Baseline Environmental Report concerning the remediation of site soils and groundwater associated with the operation of the former coke batteries. The Baseline Environmental Report was approved by the Department on January 21, 2014. In order to obtain cleanup liability protection, the person undertaking the reuse of a Special Industrial Area shall enter into an agreement with the Department, based on the approved Baseline Environmental Report which outlines cleanup liability of the property.

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

**Permits issued under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003) 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*



**PAR000537548. Waste Management of Fairless LLC**, 1000 New Ford Mill Road, Morrisville, PA 19067. This Class 1 permit modification is to reflect the transfer of ownership and operational control of the RCRA Post-Closure Permit for Borrow Pit 20 (BP-20) from United States Steel Corporation (“USS”) to Waste Management of Fairless, LLC (“WMF”). With the change of ownership, WMF will operate BP-20 under EPA ID No. PAR000537548 instead of PAD002375376 to differentiate WMF’s BP-20 operations from those of USS. The BP-20 is a closed hazardous waste land unit located within the former Fairless Works Facility at Tmp 13-51-1 Tmp 13-50-6 Steel Road South, Keystone Industrial Port Complex, Lot 2 Portion, which is part of the 252-acre Fairless Landfill parcel in Falls Township, **Bucks County**. The permit was issued by the Southeast Regional Office on November 15, 2013.

**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.**

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

**Permit Application No. 101622. Waste Treatment Corporation**, 341 West Hamarr Street, P.O. Box 1550, Warren, PA 16365, City of Warren, **Warren County**. A permit renewal application was issued on January 13, 2014 extending current Solid Waste Processing operations for another ten years. No NDPEs discharge is associated with this renewal. The application for a permit renewal was received by Northwest Region Office on December 17, 2013.

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

**Permit No. 101429. Richard S Burns & Company, Inc.**, 4300 Rising Sun Avenue, Philadelphia, PA 19140-2720. This Minor Permit Modification is to simplify the operational plan, including combining and reconfiguring the prior operational phases to provide flexibility in the overall operations without any changes to the approved capacity, permitted area, daily truck limit, or operating hours at the Richard S. Burns Transfer Station. The Richard S. Burns Transfer Station, a municipal and construction/demolition waste transfer and processing facility, is located at 4300 Rising Sun Avenue in the City and **County of Philadelphia**. The permit was issued by the Southeast Regional Office on January 15, 2014.

**Permit No. 101477. Covanta 4recovery Philadelphia, LLC**, 2209 South 58th Street, Philadelphia PA 19143. City of Philadelphia, Philadelphia County. This permit modification application is to reflect the permittee’s name change from “TransRiver Philadelphia, LLC,” to “Covanta 4Recovery Philadelphia, LLC,” for the 58th Street Transfer Station, a municipal waste transfer facility located at 2209 South 58th Street in the City of Philadelphia, **Philadelphia County**. The permit was issued by the Southeast Regional Office on November 7, 2013.

**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.**

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

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

**GP9-58-017: Meshoppen Stone, Inc.** (P.O. Box 127, Meshoppen, PA 18630) on January 10, 2014, to construct and operate a portable stone crushing plant at their facility located in Oakland Township, **Susquehanna County**.

**GP9-58-012: Nittany Nova Aggregates, LLC** (2840 W. Clymer Avenue, Suite 100, Telford, PA 18969) on January 10, 2014, to install and operate diesel fired I. C Engines at their facility in Choconut Township, **Susquehanna County**.

**GP14-64-001: Brian Arthur Strauch Funeral & Cremation Services** (3 First Street, Springbrook, PA 18444) on January 13, 2014, to operate human crematories controlled by after burner at their facility in Lehigh Township, **Wayne County**.

**GP3-45-004: JDM Materials Co.** (851 County Line Road, Huntingdon Valley, PA 19006) on January 14, 2014, to construct and operate a Portable Crushing Operation with water sprays in Hamilton Township, **Monroe County**.

**GP9-45-004: JDM Materials Co.** (851 County Line Road, Huntingdon Valley, PA 19006) on January 14, 2014, to operate one (1) internal combustion engines in Hamilton Township, **Monroe County**.

**GP9-40-004: Hunlock Sand & Gravel Co.** (121 Gravel Road, Hunlock Creek, PA 18621) on December 24, 2013, to operate four (4) internal combustion engines in Hunlock Township, **Luzerne County**.

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

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

**GP9-08-00010: Global Tungsten & Powders Corp.** (1 Hawes Street, Towanda, PA 18848) on January 13, 2014, to authorize the construction of one 547 bhp diesel-fired engine associated with a 350 kW generator pursuant to the General Plan Approval and/or General Operating Permit for Diesel or No. 2 Fuel-fired Internal Combustion Engines (BAQ-GPA/GP9) at their facility located in Towanda Borough, **Bradford County**.

**GP3-08-313C: Johnson Quarries, Inc.** (PO Box 136 Orange Street, LeRaysville, PA 18829) on January 3, 2014, to construct and operate a 2006 vintage Extex E7 Scalper portable screening plant under the General Plan Approval and/or General Operating Permit for Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at the Rocky Forrest Quarry in Wilmot township, **Bradford County**.

**GP9-08-313C: Johnson Quarries, Inc.** (PO Box 136 Orange Street, LeRaysville, PA 18829) on January 3, 2014, for the construction and operation of a 2006 vintage 100 brake-horsepower Deutz model BF4M1012 diesel engine under the General Plan Approval and/or General

Operating Permit for Diesel-Fired Internal Combustion Engines (BAQ-GPA/GP-9) at the Rocky Forrest Quarry in Wilmot Township, **Bradford County**.

**GP3-14-00002: Contract Crushing Construction, Inc.** (432 Quarry Road, Elysburg, PA 17824) on January 16, 2014, to relocate and operate a Metso LT1213 portable crusher pursuant to General Plan Approval and/or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at the Graymont PA, Inc. Bellefonte Plant located in Spring Township, **Centre County**.

**GP3-14-00002A: Contract Crushing Construction, Inc.** (432 Quarry Road, Elysburg, PA 17824) on January 16, 2014, to construct and operate a Metso ST356 screen and a Fintec 542 screen pursuant to General Plan Approval and/or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at the Graymont PA, Inc. Bellefonte Plant located in Spring Township, **Centre County**.

**GP9-14-00002: Contract Crushing Construction, Inc.** (432 Quarry Road, Elysburg, PA 17824) on January 16, 2014, for the relocation and operation of a 425 bhp Caterpillar C-12 diesel-fired engine pursuant to the General Plan Approval and/or General Operating Permit for Diesel or No. 2 Fuel-fired Internal Combustion Engines (BAQ-GPA/GP-9) at the Graymont PA, Inc. Bellefonte Plant located in Spring Township, **Centre County**.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481 Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6636*

**GP4-10-343B: Sharkskin Finishings** (670 Mercer Road, Butler, PA 16001) on January 17, 2014, to operate a natural gas fueled burn off oven (BAQ/GPA/GP-4) in Butler, **Butler County**.

**GP19-25-944A: PHB, Inc.** (7900 West Ridge Road, Fairview, PA 16415) on January 16, 2014, operate one (1) enclosed abrasive blasting machine for the Dry Abrasive Blasting Operation (BAQ/GPA/GP-19) in Fairview Township, **Erie County**.

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

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

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

**46-0142D: Custom Processing Services, LLC** (461 State Street, East Greenville, PA 18041) on January 14, 2014, for a baghouse to replace the existing baghouse on Rotary Dryer in East Greenville Borough, **Montgomery County**. The company provides customized grinding, milling, blending, and drying services of various mineral products. The pollutant of concern is particulate matter. Dust collectors are used on all sources for particulate matter control. The Plan Approval and Operating Permit will include monitoring, record keeping and reporting requirements designed to address all applicable air quality requirements.

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

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

**39-00101A: Orograin Bakeries Manufacturing, Inc.** (150 Boulder Drive, Breinigsville, PA 18031) on January 10, 2014, to construct one (1) bread production line at their facility to be in Upper Macungie Township, **Lehigh County**.

**48-00004A: Essroc Italcementi Group** (Route 248 and Easton Road, Nazareth, PA 18046) on January 7, 2014 for modification of its Kiln No. 1 air pollution control devices to comply with 40 CFR Part 63 Subpart LLL at their facility in Lower Nazareth Township, **Northampton County**.

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

*Contact: Mark Gorog and Barb Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226*

**30-00089C: Dominion Transmission, Inc.** (501 Martindale Street, 4th Floor, DL Clark Building, Pittsburgh, PA 15212) on January 14, 2014, to install and begin temporary operation of one Solar Taurus 60 natural gas-fired compressor turbine rated at 7,700 hp (at ISO conditions) and controlled by an oxidation catalyst, one natural gas-fired boiler rated at 5.3 MMBtu/hr, and four natural gas-fired microturbine generators rated at 200 kW each at the Crayne Compressor Station in Franklin Township, **Greene County**.

**65-00839B: Texas Eastern Transmission, L.P.** (PO Box 1642, Houston, TX 77251) on January 14, 2014, to install and begin temporary operation of one Solar Titan 250 natural gas-fired compressor turbine rated at 30,000 hp (at ISO conditions) and controlled by an oxidation catalyst at the Delmont Compressor Station in Salem Township, **Westmoreland County**.

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

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401 Contact: Sachin Shankar, New Source Review Chief—Telephone: 484-250-5920*

**09-0027G: Fres-Co System USA, Inc.** (3005 State Road, Telford, PA 18969) on January 14, 2014, to operate a new 10 station rotogravure press with a solvent distillation system in West Rockhill Township, **Bucks County**.

**15-0104D: Tasty Baking Oxford, Inc.** (700 Lincoln Street, Oxford, PA 19363) on January 14, 2014, to operate a new bread line to produce loaf bread products in Oxford Borough, **Chester County**.

**46-0024F: McNeil Consumer Healthcare** (7050 Camp Hill Road, PA 19034) on January 16, 2014, to operate a new tablet coating pan (Source ID 109) and an associate dust collector in Whitmarsh Township, **Montgomery County**.

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

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or Daniel Husted, New Source Review Chief—Telephone: 717-705-4863*

**06-05128A: Reading Truck Body, LLC** (P. O. Box 650, Reading, PA 19607-0650) on January 16, 2014, for authorization to replace an existing paint booth with a new paint booth which will be used to apply touch-up topcoats to metal parts. Additionally, the plan approval will remove individual source volatile organic compound (VOC) emission caps, and will revise the surface coating VOC content limit for Source 111 (Chassis Pool Booth) to



6.67 lb. VOC/gallon applied solids. The heavy duty truck manufacturing facility is in the City of Reading, **Berks County**. The plan approval was extended.

**06-05077B: Can Corporation of America** (326 June Ave., P. O. Box 170, Blandon, PA 19510) on January 10, 2014, to install a new oven for a metal sheet coater controlled by a new oxidizer at the Blandon Plant in Maiden Creek Township, **Berks County**. The plan approval was extended.

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

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

**08-00010E: Global Tungsten & Powders Corp.** (1 Hawes Street, Towanda, PA 18848) on December 31, 2013, issued a modified plan approval for minor changes to the method of operation of the rare earth reclaim process and associated process tanks at their facility located in Towanda Borough, **Bradford County**. The plan approval has been revised.

**59-00017E: Hitachi Metals Automotive Components USA, LLC** (18986 Route 287, Tioga, PA 16946-8815) on January 6, 2014, the Department amended the plan approval issued December 4, 2013, to modify the material throughput and emission limitations of numerous foundry sources and for the installation of an air cleaning device, a regenerative thermal oxidizer, for the control of air contaminant emissions from two foundry sources at their facility located in Lawrence Township, **Tioga County**. The Department corrected a typographical error in source level condition D.I. #002 for Source ID P203 to read as follows: The total combined emissions of volatile organic compounds for Sources P203 and P207 shall not exceed 0.1125 pounds per ton of metal poured, as measured at the regenerative thermal oxidizer (C24) exhaust stack.

**08-00030B: Angelina Gathering Co.** (2350 North Sam Houston Parkway East, Houston, TX 77009) on January 16, 2014, to extend the authorization for the construction of one natural-gas-fired compressor engine equipped with an oxidation catalyst at the Greenzweig Compressor Station located in Herrick Township, **Bradford County** to July 17, 2014. The plan approval has been extended.

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

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

**30-00194A: EQT Gathering, LLC** (625 Liberty Avenue, Suite 1700 EQT Plaza, Pittsburgh, PA 15222) on January 14, 2014, for a Plan Approval extension with expiration date of July 14, 2014, to authorize continued temporary operation of air contamination sources and controls at the Callisto Compressor Station located in Morris Township, **Greene County**. The plan approval has been extended.

**04-00471B: Marathon Petroleum Co. LP**, (10439, Brecksville Road, Brecksville, OH 44141) on January 16, 2014, to extend the period of temporary operation for 180 days of their Midland PA Terminal on Route 68 in Industry Borough, **Beaver County**. The plan approval has been extended.

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

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

**62-00141: National Fuel Gas Supply Corp.—Roystone Compressor Station** (PO Box 2081 Erie, PA 16512-2081) on January 14, 2014, issued the Title V Permit modification for the compressor Station in Sheffield Township, **Jefferson County**. The modification is in accordance with 25 Pa. Code §§ 127.463 and 127.521. The modification addresses the requirements of 40 CFR 63 Subpart DDDDD and Subpart JJJJJJ (Major & Area Source Boiler MACTs), the requirements of 40 CFR 60 Subparts JJJJ (SI ICE), the requirements of 40 CFR 60 Subpart OOOO (Transmission & Distribution), the requirements of 40 CFR 63 Subpart HHH (Natural Gas Transmission), the requirements of 40 CFR 63 Subpart ZZZZ (Stationary RICE), and incorporates the applicable requirements of plan approvals 62-141F and 62-141G. Source 045—Boiler 1 was removed from the facility and has therefore been removed from the permit.

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

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

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

**09-00115: Draper DBS, Inc.** (1803 North 5th Street, Perkasio, PA 18944) on January 14, 2014, for renewal of a State Only, Synthetic Minor Operating Permit in East Rockhill Township, **Bucks County**. Draper designs, manufactures, and finishes custom wood cabinetry. There have been no changes to any of the sources since the permit was last issued. The facility operates four (4) spray booths in which the primary pollutants of concern are volatile organic compounds (VOC) and Hazardous Air Pollutants (HAP). The company shall continue to take appropriate operating and emission restrictions to maintain a minor operating status. Monitoring, record keeping and reporting requirements have been added to the permit to address applicable limitations.

**23-00077: County of Delaware—Fair Acres Complex** (340 North Middletown Road, Lima, PA 19037) on January 14, 2014, to operate boilers and emergency generators on its grounds at Middletown Township, **Delaware County**. This action is a renewal of a State Only Operating Permit (Synthetic Minor), which was originally issued on November 06, 2003. The permittee elects natural gas as the primary fuel for dual-fired boilers to escape the applicable requirements of 40 CFR Part 63 Subpart JJJJJJ. The renewal contains monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**09-00154: Bucks County Water and Sewer Authority** (1275 Almshouse Road, Warrington, PA 18976) on January 16, 2014, for a renewal for a Non-Title V Facility, State-Only, Natural Minor Permit in Doylestown Township, **Bucks County** at their facility at Pine Run Road and Old Dublin Pike. Bucks County Water and Sewer Authority is a sewage treatment plant. The sources of emissions include an emergency generator and the wet well controlled by a scrubber. Monitoring, record keeping and reporting requirements have been added to the permit to address applicable limitations.

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

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

**45-00021: Pocono Medical Center** (206 East Brown Street, East Stroudsburg, PA 18301-3094) on January 17, 2014, to operate boilers and emergency generators at their facility in East Stroudsburg Borough, **Monroe County**. The State-Only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

**41-00054: P-Stone, Inc.** (P.O. Box 254 Jersey Shore, PA 17740) on January 6, 2014, issued a renewal state only operating permit for their facility in Limestone Township, **Lycoming County**. The operating permit renewal includes emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations.

**41-00006: High Steel Structures, Inc.** (1853 William Penn Way, Lancaster, PA 17605-0008) on January 13, 2014, issued a renewal of the operating permit for their Williamsport facility in Williamsport, **Lycoming County**. The operating permit renewal includes emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations.

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

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

**37-00328: Resco Products—New Castle Plant** (606 McCleary Drive New Castle, PA 16101-7502) on January 16, 2014, renewed the Natural Minor Operating Permit for their clay refractory manufacturing operations in New Castle City, **Lawrence County**. The primary sources include the clay mix line, a shuttle kiln, a bell kiln, Ware Dryers 1-4, a mold dryer / ware dryer and a clay graphite mixer. The facility also has a parts washer and natural gas fired space heaters. The facility-wide potential particulate emissions are less than 15 TPY. The potential NO<sub>x</sub> and CO emissions are less than 10 TPY each. The potential SO<sub>x</sub> and VOC emissions are less than 2 TPY each. Potential HAP emissions are less than 3 TPY. The conditions of the previous operating permit are incorporated into the renewal permit.

**Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.**

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

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

**09-00014: Bake Rite Rolls, Inc.—Division of Northeast Foods, Inc.** (2945 Samuel Drive, Bensalem, PA 18020) on January 16, 2014, in Bensalem Township,

**Bucks County**, for operation of the existing bakery operation. The facility is a major source of Volatile Organic Compounds (VOC), due to ethanol (VOC) releases as product is baked. There are no control devices for sources operated at the facility. Administrative Amendment of the Title V Operating Permit issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450. The Administrative Amendment incorporates terms and conditions of Plan Approval No. 09-0014A, which allows for the replacement of the old Lanham 4 Roll Oven (Source ID 104) with the new Stewart Systems Roll Oven (Source ID 106). The amended permit will include monitoring, recordkeeping, and reporting requirements designed to keep the facility within all applicable air quality requirements.

*Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104*

*Contact: Edward Wiener, Chief—Telephone: 215-685-9426*

**S10-006: St. Agnes MOB LLC** (1930 S Broad St, Philadelphia, PA 19145) was administratively amended on January 21, 2014 to incorporate a change of name to Constitution Health Plaza and a change of ownership to St. Agnes MOB, LLC dba Constitution Health Plaza. The Synthetic Minor operating permit was originally issued on May 11, 2010.

**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*

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

**Permit No. 56950106 and NPDES No. PA0213161. PBS Coals, Inc.,** P.O. Box 260, 1576 Stoystown Road, Friedens, PA 15541, revision of an existing bituminous surface mine to delete permit area and corresponding bond reduction in Stonycreek Township, **Somerset County**, affection 138.0 acres. Receiving streams: unnamed tributaries to/and Schrock Run classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: January 9 2013. Permit Issued: January 2, 2014.

**Permit No. 11070202 and NPDES No. PA0262439, Ebensburg Power Company,** 2840 New Germany Road, P.O. Box 845, Ebensburg, PA 15931, permit renewal for the continued operation and restoration of a bitumi-



nous surface mine in Nanty Glo Borough and Jackson Township, **Cambria County**, affecting 83.1 acres. Receiving stream: South Branch Blacklick Creek classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received June 18, 2013. Permit Issued: January 8, 2014.

**Permit No. 56930107 and NPDES No. PA 0212466, Rosebud Mining Co.**, 1117 Shaw Mines Road, Meyersdale, PA 15552, renewal for reclamation only of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 70.3 acres. Receiving streams: unnamed tributaries to/and Buffalo Creek classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: October 4, 2013. Permit Issued: January 8, 2014.

**Permit No. 56813005 and NPDES No. PA0605697, Rosebud Mining Company**, 1117 Shaw Mines Road, Meyersdale, PA 15552, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Southampton Township, **Somerset County**, affecting 121.9 acres. Receiving streams: unnamed tributaries to North Branch of Jennings Creek classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received June 21, 2013. Permit Issued: January 8, 2014.

**Permit No. 56920114 and NPDES No. PA0212334, Rosebud Mining Co.**, 1117 Shaw Mines Road, Meyersdale, PA 15552, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Southampton Township, **Somerset County**, affecting 278.5 acres. Receiving streams: unnamed tributaries to North Branch of Jennings Run, Jennings Run and unnamed tributaries to Jennings Run classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: February 26, 2013. Permit Issued: January 15, 2014.

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

**03030104 and NPDES Permit No. PA0250392, Allegheny Mineral Corporation** (P.O. Box 1022, Kittanning, PA 16201). Permit renewal issued for continued operation and reclamation to an existing bituminous surface mine, located in Manor Township, **Armstrong County**, affecting 100.3 acres. Receiving streams: Garrets Run and Rupp Run. Application received: April 1, 2013. Permit issued: January 16, 2014.

**26080101 and NPDES Permit No. PA0251313, David L. Patterson, Jr.** (12 Short Cut Road, Smithfield, PA 15478). Permit renewal issued for reclamation only to an existing bituminous surface mine, located in German Township, **Fayette County**, affecting 49.9 acres. Receiving streams: South Branch Browns Run and Cat's Run. Application received: August 19, 2013. Permit issued: January 16, 2014.

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

**17020103 and NPDES No. PA 0243221, River Hill Coal Co., Inc.** (P.O. Box 141, Kylertown, PA 16847). Permit revision to allow other than approximate original contour backfilling to a bituminous surface and auger mine in Chest Township, **Clearfield County**, affecting

560.7 acres. Receiving streams: Wilson Run and McMasters Run to Wilson Run to Chest Creek classified for the following use(s): Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: June 21, 2013. Permit issued: January 14, 2014.

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

**Permit No. 49970202C3, Susquehanna Coal Company**, (P.O. Box 27, Nanticoke, PA 18634), correction to update the post-mining land use on an existing anthracite coal refuse reprocessing operation in Mt. Carmel Township, **Northumberland County** affecting 808.1 acre, receiving stream: North Branch Shamokin Creek. Application received: September 30, 2013. Correction issued: January 17, 2014.

*Noncoal Permits Issued*

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

**Permit No. 28010301 and NPDES No. PA0123811, R.A. Hill, Inc.**, General Contractors, 1364 Lincoln Way East, Chambersburg, PA 17202, renewal of NPDES Permit, Hamilton Township, **Franklin County**. Receiving streams unnamed tributaries to Conococheague Creek classified for the following use: warm water fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: September 30, 2013. Permit Issued: January 15, 2014.

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

**53120301, Glenn O. Hawbaker, Inc.** (1952 Waddle Road, Suite 203, State College, PA 16803-1649). Commencement, operation and restoration of a large noncoal surface mine (sandstone) located in Roulette Township, **Potter County** affecting 59.3 acres. Receiving streams: Unnamed Tributaries to Trout Book and Allegheny River classified for the following use(s): Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: September 19, 2012. Permit issued: January 10, 2014.

**14120302 and NPDES No. PA 0257915, Graymont (PA) Inc.** (965 East College Avenue, Pleasant Gap, PA 16823). Commencement, operation and restoration of a large noncoal surface mine (limestone) operation in Spring Township, **Centre County** affecting 67.3 acres. Receiving streams: Unnamed Tributaries to Logan Branch classified for the following use(s): Cold Water Fishes and Migratory Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: June 1, 2012. Permit issued: January 10, 2014.

**NPDES PA 0220248 (Permit No. 1474301) Graymont (PA) Inc.** (965 East College Avenue, Pleasant Gap, PA 16823). NPDES renewal of existing industrial minerals deep mine site located in Spring Township, **Centre County** affecting 1110.3 acres. Receiving stream(s): Logan Branch to Spring Creek. Application received: April 13, 2011. Permit issued: January 14, 2014.

#### ACTIONS ON BLASTING ACTIVITY APPLICATIONS

**Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.**

*Blasting Permits Issued*

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

**65144001. Cleaveland/Price, Inc.** (14000 Rt. 993, Trafford, PA 15085). Blasting activity permit for the construction of a manufacturing plant expansion, located in Trafford Township, **Westmoreland County** with an expiration date of December 30, 2014. Blasting permit issued: January 15, 2014.

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

**58144101. John H. Brainard**, (3978 SR 2073, Kingsley, PA 18826), construction blasting for Squier Gas Pad in Brooklyn Township, **Susquehanna County** with an expiration date of June 30, 2014. Permit issued: January 13, 2014.

**58144102. DW Drilling & Blasting**, (9990 Coconut Road, Bonita Springs, FL 34135), construction blasting for Squier R P1 Gas Pad in Brooklyn, New Milford and Bridgewater Townships, **Susquehanna County** with an expiration date of January 10, 2015. Permit issued: January 13, 2014.

**36144101. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Conoy Crossing in Elizabethtown Borough, **Lancaster County** with an expiration date of December 31, 2014. Permit issued: January 16, 2014.

**36144102. Maine Drilling & Blasting, Inc.**, (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Strasburg Pike & Mill Stream Intersection in East Lampeter Township, **Lancaster County** with an expiration date of January 15, 2015. Permit issued: January 16, 2014.

**40144102. Explosive Services, Inc.**, (7 Pine Street, Bethany, PA 18431), construction blasting for Shuleski foundation in Bear Creek Township, **Luzerne County** with an expiration date of January 14, 2015. Permit issued: January 16, 2014.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the

appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

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### 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.

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*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

*Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-1915, Telephone 570-826-2511.*

**E39-520. Harold Dieterly & Ann Dieterly**, P.O. Box 519, Trumbauersville, PA 18970. Upper Saucon Township, **Lehigh County**, Army Corps of Engineers Philadelphia District.

To construct and maintain the following water obstructions and encroachments associated with the Brinley Court Residential Development Project:

1. A roadway crossing of a UNT to Laurel Run (HQ-CWF, MF) consisting of an 86-foot long 18-inch diameter RCP, headwalls and riprap apron and to fill a deminimus area of wetlands (EV) equal to 0.03 acre;

2. A roadway crossing of a UNT to Laurel Run (HQ-CWF, MF) consisting of an 83-foot long 18-inch diameter RCP, 15 feet of 24-inch diameter RCP, headwall and riprap apron;

3. An 8" concrete encased DIP sanitary crossing of UNT to Laurel Run (HQ-CWF, MF);

4. An outfall structure in the floodway of UNT to Laurel Run (HQ-CWF, MF) consisting of a 36-inch diameter RCP, headwall and riprap apron;

5. A minor road crossing of a UNT to Laurel Run (HQ-CWF, MF) consisting of a 40-foot long 19-inch x 33-inch precast concrete elliptical pipe;

6. Four 10-inch DIP water line crossings of a UNT to Laurel Run (HQ-CWF, MF);

7. Two temporary road crossings of a UNT to Laurel Run (HQ-CWF, MF).

The project is located approximately 0.2 mile east of the intersection of South Main Street (SR 2045) and Old Bethlehem Pike (Allentown East, PA Quadrangle Latitude: 40° 30' 06"; Longitude: -75° 23' 27") in Upper Saucon Township, Lehigh County. Subbasin: 2C

*Northwest Region: Oil and Gas Program Manager, 230 Chestnut Street, Meadville, PA 16335 814-332-6860*



**E43-08-001, Halcon Field Service LLC**, 1000 Louisiana Street, Suite 6700, Houston, TX 77002-6003, Greene and West Salem Townships, **Mercer County**, ACOE Pittsburgh District.

The applicant proposes the installation of approximately 2.5 miles of 16 inch diameter natural gas pipeline starting at the Gallagher wellpad and terminating at the Cude wellpad in Greene and West Salem Townships, Mercer County, PA. The project will utilize new rites-of-way (ROWs), and existing public and private roads for construction, operations and maintenance activities. Approximately 0.015 acre of water obstructions to wetlands will occur as a result of the project due to the horizontal directional drill (HDD) method beneath the wetlands. No temporary wetland impacts, tree-clearing within wetland boundaries, or permanent wetland fill (loss of wetland area), and no wetland mitigation will be necessary. The project will result in 210 linear feet of temporary stream impacts and 0.0 acre of temporary wetland impacts.

The water obstructions and encroachments for the purposes of installing the pipeline are described below:

1 One (1) 16 inch diameter natural gas gathering line crossing the floodway of an unnamed tributary (UNT) to Shenango River (WWF) using open cut technique. (Greenville West, PA Quadrangle) 41°27'39.047"N -80°24'46.995"W

2 One (1) 16 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to Shenango River (WWF) using Horizontal Directional Drill (HDD) technique and impacting 0 linear feet. (Greenville West, PA Quadrangle) 41°27'22.032"N -80°25'17.903"W

3 One (1) 16 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to Shenango River (WWF) using Horizontal Directional Drill (HDD) technique and impacting 0 linear feet. (Greenville West, PA Quadrangle) 41°27'21.369"N -80°25'18.977"W

4 One (1) 16 inch diameter natural gas gathering line crossing Shenango River (WWF) using Horizontal Directional Drill (HDD) technique and impacting 0 linear feet. (Greenville West, PA Quadrangle) 41°27'20.189"N -80°25'20.886"W

5 One (1) 16 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to Shenango River (WWF) using Horizontal Directional Drill (HDD) technique and impacting 0 linear feet. (Greenville West, PA Quadrangle) 41°27'14.506"N -80°25'26.830"W

6 One (1) 16 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to Shenango River (WWF) using Horizontal Directional Drill (HDD) technique and impacting 0 linear feet. (Greenville West, PA Quadrangle) 41°26'59.872"N -80°25'34.631"W

7 One (1) 16 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to Shenango River (WWF) using Horizontal Directional Drill (HDD) technique and impacting 0 linear feet. (Greenville West, PA Quadrangle) 41°26'58.035"N -80°25'34.526"W

8 One (1) 16 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to Shenango River (WWF) using Horizontal Directional Drill (HDD) technique and impacting 0 linear feet. (Greenville West, PA Quadrangle) 41°26'56.042"N -80°25'34.413"W

9 A temporary road crossing using a wood mat bridge, one (1) 16 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to Shenango River (WWF) using open cut technique and impacting 41 linear feet. (Greenville West, PA Quadrangle) 41°26'48.979"N -80°25'35.575"W

10 A temporary road crossing using a wood mat bridge, one (1) 16 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to Shenango River (WWF) using open cut technique and impacting 59 linear feet. (Greenville West, PA Quadrangle) 41°26'34.869"N -80°25'32.497"W

11 A temporary road crossing using a wood mat bridge, one (1) 16 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to Shenango River (WWF) using open cut technique and impacting 42 linear feet. (Greenville West, PA Quadrangle) 41°26'27.688"N -80°25'33.501"W

12 A temporary road crossing using a wood mat bridge, one (1) 16 inch diameter natural gas gathering line crossing an unnamed tributary (UNT) to Shenango River (WWF) using open cut technique and impacting 45 linear feet. (Greenville West, PA Quadrangle) 41°26'25.311"N -80°25'33.991"W

13 A temporary road crossing using a timber mat bridge and crossing an unnamed tributary (UNT) to Shenango River (WWF) impacting 23 linear feet. (Greenville West, PA Quadrangle) 41°26'56.829"N -80°25'20.214"W

14 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland / palustrine scrub-shrub (PSS) wetland using Horizontal Directional Drill (HDD) technique with no anticipated impacts. (Greenville West, PA Quadrangle) 41°27'21.783"N -80°25'18.305"W

15 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland / palustrine scrub-shrub (PSS) wetland using Horizontal Directional Drill (HDD) technique with no anticipated impacts (Greenville West, PA Quadrangle) 41°27'20.761"N -80°25'19.959"W

16 One (1) 16 inch diameter natural gas gathering line crossing a palustrine emergent (PEM) wetland / palustrine forested (PFO) wetland using Horizontal Directional Drill (HDD) technique with no anticipated impacts (Greenville West, PA Quadrangle) 41°27'19.031"N -80°25'22.762"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-1 #ESX13-085-0032—Delaware Rodemeyer Well Pad

Applicant Hilcorp Energy Co.  
Contact Stephanie McMurray  
Address 1201 Louisiana St. Suite 1400  
City Houston State TX Zip Code 77002  
County Mercer Township(s) Delaware(s)  
Receiving Stream(s) and Classification(s) UNT to Shenango River-WWF

ESCGP-1 #ESX13-019-0060—Shipley Well Pad

Applicant R.E. Gas Development, LLC  
Contact Michael Endler  
Address 600 Cranberry Woods Drive  
City Cranberry Township State PA Zip Code 16066  
County Butler Township(s) Connoquenessing(s)  
Receiving Stream(s) and Classification(s) UNT's to Connoquenessing Creek, Slippery Rock Creek Watershed, WWF

ESCGP-1 #ESX13-085-0026—Pymatuning Miller Pad

Applicant Hilcorp Energy Company  
Contact Stephanie McMurray  
Address 1201 Louisiana Street, Suite 1400  
City Houston State TX Zip Code 77002  
County Mercer Township(s) Pymatuning(s)  
Receiving Stream(s) and Classification(s) Chestnut Run-WWF

ESCGP-1 #ESX13-085-0029—Jefferson Montgomery Central Facility to Tap

Applicant Hilcorp Energy Company  
Contact Stephanie McMurray  
Address 1201 Louisiana Street, Suite 1400  
City Houston State TX Zip Code 77002  
County Mercer Township(s) Jefferson(s)  
Receiving Stream(s) and Classification(s) Lackawannock Creek (TSF), UNT to Lackawannock Creek (TSF)

ESCGP-1 #ESG13-019-0062—Bergbigler Well Pad

Applicant XTO Energy  
Contact Ms. Melissa Breitenbach  
Address 502 Keystone Drive  
City Warrendale State PA Zip Code 15086  
County Butler Township(s) Clearfield(s)  
Receiving Stream(s) and Classification(s) UNT Little Buffalo Run (HQ-CWF)

*Southwest Region: Oil & Gas Program Mgr. 400 Waterfront Dr. Pittsburgh PA*

ESCGP-2 No: ESX13-125-0076

Applicant Name: Range Resources Appalachia LLC  
Contact Person Mr Glenn D Truzzi  
Address: 3000 Town Center Boulevard  
City: Canonsburg State: PA Zip Code: 15317  
County: Washington Township: Cross Creek  
Receiving Stream (s) And Classifications: UNTs to South Fork Cross Creek / Raccoon Creek Watershed; HQ

ESCGP-2 No.: ESG13-125-0079

Applicant Name: Range Resources Appalachia LLC  
Contact Person: Mr Glenn D Truzzi  
Address: 3000 Town Center Boulevard  
City: Canonsburg State: PA Zip Code: 15317  
County: Washington Township(s): Cross Creek

Receiving Stream(s) and Classifications: UNTs to Cross Creek/Raccoon Creek Watershed; HQ

ESCGP-2 No.: ESG13-059-0049

Applicant Name: Vista Gathering LLC  
Contact Person: Mr Mike Hopkins  
Address: 226 Elm Drive Suite 102  
City: Waynesburg State: PA Zip Code: 15370  
County: Greene Township(s): Center  
Receiving Stream(s) and Classifications: Clear Run / Monongahela Rush Run / Monongahela UNT to South Fork Tenmile Creek / Monongahela; HQ; Other Warm Water Fishery

ESCGP-2 No.: ESX13-059-0047

Applicant Name: Energy Corporation of America  
Contact Person: Mr Travis Wendel  
Address: 101 Heritage Run Road Suite #1  
City: Indiana State: PA Zip Code: 15701  
County: Greene Township(s): Franklin  
Receiving Stream(s) and Classifications: UNTs to Smith Creek, Smith Creek; Other WWF

ESCGP-2 No.: ESX13-005-0026

Applicant Name: EQT Gathering LLC  
Contact Person: Mr Brian M Clauto  
Address: 455 Racetrack Road  
City: Washington State: PA Zip Code: 15301  
COUNTY Armstrong Township(s): Plumcreek  
Receiving Stream(s) and Classifications: UNT to Cherry Run / Cherry Run Watershed, part of Crooked Creek Watershed; Other CWF

ESCGP-2 No.: ESG13-059-0050

Applicant Name: Rice Drilling B LLC  
Contact Person: Mr Joe Mallow  
Address: 171 Hillpointe Drive Suite 301  
City: Canonsburg State: PA Zip Code: 15317  
County: Greene Township(s): Gray  
Receiving Stream(s) and Classifications: #21900 Grays Fork, #32158 Grinnage Run; HQ; Other WWF

ESCGP-2 No.: ESG13-125-0067

Applicant Name: Range Resources Appalachia LLC  
Contact Person: Mr Glenn D Truzzi  
Address: 3000 Town Center Boulevard  
City: Canonsburg State: PA Zip Code 15317  
County: Washington Township(s): North Strabane  
Receiving Stream(s) and Classifications: UNTs to Little Chartiers Creek / Chartiers Creek Watershed; HQ

ESCGP-2 No.: ESX12-125-0139 Major Revision

Applicant Name: Range Resources Appalachia LLC  
Contact Person: Ms Laura M Rusmisl  
Address: 3000 Town Center Boulevard  
City: Canonsburg State: PA Zip Code: 15317  
County: Washington Township(s): Smith  
Receiving Stream(s) and Classifications: UNTs to Raccoon Creek (WWF) and Raccoon Creek (WWF) / Raccoon Creek Watershed; Other WWF; Siltation-Impaired

ESCGP-2 No.: ESX13-125-0044

Applicant Name: Range Resources Appalachia LLC  
Contact Person: Mr Glenn D Truzzi  
Address: 3000 Town Center Boulevard  
City: Canonsburg State: PA Zip Code: 15317  
County: Washington Township(s): Hanover  
Receiving Stream(s) and Classifications: UNT to Dilloe Run / Raccoon Creek Watershed; Other WWF; Siltation-Impaired

ESCGP-2 NO.: ESG13-059-0035

Applicant Name: Vista Gathering LLC  
CONTACT PERSON: Mr Mike Hopkins  
ADDRESS: 480 Johnson Road Suite 100

City: Washington State: PA Zip Code: 15301  
 County: Greene Township(s): Washington  
 Receiving Stream(s) and Classifications: Ruff Creek /  
 Monongahela River Wisecarver Run/ South Fork  
 Tenmile Creek; HQ; Other WWF

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## SPECIAL NOTICES

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### Environmental Good Samaritan Act Project Proposals

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

The Environmental Good Samaritan Act (27 Pa.C.S.A. §§ 8001—8114) provides certain protections and immunities from civil liability for landowners and persons who voluntarily undertake reclamation and abatement projects to address land and water adversely affected by mining or oil or gas extraction or exploration for natural resources and left in an unreclaimed condition or left discharging water pollution. In order for landowners and persons to qualify for immunity, the projects must be approved by the Department of Environmental Protection.

The following project proposals have been received by the Department. Copies of the proposals are available for inspection at the Moshannon District Office, 186 Enterprise Road, Philipsburg, PA 16866, Attention: Watershed Manager.

Written comments or objections may be submitted by any person or any office or head of any Federal, State, or local government agency or authority to the Department at the same address within thirty (30) days of this publication.

Written comments or objections should contain the name, address and telephone number of the person submitting comments or objections; the proposal identification number; and a statement of sufficient detail to inform the Department of the basis of the comment or objection and the relevant facts upon which it is based.

**EGS 17007. Emigh Run/Lakeside Watershed Association, Inc.** (PO Box 204, Morrisdale, PA 16858). Emigh Run 13/14 Acid Mine Drainage Treatment System. A project to abate mine drainage pollution in Morris Township, **Clearfield County** affecting 3.5 acres. Receiving stream: Emigh Run classified for the following use(s): CWF. Project proposal received February 2, 2010.

**EGS 17008. Emigh Run/Lakeside Watershed Association, Inc.** (PO Box 204, Morrisdale, PA 16858). Hubler Run 2 Acid Mine Drainage Treatment System. A project to abate mine drainage pollution in Graham Township, **Clearfield County** affecting 3.0 acres. Receiving stream: Hubler Run classified for the following use(s): CWF. Project proposal received: March 4, 2010.

**EGS 17009. Pike Township** (PO Box 219, Curwensville, PA 16833). Korb 1, Korb 2, and Korb 3 AMD Treatment System. A project to abate mine drainage pollution and reclaim abandoned mine land in Bloom Township, **Clearfield County** affecting 22.0 acres. Receiving stream: Anderson Creek classified for the following use(s): CWF. Project proposal received: June 21, 2010.

**EGS 17010. Clearfield County Conservation District** (650 Leonard Street, Clearfield, PA 16830). Morgan Run Ross AMD Treatment System Construction. A project to abate mine drainage pollution and reclaim abandoned mine land in Decatur Township, **Clearfield County**

affecting 8.0 acres. Receiving stream: Morgan Run classified for the following use(s): CWF. Project proposal received: July 20, 2010.

**EGS 17011. Clearfield County Conservation District** (650 Leonard Street, Clearfield, PA 16830). MR 7 Construction Project. A project to abate mine drainage pollution and reclaim abandoned mine land in Decatur Township, **Clearfield County** affecting 10.0 acres. Receiving stream: Morgan Run classified for the following use(s): CWF. Project proposal received: May 20, 2011.

**EGS 17012. Emigh Run/Lakeside Watershed Association, Inc.** (PO Box 204, Morrisdale, PA 16858). Hubler Run 3 Acid Mine Drainage Treatment System Construction. A project to abate mine drainage pollution in Graham Township, **Clearfield County** affecting 4.0 acres. Receiving stream: Hubler Run classified for the following use(s): CWF. Project proposal received: September 18, 2012.

[Pa.B. Doc. No. 14-243. Filed for public inspection January 31, 2014, 9:00 a.m.]

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### Clarification of General Permit Number WMGR 097 for Research and Development of the Beneficial Uses of Municipal and Residual Waste

Under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904) and the residual waste regulations, a General Permit authorizing Research and Development of the Beneficial Uses of Municipal and Residual Waste, General Permit Number WMGR097, authorizes research and development (R&D) activities to demonstrate the beneficial use of residual waste or municipal waste, or both.

By this notice, the Department of Environmental Protection (Department) is providing notice that WMGR 097 has been amended to clarify inconsistencies in time frames for the retention of records and information associated with an R&D project. The amendments include:

1. In paragraph D.1. of the permit, amendment to require retention of analytical records at the permittee's place of business from 3 years to 5 years for consistency with existing requirements.
2. In paragraph E.4. of the permit, amendment to require retention of information utilized to prepare project status reports for a minimum of 3 years to a minimum of 5 years after the completion of the R&D project for consistency with existing requirements.
3. In paragraph E.6. of the permit, correction to require retention of information utilized to prepare a project completion report for a minimum of 3 years to a minimum of 5 years after completion of the R&D projects for consistency with existing requirements.

This General Permit was issued by Central Office on November 23, 2013. The permit will become effective on March 1, 2014.

Persons interested in reviewing the General Permit may contact Scott E. Walters, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17105-9170, (717) 787-7381. TDD users may contact the



Department through the Pennsylvania AT&T Relay Service (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-244. Filed for public inspection January 31, 2014, 9:00 a.m.]

### Oil and Gas Technical Advisory Board Meeting Cancellation

The March 27, 2014, meeting of the Oil and Gas Technical Advisory Board (Board) is cancelled. The next meeting is scheduled for June 26, 2014, at 10 a.m. in Room 105, Rachel Carson State Office Building, Harrisburg, PA.

Questions concerning the next scheduling meeting of the Board can be directed to Darek Jagiela, Bureau of Oil and Gas Planning and Program Management, P. O. Box 8765, Harrisburg, PA 17105-8765, djagiela@pa.gov, (717) 783-9645. The agenda and meeting materials for the June 26, 2014, meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at <http://www.dep.state.pa.us> (Keyword: Public Participation).

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 783-2360 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-245. Filed for public inspection January 31, 2014, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### Exempt Machinery and Equipment Steel Products

The following is an updated list of exempt machinery and equipment steel products authorized under section 4(b) of the Steel Products Procurement Act (73 P. S. § 1884(b)). There is a 30-day comment period beginning on the date of this publication during which the public may submit comments in writing, as to the domestic availability of a steel product on the list, to the Deputy Secretary for Public Works, Department of General Services, 18th and Herr Streets, Harrisburg, PA 17125, [ra-steel@pa.gov](mailto:ra-steel@pa.gov). The comments must be supported with a mill certification indicating that the steel was melted in the United States of America or an executed Steel Origin Certification form (found on the Department of General Services' web site) indicating the disputed product is produced domestically. See 4 Pa. Code Chapter 67a (relating to steel products procurement—statement of policy). Any “(new)” after a listing indicates a steel product that was not produced in the United States in sufficient quantities to meet the requirements of the contract during 2013.

SHERI PHILLIPS,  
*Secretary*

### *Exempt Machinery and Equipment Steel Products*

Air Conditioning Units  
Air Duct Housing w/Sample Tubes  
Air Handling Units  
Anchor Bolt  
Audio RA Station  
Annunciator Panel  
AV Rack Kit  
Back Box  
Battery Cabinet  
Blank Filler Plate for Fiber  
Blank Metal Door  
Blank Plate for Outer Door  
Bottom Dead Front Panel  
Bridge for Cameras  
Butterfly Valves  
Cabinet  
Cardcage  
CCTV Power Supply  
Ceiling Flange  
Central Control Unit  
Centrifugal pumps  
Channel Video  
Circulating Pump  
Closers  
Color Monitor  
Combination Round Head Steel Zinc-Plated Toggle Bolts (new)  
Conduit Fittings  
Control Module Plate  
Control Panel  
Control Valve  
Data Converter Unit  
Deck Inserts (new)  
Deck and Rub Rail Fasteners (new)  
Digital Communicators (new)  
Digital Record  
Door Protection  
Door Trim/Handles  
Drinking Fountain  
Drop-In Anchors  
Dry Tape Transformer  
Dual Interface Module  
Duct Detector w/Relay  
Duct Housing  
Ductless Split System  
DVR Rack  
Electric Traction Elevators  
Electric Water Cooler  
Elevator Controller  
Elevator Hoistway  
Encl. for Annunciator  
Exit Devices  
Exp Cage  
Fence System Nuts and Bolts (new)  
Fire Alarm NAC Extender  
Fire Alarm Peripherals  
Fixed Door Station  
Flexible Drops  
Frames  
Full Blank Plate  
Galvanized Carriage Bolts  
Garage Door Tracking  
Generator  
Hand Dryer  
Hanger Mounting Plates  
Hangermates  
Hangers Supports  
Horn/Strobe  
Inclined Platform Wheelchair Lifts (new)



Inner & Outer Door  
 Inner Door Blank Plate  
 Interface Module  
 Lag Bolts  
 Large Remote Cab  
 Lock Cylinders  
 Locknuts  
 Locksets  
 Low Temp. Detection Thermostats  
 Lubrication Unit  
 Machine Screws  
 Main Control Board  
 Metal Lockers  
 Manual Pull Station  
 Med. Enclosure  
 Middle Dead Front  
 Mini-Interface Module  
 Monitor Mount  
 Monitor Wall Brk  
 Mounting Plate  
 Network Fiber Switch  
 Overhead Door  
 Overhead Stops  
 Patient Wandering Alarm  
 Pipe Clamps  
 Pivots  
 Power Supply  
 Pull Station Box  
 RA Annunciator Pnl  
 Rack Mount Card Cage  
 Rack Mount Kit  
 Radiant Panels  
 Reader Interface  
 Relay Module  
 Remote Chiller  
 Round head machine screw  
 Safety Relief Valve (new)  
 Sampling Tube  
 Security Panel  
 Security Unit  
 Security/CCTV Camera Housing  
 Self Turn / Self Tapping Screw  
 Shower/eye washers  
 Signal Extender Module  
 Single Blank  
 Smoke Detector Wire  
 Speaker  
 Speaker/Strobe  
 Split HVAC System  
 Split Ring Hangers  
 Split Rings  
 Split System Air Conditioning  
 SSD-C Remote Display w/Control  
 SSD-C-REM Rem Display  
 Stainless Flat Bars  
 Stainless Steel Cable  
 Strobe  
 Submersible pump  
 Sump Pump  
 Surface Mount Speaker  
 Surface Station Box  
 Surge Arrester  
 Surge Protector  
 T8 Light Troffer  
 Tamper Proof Screws & Nuts  
 Threaded Rod Hanger  
 Tie Wire 21 gauge (new)  
 Tie Wire Anchor  
 Toggle Wing  
 Transformer

Turbine pumps  
 Uninterruptible Power Supply  
 VRV Fan Coils/Cond. Units  
 Wall Mtd. Fountain  
 Water Coolers  
 Water Heater  
 Wing Toggle

[Pa.B. Doc. No. 14-246. Filed for public inspection January 31, 2014, 9:00 a.m.]

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### Lease Retail Space to the Commonwealth York County

Proposals are invited to provide the Department of General Services with 9,000 to 10,000 usable square feet of retail space for the Liquor Control Board in York County. For more information on SFP No. 94548, which is due on February 28, 2014, visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or contact the Bureau of Real Estate at (717) 787-4394.

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 14-247. Filed for public inspection January 31, 2014, 9:00 a.m.]

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## DEPARTMENT OF HEALTH

### Application of Reading Surgery Center, LLC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Reading Surgery Center, LLC has requested an exception to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 3.7-3.4.2.2(1)(b)(ii) (relating to two recovery positions for each Class B operating room).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, [ra-paexcept@pa.gov](mailto:ra-paexcept@pa.gov).

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of 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. 14-248. Filed for public inspection January 31, 2014, 9:00 a.m.]

### Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 211.9(g) (relating to pharmacy services)

Ambler Extended Care Center  
32 South Bethlehem Pike  
Ambler, PA 19002  
FAC ID # 010802

ManorCare Health Services—Lebanon  
900 Tuck Street  
Lebanon, PA 17042  
FAC ID # 905002

Mifflin Center  
500 East Philadelphia Avenue  
Shillington, PA 19607  
FAC ID # 081002

Praxis Alzheimer's Facility  
500 Washington Street  
Easton, PA 18042  
FAC ID # 163802

Riverstreet Manor  
440 North River Street  
Wilkes-Barre, PA 18702  
FAC ID # 185302

Rose View Center  
1201 Rural Avenue  
Williamsport, PA 17701  
FAC ID # 185502

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail, or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the address or phone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-249. Filed for public inspection January 31, 2014, 9:00 a.m.]

## DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

### Per Diem Rates at Pennsylvania State Veterans' Homes

The Department of Military and Veterans Affairs (Department) has established the following per diem rates for the costs of care for residents at Pennsylvania's six State Veterans' Homes. These rates are based on costs of care for the period July 1, 2012, to June 30, 2013. The Department has implemented and will continue to implement cost-savings measures for the State Veterans' Homes, which are reflected in these per diem rates.

These per diem rates are effective January 1, 2014, until further notice.

#### *Hollidaysburg Veterans' Home, Hollidaysburg*

Nursing Care	\$353.00
Personal Care (Domiciliary)	\$178.00

#### *Pennsylvania Soldiers' and Sailors' Home, Erie*

Nursing Care	\$344.00
Personal Care (Domiciliary)	\$167.00

#### *Southeastern Veterans' Center, Spring City*

Nursing Care	\$353.00
Personal Care (Domiciliary)	\$179.00

#### *Gino J. Merli Veterans' Center, Scranton*

Nursing Care	\$311.00
Personal Care (Domiciliary)	NA

#### *Southwestern Veterans' Center, Pittsburgh*

Nursing Care	\$307.00
Personal Care (Domiciliary)	\$179.00

#### *Delaware Valley Veterans' Home, Philadelphia*

Nursing Care	\$324.00
Personal Care (Domiciliary)	\$167.00

WESLEY E. CRAIG,  
*Major General, PAARNG,*  
*The Adjutant General*

[Pa.B. Doc. No. 14-250. Filed for public inspection January 31, 2014, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Annual Inflation Adjustment; Pennsylvania Gaming Cash Flow Management

In accordance with 61 Pa. Code § 1001.8 (relating to State Gaming Fund transfers), the Secretary of Revenue announces that, for the year commencing January 1, 2014, the Annual Inflation Adjustment as proscribed in 4 Pa.C.S. § 1403(d) (relating to establishment of State Gaming Fund and net slot machine revenue distribution) is 1.2%.

Section 1403(c) of 4 Pa.C.S. requires the Department to utilize the most recent Consumer Price Index effective immediately prior to the date the adjustment is due to take effect. This adjustment was published by the United States Department of Labor, Bureau of Labor Statistics

on January 16, 2014. Therefore, the Department is publishing notice of the Annual Inflation Adjustment.

DANIEL MEUSER,  
*Secretary*

[Pa.B. Doc. No. 14-251. Filed for public inspection January 31, 2014, 9:00 a.m.]

### Realty Transfer Tax; Revised 2012 Common Level Ratio; Real Estate Valuation Factors

The following real estate valuation factors are based on sales data compiled by the State Tax Equalization Board in 2012. These factors are the mathematical reciprocal of the actual common level ratios. For Pennsylvania Realty Transfer Tax purposes, these factors are applicable for documents accepted from January 1, 2014 to June 30, 2014. The date of acceptance of a document is rebuttably presumed to be its date of execution, that is, the date specified in the body of the document as the date of the instrument (61 Pa. Code § 91.102).

<i>County</i>	<i>Revised Common Level Ratio Factor</i>
Philadelphia	*1.00

\* Adjusted by the Department of Revenue to reflect an assessment base change effective January 1, 2014.

DANIEL MEUSER,  
*Secretary*

[Pa.B. Doc. No. 14-252. Filed for public inspection January 31, 2014, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Contemplated Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation (Department), under the Sale of Transportation Lands Act (71 P. S. §§ 1381.1—1381.3), intends to sell certain land owned by it.

The following is available for sale by the Department.

Lower Macungie Township, Lehigh County. The parcel contains 0.785 acre of unimproved land situated at southwest quadrant of SR 222 (Hamilton Street) and Kressler Road. The estimated fair market value is \$605,000.

Interested public entities are invited to express their interest in purchasing the site within 30 calendar days from the date of publication of this notice to Department of Transportation, Engineering District 5-0, Attn: Right-of-Way, 102 Hamilton Street, Allentown, PA 18102-1013.

BARRY J. SCHOCH, P.E.,  
*Secretary*

[Pa.B. Doc. No. 14-253. Filed for public inspection January 31, 2014, 9:00 a.m.]

### Findings

Under section 2002(b) of The Administrative Code of 1929 (71 P. S. § 512(b)) establishing the Department of

Transportation (Department), the Deputy Secretary for the Highway Administration makes the following written finding:

The Department is planning the projects listed as follows. Environmental and Section 4(f) Documentation have been developed for the projects identified as follows to evaluate the potential environmental impacts caused by these projects. The Section 4(f) documents also serve as the Section 2002 Evaluation. The approved documents are available in the CE Expert System at <http://www.dotdom2.state.pa.us/ceea/ceeamain.nsf>. The environmental, economic, social and other effects of the proposed projects have been considered. Based upon studies, there is no feasible and prudent alternative to the use of the Section 2002 resources for the proposed projects identified as follows and all reasonable steps have been taken to minimize the effects.

#### • SR 0896, Section 007—Strasburg and East Lampeter Townships, Lancaster County.

*Project Description:* This project consists of shoulder widening, minor drainage updates, guiderail updates, roadway resurfacing and the replacement and widening of the structure carrying SR 0896 over Pequea Creek. Also, included are intersection improvements consisting of widening of SR 0896 near the Rockvale Road intersection to accommodate a new traffic signal and minor modifications to the intersection of SR 0030 and SR 0896.

*Environmental Documents:* Level 1b Categorical Exclusion Evaluation (CEE), approved on August 20, 2013, and a Determination of Section 4(f) De Minimus Use document, approved on August 14, 2013.

*Proposed Use of Section 4(f)/2002 Resource:* The widening of SR 0896 will require permanent right-of-way (ROW) acquisitions totaling 0.75 acre from two property owners from the National Register eligible Pequea South Rural Historic District. The ROW will be used to construct shoulders wide enough to accommodate non-motorized traffic safely.

#### • SR 1007, Section 012—Monroe Township, Cumberland County.

*Project Description:* The project consists of the replacement of three structures along SR 1007 (Locust Point Road) and minimum approach work allowing for widening of the roadway to meet design criteria. Two of the replacements are located over the Yellow Breeches Creek (Segment 20) and one over an unnamed tributary to the Yellow Breeches Creek (Segment 40).

*Environmental Documents:* Level 2 CEE, approved on July 22, 2013, and a Determination of Section 4(f) De Minimus Use document, approved on June 9, 2010.

*Proposed Use of Section 4(f)/2002 Resource:* ROW acquisition is limited to the Segment 40 bridge replacement over the unnamed tributary to the Yellow Breeches Creek. A permanent ROW acquisition of 0.138 acre and a temporary construction easement (TCE) of 0.102 acre will be required from the Hartzler Farm. The Hartzler Farm is eligible for listing on the National Register of Historic places. The proposed widening of the bridge and approaches will involve sliver takes along both sides of the road and the TCE is required for erosion and sedimentation control, temporary stream diversion and project access. These sliver takes will not affect the agricultural significance of the farm as this area has not been used for agricultural production. All TCEs will be restored to a condition at least as good as that which existed prior to the start of construction.

• **SR 2003, Section 023—Springettsbury Township, York County.**

*Project Description:* The project consists of the widening of Interstate 83, Exit 19 (SR 0462) Northbound exit ramp to provide two through lanes and a dedicated right-turn lane. Additionally, SR 2003 (North Hills Road) will be widened to provide two continuous through northbound lanes from the intersection of SR 0462 (Lincoln Highway) to Industrial Highway.

*Environmental Documents:* Level 1b CEE, approved on May 6, 2013, and a Determination of Section 4(f) De Minimus Use document, approved on April 24, 2013.

*Proposed Use of Section 4(f)/2002 Resource:* The East York Historic District is located adjacent to the project area. The widening of the I-83 Northbound exit ramp will require sliver takes in the amount of 0.029 acre resulting in no adverse effects to the historic district.

• **SR 3001, Section 036—Butler and Tyrone Townships, Adams County.**

*Project Description:* The project involves the online replacement of two adjacent bridge structures carrying SR 3001 (Old Harrisburg Road) over a split section of the Conewago Creek. The existing two-span and three-span concrete T-beam bridges will be replaced with single-span prestressed concrete bulb tee beam bridges.

*Environmental Documents:* Level 1b CEE, approved on August 27, 2013, and a Determination of Section 4(f) De Minimus Use document, approved on April 24, 2013.

*Proposed Use of Section 4(f)/2002 Resource:* The proposed bridge replacements require the permanent use of 0.04 acre of State Game Land No. 249 to accommodate new bridge abutments. A TCE of 0.67 acre will be required on game land property for erosion and sedimentation measures and contractor access. The TCE will be restored to preconstruction conditions following completion of the project. Mitigation for the use of property within the game land shall consist of improving a section of the Pennsylvania Game Commission's Twin Bridges Road by paving an existing gravel section. Furthermore, 0.05 acre of replacement game land is proposed on the eastern side of SR 3001.

• **SR 3050, Section 001—West Manchester Township, York County.**

*Project Description:* The project consists of the replacement of the existing bridge carrying SR 3050 (Woodberry

Road) over the York Railroad. The roadway profile will be increased to provide a minimum 23-foot vertical clearance over the railroad.

*Environmental Documents:* Level 1b CEE, approved on May 28, 2013, and a Determination of Section 4(f) De Minimus Use document, approved on May 9, 2013.

*Proposed Use of Section 4(f)/2002 Resource:* The replacement of this bridge will require permanent ROW acquisition of 1.18 acres and TCE totaling 0.57 acre. All takes will be from the Martin Hoke Farm, situated in the southeast, southwest and northeast quadrants of the bridge. The Martin Hoke Farm is eligible for listing on the National Register of Historic Places. Access to the Martin Hoke Farm will be maintained throughout construction. Any TCE ground disturbance will be restored to at least its original condition at the completion of the project.

• **SR 7202, Section BRG—Fannett Township, Franklin County.**

*Project Description:* This project consists of a bridge replacement of Franklin County Bridge No. 54, which carries T-586 (Store Lane) over the west branch of Conococheague Creek. The existing one-lane bridge will be replaced with a two-lane bridge with improved alignment and a 24-foot clear deck width adequate to carry all legal vehicular loads.

*Environmental Documents:* Level 1b CEE, approved on November 19, 2013, and a Determination of Section 4(f) De Minimus Use document, approved on November 19, 2013.

*Proposed Use of Section 4(f)/2002 Resource:* The project will require 0.019 acre of permanent ROW and 0.060 acre for a TCE from the Daniel Stake Farm, located in the northeast quadrant. The Daniel Stake Farm is eligible for listing on the National Register of Historic Places. The ROW and TCE takes will result in a no adverse effect to the Daniel Stake Farm.

R. SCOTT CHRISTIE, P.E.,  
Deputy Secretary  
Highway Administration

[Pa.B. Doc. No. 14-254. Filed for public inspection January 31, 2014, 9:00 a.m.]

## GOVERNOR'S OFFICE

### Regulatory Agenda

Executive Order 1996-1 requires all agencies under the jurisdiction of the Governor to submit for publication an agenda of regulations under development or consideration. Subsequent agendas will be published on the first Saturdays in February and July.

The agendas are compiled to provide members of the regulated community advanced notice of regulatory activity. It is the intention of the Administration that these agendas will serve to increase public participation in the regulatory process.

Agency contacts should be contacted for more information regarding the regulation and the procedure for submitting comments.

This Agenda represents the Administration's present intentions regarding future regulations. The nature and complexity of an individual regulation obviously will determine whether and when any particular regulation listed below (as well as any considered subsequent to publication of this Agenda) is published.



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>ADMINISTRATION</b>			
No regulations being developed or considered at this time.			
<b>AGING</b>			
Pa. Code Title VI Chapter 20 Pennsylvania Caregiver Support Program	March 2014, as proposed.	The Family Caregiver Support Act Regulations are being revised as authorized by the Pennsylvania Caregiver Support Act (Act 112 of 2011) which amends the Family Caregiver Support Act. As in the State Statute, the regulations will better align the Federal Family Caregiver Support Program provisions of the Older Americans Act and the Pennsylvania Family Caregiver Support Act provisions. Currently, some of the program criteria for the Federal and State Programs are divergent which has been confusing for consumers and the Area Agencies on Aging who administer the program.	Cindy Haines (717) 772-0184
<b>AGRICULTURE</b>			
Domestic Animal 7 Pa. Code Chapters 2, 3, 16, 18 and 20a	December 2014, as proposed.	The long-term project is intended to update the Department's Regulatory authority to make it more consistent with the provisions of the Domestic Animal Law (3 Pa.C.S. §§ 2301—2389).	Craig E. Shultz, DVM, Director (717) 772-2852
Weights and Measures Regulations 70 Pa. Code Chapters 1 through 101	September 2013, as proposed.	This long-term project is intended to update the Department's regulations authorized by the Consolidated Weights and Measures Act.	Walt Remmert (717) 787-6772
Commercial Feed Rules and Regulations 7 Pa. Code Chapter 71	April 2014, as proposed.	This regulation will replace 7 Pa. Code Chapter 71 and implement provisions of 3 Pa.C.S. §§ 5101—5115 (Commercial Feed Act).	Erin Bubb (717) 772-5215
Pet Food Rules and Regulations 7 Pa. Code Chapter 72	April 2014, as proposed.	This regulation will replace 7 Pa. Code Chapter 72 and implement provisions of 3 Pa.C.S. §§ 5101—5115 (Commercial Feed Act).	Erin Bubb (717) 772-5215
Fertilizer Regulations 7 Pa. Code Chapter 73	December 2014, as proposed.	This regulation will replace 7 Pa. Code Chapter 73 and implement provisions of 3 Pa.C.S. §§ 6701—6725 (Fertilizer Act).	Erin Bubb (717) 772-5215
Soil and Plant Amendment Regulations 7 Pa. Code Chapter 130a	December 2014, as proposed.	This regulation will replace 7 Pa. Code Chapter 130a and implement provisions of 3 Pa.C.S. §§ 6901—6921 (Soil and Plant Amendment Act).	Erin Bubb (717) 772-5215

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Clean and Green Regulations 7 Pa. Code Chapter 137b	April 2014, as final.	This regulation will address statutory changes made by six separate amendments to the underlying statute, and will otherwise update the current regulations.	Douglas Wolfgang (717) 783-3167
Agriculture Conservation Easement Purchase Program Regulations 7 Pa. Code Chapter 138e	July 2014, as proposed.	This regulation will address statutory changes made by Act 61 of 2005 and Act 46 of 2006, and will otherwise update the current regulations.	Douglas Wolfgang (717) 783-3167
PA Food Code 7 Pa. Code Chapter 46	April 2014, as final.	This regulation will amend 7 Pa. Code Chapter 46 to make this Chapter consistent with the Retail Food Facility Safety Act and the Food Safety Act.	Lydia Johnson (717) 787-4315
Pennsylvania Preferred Program Regulations 7 Pa. Code Chapter 107	February 2014, as final.	This regulation will establish standards required under the Pennsylvania Preferred Act (3 Pa.C.S. §§ 4601–4611).	Lela Reichart (717) 783-8462
Pesticide Regulations 7 Pa. Code Chapter 128	June 2014, as proposed.	This regulation will amend 7 Pa. Code Chapter 128 to allow the Department to collect and pass on any additional service fees charged by a contracted agency or vendor that provides testing services.	David Scott (717) 772-5214
<b><i>BANKING &amp; SECURITIES</i></b>			
Assessment Regulation	Early 2014	Required pursuant to 17 Pa.C.S. § 503(a) and 71 P. S. §§ 733-202.C and 733-204.A.	Carter D. Frantz Chief Counsel (717) 787-1471
Regulation governing continuing education under the Debt Management Services Act.	Early 2014	Required pursuant to 63 P. S. § 2409(c).	Carter D. Frantz Chief Counsel (717) 787-1471
Merger-related amendatory regulations under the Pennsylvania Securities Act of 1972	Late 2014	Required pursuant to 70 P. S. § 1-609	Carter D. Frantz Chief Counsel (717) 787-1471
<b><i>BOARD OF PARDONS</i></b>			
No regulations being developed or considered at this date.			
<b><i>COMMUNITY &amp; ECONOMIC DEVELOPMENT</i></b>			
Industrialized Housing Act amendment	Spring of 2014 as proposed.	Act 8-2013 expanded the current Industrialized Housing Act to establish a regulatory program for commercial modular buildings. Buildings produced under this program will be deemed to comply with the Uniform Construction Code.	Mark Conte (717) 720-7416
Local Earned Income Tax	Spring of 2014 As proposed	The proposed regulation interprets and makes specific the provisions of the Local Tax Enabling Act, as provided in Chapter 5 of the act (53 P. S. §§ 6924.501 et seq.). The proposed regulation establishes procedures to supplement the implementation of the act which will facilitate consolidated collection of local income taxes in this Commonwealth.	Sean Sanderson (717) 720-7384

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>COMMISSION ON CRIME AND DELINQUENCY</b>			
No regulations being developed or considered at this date.			
<b>CONSERVATION &amp; NATURAL RESOURCES</b>			
State Forests (Chapter 21)	Publish proposed rulemaking Spring 2014	A number of provisions in this chapter need to be clarified and updated. The State Forest Picnic Area chapter (23) will be incorporated into this chapter to eliminate duplication and for ease of reference. Legal basis: Sections 302, 313 and 502 of the Conservation & Natural Resources Act (71 P. S. §§ 1340.302, 1340.313 and 1340.502)	Matt Beaver (717) 783-0379 Wendy Carson, Esq. (717) 772-4171
State Forest Picnic Areas (Chapter 23)	Publish proposed rulemaking Spring 2014	The provisions of this chapter will be incorporated into Chapter 21 (State Forests) for purposes of simplification and ease of reference. Legal basis: Sections 302, 313 and 502 of the Conservation & Natural Resources Act (71 P. S. §§ 1340.302, 1340.313 and 1340.502)	Matt Beaver (717) 783-0379 Wendy Carson, Esq. (717) 772-4171
Conservation of Pennsylvania Native Wild Plants (Chapter 45)	Publish proposed rulemaking Summer 2014	Purpose of rulemaking is to update the department's listing of Pennsylvania's classified plant species. Legal basis: Section 7 of the Wild Resource Conservation Act (32 P. S. § 5307); and Sections 305 and 313 of the Conservation and Natural Resources Act (71 P. S. §§ 1340.305 and 1340.313).	Ellen Shultzabarger, 717-214-3818 Wendy Carson, Esq. 717-772-4171
<b>CORRECTIONS</b>			
Revisions to 37 Pa. Code § 91.3	September 2013, as proposed	The county reception regulations are being revised to be consistent with statutory law mandating that certain documentation be presented by the counties before inmate reception can occur.	Randall N. Sears (717) 728-7763
Revisions to 37 Pa. Code § 93.2	September 2013, as proposed	The inmate correspondence regulations are being revised for clarification and to more accurately comport with current standards.	Randall N. Sears (717) 728-7763
Revisions to 37 Pa. Code §§ 93.301—93.308	September 2013, as Proposed	The Motivational Boot Camp regulations are being revised to reduce costs by eliminating unnecessary mandates.	Jamie Boyd (717) 728-7761

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>DRUG AND ALCOHOL PROGRAMS</b>			
General Standards for Free-Standing Treatment Activities 28 Pa. Code Chapter 709, Subchapter C	Summer 2014, as final.	These existing regulations are being revised to reduce redundant and obsolete regulations, with a focus upon patient care and safety, and to require certain incident reporting by all drug and alcohol facilities to DDAP. Act 50 of 2010 authorizes DDAP to modify drug and alcohol regulations promulgated by DOH.	Tawny Mummah (717) 787-9354
Staffing Requirements for Drug and Alcohol Treatment Activities 28 Pa. Code Chapter 704	Spring 2014, as proposed.	These existing regulations are being revised to update staffing requirements. Act 50 of 2010 authorizes DDAP to modify drug and alcohol regulations promulgated by DOH.	Tawny Mummah (717) 787-9354
<b>EDUCATION</b>			
Standards for Approved Private Schools 22 Pa. Code Chapter 171, Subchapter C	Fall 2014, as final.	These standards define the elements of Approved Private Schools and the Chartered Schools (schools for the deaf and blind). These standards contain general provisions and allowable expenses and costs. The standards are promulgated under the Authority of the Public School Code of 1949, as amended, PL 30, No. 14, March 16, 1949, P. S. §§ 1-101, et. seq.	John Tommasini (717) 783-6134
State Board of Private Licensed Schools 22 Pa. Code Chapter 73	Spring 2014, as final.	These regulations define the requirements for obtaining licensure or registration and for operating as a Private Licensed School. The regulations also define the investigatory and hearing process for enforcement of statutory and regulatory requirements. The Board plans to update the regulations which were promulgated in 1988 to reflect inflation and to address certain issues that have arisen during that time. The regulations are promulgated under the authority of the Private Licensed Schools Act (24 P. S. §§ 6501, et. seq.).	Patricia Landis (717) 783-8228
Regulations of the State Board of Private Academic Schools 22 Pa. Code Chapters 51, 53, 55, 57, 61 and 63	Spring 2015, as proposed.	These regulations define the requirements for obtaining licensure as a Private Academic School. The Board plans to update the regulations, which were promulgated in 1988. The regulations are promulgated under the Authority of the Private Academic Schools Act (24 P. S. §§ 6701 et. seq.).	Robert Staver (717) 783-6583



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Education 22 Pa. Code Chapter 18	Winter 2014, as proposed.	These regulations address criteria the Secretary of Education may consider in determining whether to designate a school district in financial recovery status and in determining whether a district is in moderate or severe recovery status. The regulations are promulgated under the authority of the Public School Code of 1949, 24 P. S. § 621-A(A)(2)(I).	Karen Molchanow (717) 787-3787
Standards for Approved Private Schools 22 Pa. Code Chapter 171, Subchapter A	Fall 2014, as proposed.	These standards define the elements of Approved Private Schools and the Chartered Schools (schools for the deaf and blind). This subchapter contains general provisions, which the Department seeks to update to conform to intervening changes in applicable law. The standards are promulgated under the Authority of the Public School Code of 1949, as amended, PL 30, No. 14, March 16, 1949, P. S. §§ 1-101, et. Seq.	John Tommasini (717) 783-6134
Regulations of the State Library and Advisory Council on Library Development 22 Pa. Code Chapters 131, 133, 135, 127, 141—143	Summer 2014, as proposed.	The Department will be promulgating regulations under the Authority of the Library Code of 2012, Act 210 of 2012, P. N. 2411. The Department plans to update the regulations (promulgated in 1962) in 2013. These regulations will address the use of the State Library, the Advisory Council on Library Development, general provisions and plans for the use of State Aid, certification of library personnel, grants for public library facilities and state document depositories.	Stacey Aldrich (717) 783-2466
State Board of Education 22 Pa. Code Chapter 23	Summer 2014, as proposed.	These regulations address requirements related to pupil transportation. The Board plans to add a new section to the regulations addressing advertising on the interior of school buses. The regulations are promulgated under the authority of the Public School Code of 1949, 24 P. S. § 26-2603-B.	Karen Molchanow (717) 787-3787
State Board of Education 22 Pa. Code § 4.72	Fall 2014, as proposed.	The regulation sets forth requirements for secondary school credentials other than a high school diploma. The proposed amendment updates existing requirements to account for inter alia current high school equivalency test options that did not exist when the regulation was promulgated.	Jill Hans (717) 787-7013

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>EMERGENCY MANAGEMENT AGENCY</b>			
No regulations being developed or considered at this time.			
<b>ENVIRONMENTAL HEARING BOARD</b>			
25 Pa. Code Chapter 1021 Practice and Procedure	The Environmental Hearing Board's proposed rulemaking was published at 43 Pa.B. 2591 (May 11, 2013). Final rulemaking is expected to be submitted in early 2014.	The Environmental Hearing Board intends to propose the following revisions to its rules of practice and procedure: 1) correct an omission in the language of 25 Pa. Code sec. 1021.51 which was amended in 2009, 2) eliminate its rules pertaining to the Costs Act which has expired, 3) adopt rules to implement mandatory electronic filing, and 4) clarify the types of responses that may be filed to a dispositive motion.	Maryanne Wesdock Senior Counsel (412) 565-5245
<b>ENVIRONMENTAL PROTECTION</b>			
Noncoal Program 25 Pa. Code Chapter 77	Fall 2014 as proposed	This rulemaking includes revisions to Chapter 77 (Noncoal Mining) that govern the licensing of mine operators and permitting of mines for minerals other than coal. Specific areas for revision include clarification of permit application requirements including hydrologic data requirements. (Surface Mining Conservation and Reclamation Act)	Bill Allen 717-783-9580 wallen@pa.gov
Water Supply Replacement 25 Pa. Code Chapters 87 and 88	Early 2015 as proposed	The rulemaking includes revisions to Chapters 87 and 88, which will clarify what is necessary to meet the coal mine operator's obligation to permanently pay the operation and maintenance costs for replacement water supplies. (Surface Mining Conservation & Reclamation Act )	Bill Allen 717-783-9580 wallen@pa.gov
Remining Requirements (Subchapters F and G Revisions) 25 Pa. Code Chapters 86 and 88	Fall 2014 as proposed	The rulemaking includes amendments to remining requirements in Chapters 86 and 88 (Subchapters F and G) in order to reflect changes enacted in EPA regulations. (Surface Mining Conservation and Reclamation Act)	Bill Allen 717-783-9580 wallen@pa.gov

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Federal Office of Surface Mining (OSM) Program Consistency Updates 25 Pa. Code Chapters 86, 89 and 90	Fall 2014 as proposed	The rulemaking will include amendments to clarify the definition of "mining activities" in Chapter 86 in order to comply with federal regulatory requirements; revisions to Chapter 89 effluent limits for passive treatment systems to comply with federal regulations; and updates to Chapter 90 coal refuse site selection regulations to comply with the revised Coal Refuse Disposal Control Act. (Surface Mining Conservation and Reclamation Act)	Bill Allen 717-783-9580 wallen@pa.gov
Areas Unsuitable for Surface Mining 25 Pa. Code Chapter 86	Spring 2014 as Proposed	The rulemaking includes amendments to Chapter 86 to designate coal seams within Big Run watershed, Graham Township, Clearfield County, as unsuitable for surface mining operations. The regulation results from a petition submitted to the EQB by the Graham Township Supervisors, which requested that the Big Run drainage be designated as unsuitable for surface mining operations. (Surface Mining Conservation and Reclamation Act)	Geoff Lincoln 717-783-9582 glincoln@pa.gov
Financial Guarantees 25 Pa. Code Chapter 86	Spring 2014 as Proposed	This rulemaking will implement Acts 95 and 157 which provide for an incentive for reclamation of mine sites with bioenergy crops and establish the Land Reclamation Financial Guarantee Program, respectively. (Acts 95 and 157 of 2012)	Bill Allen 717-783-9580 wallen@pa.gov
Handling and Use of Explosives 25 Pa. Code Chapter 211	Mid 2014 as Proposed	The rulemaking will revise current explosive regulations to address blasting activities relating to seismic exploration. The rulemaking will also update explosives use requirements, enforcement authority and eliminate antiquated requirements. (Explosives Act of 1937; The Administrative Code of 1929; Reorganization Plan No. 2 of 1975; Reorganization Plan No. 8 of 1981; Surface Mining Conservation and Reclamation Act; and Noncoal Surface Mining Conservation and Reclamation Act)	Rick Lamkie 814-472-1885 rlamkie@pa.gov



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Oil & Gas Well Program 25 Pa. Code Chapter 78 Subchapter C	Mid/Late 2014 as Final	The rulemaking includes revisions to Chapter 78 (Oil and Gas Wells) Subchapter C, regulating all surface activities associated with Oil and Gas exploration and development, including: changes to PPC planning, production fluid control, storage, disposal and containment in pits/tanks, liner standards for centralized impoundments, disposal of drill cuttings and residual wastes, secondary containment, site restoration, pipelines, water management plans, reporting releases and road spreading of brine. (Oil and Gas Act)	Scott Perry 717-783-9438 scperry@pa.gov
Oil & Gas Well Program 25 Pa. Code Chapter 78 Subchapter D	Early 2014 as Proposed	The rulemaking includes revisions to Chapter 78 (Oil and Gas Wells) Subchapter D, regulating the drilling, casing, cementing, completion, operation, production, plugging and other subsurface activities associated with Oil and Gas exploration and development, including revisions to well plugging procedures, venting, alternative methods, and to address the plugging of unconventional wellbore laterals and coal bed methane wells. (Oil and Gas Act)	Kurt Klappkowski 717-772-2199 kklappkowski@pa.gov
Oil & Gas Well Program 25 Pa. Code Chapter 78 Subchapter B	Early 2014 as final	The rulemaking includes revisions to Chapter 78 (Oil and Gas Wells), Subchapter B, to increase well permit fees for wells that produce gas from nonconventional formations. (Oil and Gas Act)	Kurt Klappkowski 717-772-2199 kklappkowski@pa.gov
Underground Coal Mine Safety Surface Regulations 25 Pa. Code Chapter 208	Late 2014 as proposed	The rulemaking adopts by reference, with certain modifications, the MSHA regulations (30 CFR Part 77) for surface areas of underground bituminous coal mines. (Bituminous Coal Mine Safety Act)	Joseph Sbaffoni 724-439-7469 jsbaffoni@pa.gov
Underground Coal Mine Safety High Voltage Continuous Mining Machine Standards for Underground Coal Mines 25 Pa. Code Chapter 208	Summer 2013, as proposed	This rulemaking adopts by reference, with certain modifications, the MSHA regulations (30 CFR Part 75) for a high voltage continuous mining machine standard for underground bituminous coal mines.	Joseph Sbaffoni 724-439-7469 jsbaffoni@pa.gov

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Underground Coal Mine Safety Maintenance of Incombustible Content of Rock Dust in Underground Coal Mines Bituminous Coal Mine Safety Act 25 Pa. Code Chapter 208	Late 2014 as proposed	This rulemaking adopts by reference, with certain modifications, the MSHA regulations (30 CFR Part 75) for a high voltage continuous mining machine standard for underground bituminous coal mines. (Bituminous Coal Mine Safety Act)	Joseph Sbaffoni 724-439-7469 jsbaffoni@pa.gov
Revised Total Coliform Rule 25 Pa. Code Chapter 109	Late 2014 as proposed	This proposed rulemaking will amend 25 Pa. Code Chapter 109 to incorporate the federal Revised Total Coliform Rule (RTCT), which was promulgated February 13, 2013, and to make other revisions to clarify portions of Chapter 109. The RTCR is expected to improve public health protection by requiring public water systems that are vulnerable to microbial contamination to identify and fix problems. Revisions being proposed in addition to the federal RTCR are designed to protect public health by improving and clarifying permitting, design and compliance requirements for public water systems. (Pennsylvania Safe Drinking Water Act)	Jeff Allgyer (717) 772-4015 jallgyer@pa.gov
Nutrient Credit Trading and Offsetting Program 25 Pa. Code § 96.8 and Chapter 98	Mid 2014 as proposed	This rulemaking will rescind section 96.8 related to the implementation of a nutrient credit trading program and create a new, separate Chapter 98 for this program. The rulemaking is also intended to implement program enhancements designed to address US Environmental Protection Agency concerns, streamline the current process for the certification, registration and verification of credits and allow for the implementation of a statewide trading program. (Clean Streams Law)	Veronica Kasi (717) 772-4053 vbkasi@pa.gov

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Administration of Sewage Facilities Planning Program 25 Pa. Code Chapter 71	Spring 2014 as proposed	This rulemaking will help facilitate DEP's approval of sewage planning modules for new land development for sites located in High Quality (HQ) and Exceptional Value (EV) watersheds. The revisions to Chapter 71 would also require municipalities to certify every ten years that their official sewage facility plans remain adequate to meet the municipalities' needs. It will also address and clarify site suitability requirements and provide alternate types of onsite treatment allowances during the planning stages. (Pennsylvania Sewage Facilities Act, Clean Streams Law)	Ron Furlan (717) 787-8184 rfurlan@pa.gov
Administration of Sewage Facilities Permitting Program 25 Pa. Code Chapter 72	Spring 2014 as proposed	This rulemaking will clarify DEP's ability to require and establish training requirements for sewage enforcement officers, both prior to the certification examination and for subsequent renewal of certifications. The revisions will further clarify that DEP has the ability to provide training through third-party providers that have been approved to do so by DEP, which could provide additional flexibility and efficiency in implementation of the training program. (Pennsylvania Sewage Facilities Act, Clean Streams Law)	Ron Furlan (717) 787-8184 rfurlan@pa.gov
Standards for Onlot Sewage Treatment Facilities 25 Pa. Code Chapter 73	Spring 2014 as proposed	This rulemaking will revise DEP's standards for onlot systems for consistency with Chapters 71 and 72. For example, a section in Chapter 73 dealing with experimental and alternate onsite treatment systems will need to be modified to be consistent with the Chapter 71 changes. (Pennsylvania Sewage Facilities Act, Clean Streams Law)	Ron Furlan (717) 787-8184 rfurlan@pa.gov



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Emissions of Particulate Matter 25 Pa. Code § 139.12	Early 2014 as final	The final rulemaking amends 25 Pa. Code § 139.12 (relating to emissions of particulate matter) to reflect changes in Federal test method requirements. The Environmental Quality Board amended § 139.12 at 27 Pa.B. 6804 (December 27, 1997) to require source testing only for filterable particulate matter. The United States Environmental Protection Agency has revised the source test method (Method 202) to require the testing of both filterable and condensable particulate matter for purposes of emission inventories and new source review applicability determinations. Other clarifying amendments to Chapter 139 (relating to sampling and testing) addressing timeliness of reporting requirements are also included. (Air Pollution Control Act)	Susan Hoyle 717-772-2329 shoyle@pa.gov
Flexible Packaging Printing Presses and Offset Lithographic and Letterpress Printing Presses 25 Pa. Code Chapters 121 and 129	Early 2014 as final	The final rulemaking amends 25 Pa. Code Chapter 129 (relating to standards for sources) to add requirements to reduce the emissions of volatile organic compounds (VOCs) from flexible packaging printing presses and offset lithographic printing and letterpress printing presses to meet the Clean Air Act's "reasonably available control measures" requirement for ozone nonattainment areas. The final rulemaking amends §§ 129.51 and 129.67 (relating to general; and graphic arts systems) and adds §§ 129.67a and 129.67b (relating to control of VOC emissions from flexible packaging printing presses; and control of VOC emissions from offset lithographic and letterpress printing presses) to adopt emission limits and work practice standards for flexible packaging printing presses and offset lithographic printing and letterpress printing presses. Amendments to § 121.1 (relating to definitions) are also made to support the amendments to Chapter 129. (Air Pollution Control Act)	Susan Hoyle 717-772-2329 shoyle@pa.gov

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
NOx and VOCs 25 Pa. Code Chapter 129	Early 2014 as proposed	The proposed rulemaking would amend the Reasonably Available Control Technology Requirements for major NOx- and VOC-emitting stationary sources; the proposed requirements would not apply to major VOC-emitting facilities subject to Federal Control Technique Guideline recommendations adopted by the Board as final rulemakings. Publication of the proposed rulemaking for public review and comment is anticipated in early 2014. (Air Pollution Control Act)	Susan Hoyle 717-772-2329 shoyle@pa.gov
Control of VOC Emissions from Fiberglass Boat Manufacturing Materials 25 Pa. Code Chapter 129	Early/Mid 2014 as proposed	The proposed rulemaking would amend the existing surface coating regulations under 25 Pa. Code Chapter 129 (relating to standards for sources) to further reduce the emissions of volatile organic compounds (VOC) from fiberglass boat manufacturing materials to meet the Clean Air Act “reasonably available control measures,” including “reasonably available control technology,” requirements for ozone nonattainment areas. The emission limits and work practice standards would be consistent with the recommendations of the United States Environmental Protection Agency included in the Control Techniques Guideline document for this source category. (Air Pollution Control Act)	Susan Hoyle 717-772-2329 shoyle@pa.gov
Control of VOC Emissions from Miscellaneous Metal and Plastic Parts Coatings 25 Pa. Code Chapter 129	Early/Mid 2014 as proposed	The proposed rulemaking would amend the existing surface coating regulations under 25 Pa. Code Chapter 129 (relating to standards for sources) to further reduce the emissions of volatile organic compounds (VOC) from miscellaneous metal and plastic parts coatings to meet the Clean Air Act “reasonably available control measures,” including “reasonably available control technology,” requirements for ozone nonattainment areas. The emission limits and work practice standards would be	Susan Hoyle 717-772-2329 shoyle@pa.gov

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
		consistent with the recommendations of the United States Environmental Protection Agency included in the corresponding Control Techniques Guideline document for this source category. (Air Pollution Control Act)	
Control of VOCs from Gasoline Dispensing Facilities (Stage II) 25 Pa. Code § 129.82	Late 2014 as proposed	The proposed rulemaking would amend 25 Pa Code § 129.82 (relating to control of VOCs from gasoline dispensing facilities (Stage II)) to remove the requirements for installing new and operating existing Stage II vapor recovery systems. The proposed rulemaking would establish procedures for the decommissioning of existing Stage II systems and would require Stage II systems that are not decommissioned to still comply with regulatory maintenance requirements. (Air Pollution Control Act)	Susan Hoyle 717-772-2329 shoyle@pa.gov
Amendments to Mobile Equipment Repair and Refinishing 25 Pa. Code Chapters 121 and 129	Early/Mid 2014 as proposed	The proposed rulemaking would amend the existing surface coating regulations in 25 Pa. Code § 129.75 (relating to mobile equipment repair and refinishing) to coordinate emission limits and work practice requirements of the Clean Air Act “reasonably available control technology” requirements for automobiles and light-duty trucks and the Ozone Transport Commission model rule requirements for motor vehicle and mobile equipment non-assembly line coating operations. Clarifying amendments would be proposed for the adhesives, sealants, primers and solvents regulations in 25 Pa. Code §§ 129.77 and 130.701—130.708 (relating to control of emissions from the use or application of adhesives, sealants, primers and solvents; and adhesives, sealants, primers and solvents). Amendments to 25 Pa. Code § 121.1 (relating to definitions) would also be proposed to support the amendments to Chapter 129. (Air Pollution Control Act)	Susan Hoyle 717-772-2329 shoyle@pa.gov

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Control of VOC Emissions from Industrial Cleaning Solvents 25 Pa. Code Chapter 129	Early/Mid 2014 as proposed	The proposed rulemaking would amend the existing surface coating regulations under 25 Pa. Code Chapter 129 (relating to standards for sources) to further reduce the emissions of volatile organic compounds (VOC) from industrial cleaning solvents not regulated elsewhere in Article III to meet the Clean Air Act “reasonably available control measures,” including “reasonably available control technology,” requirements for ozone nonattainment areas. The emission limits and work practice standards would be consistent with the recommendations of the United States Environmental Protection Agency included in the corresponding Control Techniques Guideline document for this source category. (Air Pollution Control Act)	Susan Hoyle 717-772-2329 shoyle@pa.gov
Control of VOC Emissions from Automobile and Light-duty Truck Assembly Coatings 25 Pa. Code Chapter 129	Early/Mid 2014 as proposed	The proposed rulemaking would amend the existing surface coating regulations under 25 Pa. Code Chapter 129 (relating to standards for sources) to further reduce the emissions of volatile organic compounds (VOC) from automobile and light-duty truck assembly coatings to meet the Clean Air Act “reasonably available control measures,” including “reasonably available control technology,” requirements for ozone nonattainment areas. The emission limits and work practice standards would be consistent with the recommendations of the United States Environmental Protection Agency included in the corresponding Control Techniques Guideline document for this source category. (Air Pollution Control Act)	Susan Hoyle 717-772-2329 shoyle@pa.gov
Regulated Medical and Chemotherapeutic Waste Amendments 25 Pa. Code Chapters 271, 284 and 285	Late 2014 as final	This rulemaking will amend the existing Chapter 284 and add or amend definitions in Chapter 271. The term “infectious waste” will be replaced globally with the term “regulated medical waste.” In addition to definitional changes, this proposal includes changes to storage, transporter licensing and manifesting requirements for regulated medical waste. (Solid Waste Management Act)	Ali Tarquino Morris 717-783-2630 altarquino@pa.gov



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Radiological Health 25 Pa. Code Chapters 215—240	Early/Mid 2014 as proposed	This rulemaking will amend 25 Pa. Code Chapters 215—240 in order to incorporate by reference federal regulations pertaining to the security of certain radioactive material; to address new x-ray technology that is not addressed in current regulations; and to include radon revisions that are not addressed in current regulations. (Radiation Protection Act and Radon Certification Act)	Joe Melnic (Health) (717) 783-9730 jmelnic@pa.gov  Robert K. Lewis (Radon) (717) 783-9485 rolewis@pa.gov
Administration of Land Recycling Program 25 Pa. Code Chapter 250	Early/Mid 2014 as Proposed	This rulemaking will amend 25 Pa. Code Chapter 250 to update the Medium Specific Concentrations established under the Statewide health standards. (Land Recycling and Environmental Remediation Standards Act)	Troy Conrad 717-783-9480 tconrad@pa.gov
<b>GENERAL SERVICES</b>			
Responsibility, 4 Pa. Code Chapter 60	Spring 2014, as proposed	This chapter will be amended to be consistent with the Procurement Code and to provide for uniform debarment and suspension procedures.	Ken Rapp (717) 787-5295 Chuck Anderson (717) 214-7739 Michael Barrett (717) 346-9781
Committee on Construction Contract Documents, 4 Pa. Code Chapter 62	Spring 2014, as final omitted	The Procurement Code repealed the legislation creating this committee, which no longer exists.	Liz O'Reilly (717) 787-7095 Ed Olivieri (717) 783-3280
Selections Committee, 4 Pa. Code Chapter 64	Spring 2014, as final omitted	These regulations should be rescinded since they have been superseded by the Commonwealth Procurement Code.	Liz O'Reilly (717) 787-7095 Ed Olivieri (717) 783-3280
Emergency Construction Repairs 4 Pa. Code Chapter 67	Spring 2014, as final omitted	These regulations should be rescinded since they have been superseded by the Commonwealth Procurement Code.	Liz O'Reilly (717) 787-7095 Ed Olivieri (717) 783-3280
Contract Compliance 4 Pa. Code Chapter 68, Subchapter A, Prequalification of Vendors and Non-construction Contractors	Spring 2014, as final omitted	These regulations should be rescinded since the subject matter of these rules is now covered by the directives management system.	Liz O'Reilly (717) 787-7095 Ed Olivieri (717) 783-3280
Methods of Awarding Contracts, 4 Pa. Code Chapter 69	Spring 2014, as final omitted	These regulations should be rescinded since they have been superseded by the Commonwealth Procurement Code.	Ken Rapp (717) 787-5295 Chuck Anderson (717) 214-7739

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>HEALTH</b>			
<p>Controlled Substances, Drugs, Devices and Cosmetics 28 Pa. Code Chapter 25, Subchapter A</p> <p>Rescheduling of Clobazam 28 Pa. Code § 25.72</p>	Spring, 2014, as final	<p>The Secretary of the Department of Health (Secretary), with the unanimous authorization from the Pennsylvania Drug, Device and Cosmetic Board (Board), acted to reschedule clobazam from a Schedule I controlled substance to a Schedule IV controlled substance. The final regulation, with proposed rulemaking omitted, is being prepared to effectuate the rescheduling of clobazam to a Schedule IV controlled substance as already approved and authorized by the Secretary and Board. The rescheduling of clobazam as a schedule IV controlled substance will align Pennsylvania law with Federal law. The rescheduling of clobazam, which now has an approved medical use for adults and children 2 years of age and older for the treatment for seizures associated with Lennox-Gastaut syndrome, will allow for appropriate access to individuals in need of the drug and for appropriate enforcement.</p>	Maria Battista (717) 783-2500
<p>Communicable and non-Communicable Diseases 28 Pa. Code Chapter 27</p>	Spring, 2015, as proposed.	<p>These existing regulations are being revised to improve the Department's ability to prevent and control the spread of communicable and non-communicable diseases. The Department's authority to promulgate these regulations is found in the Disease Prevention Control law of 1955, 35 P. S. §§ 521.1 et seq. (the Act). Section 16(a) of the (Act 35 P. S. § 521.16 (a)) gives the Board authority to issue rules and regulations on a variety of matters related to communicable and non-communicable diseases. Section 16(b) of the Act (35 P. S. § 521.16 (b)) gives the Secretary of Health the authority to review existing regulations and make recommendations to the Board for changes that the</p>	Jalene Kolb (717) 783-8228

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
		Secretary considers to be desirable. There is also a legislative authority for specific provisions of the regulations. Administrative Code of 1929 (71 P. S. §§ 51 et seq.) (Code) Section 20102 (g) of the Code (71 P. S. § 532 (g)) provides general authority for the Department to promulgate regulations.	
Photo Identification Tag Regulations 28 Pa. Code Chapter 54	Spring, 2014, as proposed.	The Health Care Facilities Act (35 P. S. §§ 448.101 et seq.) was amended by the passage of Act 2010-110 on November 23, 2010. This new section of the Act (35 P. S. § 448.809.2) requires health care workers employed in health care facilities and physician practices to wear photo identification tags that also contain other information including name, title and name of the health care facility.	James T. Steele (717) 783-2500
School Health Services 28 Pa. Code Chapter 23	Fall, 2014, as proposed.	The School Health regulations were promulgated pursuant to the Department's authority to oversee school health services required by Article XIV of the Public School Code, 24 P. S. §§ 14.1401 et seq. State and federal laws enacted since 2005 have changed the requirements for school health services. Those legislative changes require changes to the school health regulations. Anticipated changes include new provisions to address: possession and use of asthma inhalers and epinephrine auto-injectors (24 P. S. § 14-1414.1); currently accepted precautions against the spread of tuberculosis (24 P. S. § 14-1416); medical examinations of teachers and other persons including volunteers (24 P. S. § 14-1418(b)); requirements for local wellness policies (24 P. S. § 14-1422.1); requirements for independent dental hygiene practitioners working in the school setting; and revisions to the duties of the Certified School Nurse to track requirements in federal laws protecting the rights of students with disabilities and to incorporate applicable professional nursing practice standards.	Karin Simpson (717) 783-2500
<b>HOUSING FINANCE AGENCY</b>			
No regulations being developed or considered at this date.			

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>INFRASTRUCTURE INVESTMENT AUTHORITY</b>			
<p>25 Pa. Code §§ 963.12(a)(7), 963.13(c), 963.15(a), 963(15)(c), 963.18(c), 965.4(9), 965.7 and 965.9(d).</p>	<p>Spring 2014-Proposed</p>	<p>PENNVEST recommends the following revisions:</p> <p>(1) Amend 25 Pa. Code §§ 963.1—963.20 to be consistent with statutory revisions imposed by P. L. 51, No. 16, enacted June 19, 2013 and guidance revisions implemented by the Department of Environmental Protection.</p> <p>(2) Delete 25 Pa. Code § 963.12(a)(7) thereby allowing PENNVEST to provide financial assistance (loan and grant) for costs associated with the extraction for profit of minerals or other resources from wastewater or sludge whether the project is sponsored by a public or private actor.</p> <p>(3) Amend 25 Pa. Code § 963.13(c) by revising the section to provide for an amortization of advance funding loans with a term of 59 months of interest only and repayment on principal and interest on the 60th month.</p> <p>(4) Amend 25 Pa. Code § 963.15(a) by revising the first sentence to provide for a change in the normal loan term to allow 3 years of interest only prior to principal amortization.</p> <p>(5) Amend 25 Pa. Code § 963.15(c)(5) to provide that maximum interest rates on loans shall be determined based upon the unemployment rate for the applicable county in the most recent calendar year for which data has been finalized as of the application cutoff date.</p> <p>(6) Amend 25 Pa. Code § 965.4(9) to allow for eligible land costs under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.</p> <p>(7) Delete 25 Pa. Code § 965.7 to eliminate the requirement for a second opinion project review.</p> <p>(8) Delete 25 Pa. Code § 963.18(c)(2)(iii) to eliminate the requirement for prior written approval of change orders that exceed \$25,000 or 2 percent of the amount of the project's construction cost, or an aggregate of all change orders that exceed 10 percent of the project's construction cost.</p>	<p>Shawn W. Weis (717)-783-6776</p>



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
		(9) Delete 25 Pa. Code § 965.9(d) to eliminate the requirement for performance certifications 1 year after initiation of operation. (10) Amend 25 Pa. Code § 963.15(c)(6) by revising the sentence to define “bond interest rate” to mean the rate of interest paid by the Commonwealth in its issuance of general obligation bonds immediately preceding the date of the approval of the loan.	
<b>INSURANCE</b>			
31 Pa. Code §§ 25.1—25.23, Rules and Procedural Requirements for Insurance Holding Company Systems	Fall 2013, as proposed.	This Chapter will be updated in accordance with NAIC model regulation standards amendments to the Holding Companies Act enacted in July of 2012.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Medical Catastrophe Loss Fund, 31 Pa. Code §§ 242.1—242.18	Spring 2014, as proposed.	Amend the regulation to be consistent with the statute.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
<b>LABOR AND INDUSTRY</b>			
Uniform Construction Code, Title 34, Part XIV, Bureau of Occupational and Industrial Safety	Submit proposed rulemaking in Winter 2015	Update and clarify administrative provisions of the Uniform Construction Code and adopt updated standards for elevator construction	Edward Leister 717-783-6304
Flammable and Combustible Liquids, Title 37, Part I, Bureau of Occupational and Industrial Safety	Submit proposed rulemaking in Spring 2014	Update regulations based on Act 144 of 2012 and adopt requirements for storage and dispensing of compressed natural gas as vehicular fuel	Edward Leister 717-783-6304
Unemployment Compensation Title 34, Chapter 101, Board of Review	Submit proposed rulemaking in Fall 2014	Delete language re distance requirement in telephone regulation to conform with Act 6 of 2011	Gerard Mackarevich 717-783-1232
Bureau of Labor Law Compliance, Title 34, Part XII, Chapter 225, Prohibition of Excessive Overtime in Health Care Act	Submit final-form rulemaking in Fall 2013	Regulations to establish a complaint and hearing process	Karen Galli 717-787-4186
Bureau of Labor Law Compliance, Title 34, Chapters 83 and 84, Apprentices	Submit proposed rulemaking in Spring 2014	Amend regulations to reflect federal requirements.	Rich Lengler 717-787-4186
Office of Deaf and Hard of Hearing, Title 34, Chapter 501 Registration of Sign Language Interpreters and Translitterators	Submit proposed rulemaking in Fall 2014	Amend regulations to be consistent with amendments in Sign Language Interpreter and Translitterator State Registration Act, 63 P. S. §§ 1725.1—1725.11, that were enacted in November 2010.	Sharon Behun 717-783-4912
Workers' Compensation Appeal Board (Board), Title 34, Chapter 111, Special Rules of Administrative and Procedure Before the Board	Submit proposed rulemaking by Winter 2014	Revise regulations to reflect evolving procedures and technological changes	Commissioner Alfonso Frioni, Jr. 412-531-2680

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Office of Adjudication, Title 34, Chapter 131, Special Rules of Administrative Practice and Procedure Before the Workers' Compensation Judges	Submit proposed rulemaking by Winter 2014	Revise regulations to reflect evolving procedures and technological changes	Director of Adjudication Elizabeth Crum 717-783-4151
Bureau of Labor Law Compliance, Title 34, Chapter 11, Employment of Minors	Submit proposed rulemaking by Spring 2014	Revise/update current regulations in light of the new Child Labor Act	Richard Lengler 717-787-4186
<b>MILITARY AND VETERANS AFFAIRS</b>			
43 Pa. Code Chapter 11 Fort Indiantown Gap	Jan 2014, as final omitted	Section 708 of the Military and Veterans Code (51 Pa.C.S. § 708) authorizes the Adjutant General to promulgate rules, regulations, and polices for the continuing operation of Fort Indiantown Gap and to designate regulations as being for the protection of persons or property at Fort Indiantown Gap. The new 43 Pa. Code Chapter 11 provides comprehensive regulations for the operation, management and control of this military installation. Fort Indiantown Gap is owned by the Commonwealth, but the bulk of it is leased by the U.S. Government. The Fort Indiantown Gap Police Force is a state entity with offices commissioned under state law and powers and duties defined by 51 Pa.C.S. § 711.	Dennis Guise (717) 861-8503
43 Pa. Code Chapter 7 State Veterans Homes	Feb 2014, as final omitted	The Department wishes to promulgate a comprehensive update to its regulations on State Veterans' Homes. The statutory authority for these regulations is section 902(10) of the Military and Veterans Code (51 Pa.C.S. § 903(10)). These regulations are out-of-date. They were last updates in 1986. The purpose of the changes to these regulations is to bring them in line with best practices in the long-term care arena.	Dennis Guise (717) 861-8503
43 Pa. Code Chapter 5, Subchapter C Disabled Veterans' Real Estate Tax Exemption Program	Apr 2014, as notice of proposed rulemaking	The Department plans to seek public comment by a notice of proposed rulemaking on a comprehensive update to its regulations on the Disabled Veterans' Real Estate Tax Exemption Program. Several laws have changed this program since the last update to the regulation, and the regulations need to catch up with the statute.	Dennis Guise 717-861-8503

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING COMMISSION</b>			
Title 37 Pa. Code Chapter 203	Fall 2014	Omnibus revisions to Chapter 203, which pertains to the certification and training of the Commonwealth's Municipal Police officers.	Lieutenant Robert J. Krol (717) 783-5566
<b>PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM</b>			
No regulations being developed or considered at this time.			
<b>PENNSYLVANIA HIGHER EDUCATION ASSISTANCE AGENCY</b>			
22 Pa. Code Chapter 121 Student Financial Aid	Spring 2014 as Proposed	These regulations have not been updated in some time. The revisions seek to increase the transparency in regard to the processes used for financial assistance determinations.	Christine Zuzack (717) 720-2368
<b>PROBATION AND PAROLE</b>			
Revision to 37 Pa. Code §§ 63, 65, 67, 69, 71, 73, 75 and 77 "Board of Probation and Parole"	Continues to be worked on in FY 2013.	Updates to incorporate recent changes to Title 61 and emphasis on evidence based practices.	Barbara Christie Chief Counsel (717) 787-8126
Addition of a section to 37 Pa. Code Part II. "Board of Probation and Parole"	Continues to be worked on in FY 2013.	Addition to address urinalysis collection as mandated by 61 Pa.C.S. § 6137(e).	Colleen Fickel, Director, Central Services, PBPP (717) 787-5699 x 292
The Domestic and Sexual Violence Address Confidentiality Program, 37 Pa. Code §§ 802.1—802.3, 802.11—802.17, 802.21—802.23, and 802.31—802.33.	Continues to be worked on in FY 2013.	Add updates to better address changes to the act and process that have occurred since 2007.	John Talaber, Counsel to the Office of Victim Advocate, 717-787-8126.
<b>PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM</b>			
No regulations being developed or considered at this time.			
<b>PUBLIC WELFARE</b>			
Payment for Nursing Facility Services Provided by Special Rehabilitation Nursing Facilities; Change in Methods and Standards of Setting Payment Rates. 55 Pa. Code Chapter 1187	June 2014, as final	This change in rate methodology will allow the Commonwealth to provide for a distinct method of calculating peer group medians and prices between the initial four Special Rehabilitation Facilities (SRFs) and the facilities classified as SRFs after 2000.	Angie Logan (717) 772-4141
Rate Setting for County Nursing Facilities that Privatize 55 Pa. Code Chapters 1187 and 1189	September 2014, as final	This regulation will codify the methodology for setting rates for county nursing facilities that have a change of ownership to a nonpublic nursing facility provider. County nursing facilities that have a change of ownership will have per diem rates determined using the peer group price for resident care, other resident related and administrative costs from the appropriate peer group in accordance with 55 Pa. Code § 1187.45 (relating to peer grouping for price setting) until there is a nursing facility cost report submitted by the new provider audited for use in the rebasing process	Angie Logan (717) 772-4141

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Administration of County Children and Youth Programs 55 Pa. Code Chapter 3130	March 2015, as proposed	This regulation incorporates the amendments to the Juvenile Act as a result of Act 126 of 1998 and the federal regulations for Title IV-B and Title IV-E funding for child welfare services for children in their own homes and for children receiving placement services. Major changes include permanency hearings and the matters to be determined, requirements related to reasonable efforts including aggravated circumstances contrary to the welfare and best interests and redefining permanency goals for children.	Angie Logan (717) 772-4141
Planning and Financial Reimbursement requirements for County Children and Youth Social Service Programs 55 Pa. Code Chapter 3140	June 2015, as proposed	This regulation provides the requirements for reimbursement for services to county children and youth agencies. The regulations are in need of revision to ensure consistency with federal requirements and policy to ensure the validity of state and Federal claims.	Angie Logan (717) 772-4141
<b>REVENUE</b>			
Amendments to Estates & Trusts—Personal Income Tax Regulations 61 Pa. Code Chapters 101, 103, 105 and 117	July 2014, as proposed.	The Department is promulgating this regulation to codify the Department's policy for the taxation of estates and trusts in the Commonwealth and to provide clear instructions for taxpayers regarding reporting requirements.	Douglas Berguson 717-346-4633
Amendments to Local Option Small Games of Chance (SGOC) 61 Pa. Code Chapter 901a	August 2014, as proposed	The Department is proposing to replace Chapter 901 with a new Chapter 901a as a result of the amendments to the SGOC law. The proposed rulemaking will reorganize and clarify the SGOC regulations as well as incorporate necessary changes to implement Acts 2 and 184 of 2012 and Acts 90 and 92 of 2013.	Douglas Berguson 717-346-4633
General Provisions Application of Payments 61 Pa. Code Chapter 5a	March 2014, as proposed	The Department is promulgating this regulation to clarify the provisions of the Taxpayers' Bill of Rights and provide a procedure for the application of a payment received from a taxpayer to tax liability owed the Department.	Douglas Berguson 717-346-4633
General Provisions Payments by Electronic Funds Transfer (EFT) 61 Pa. Code Chapter 5	February 2014, as final	The Department is promulgating a final-omitted rulemaking to implement a statutory change (Act 71 of 2013) that revised EFT payments required under § 5.3 from "\$10,000 or more" to "\$1,000 or more."	Douglas Berguson 717-346-4633



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>STATE</b>			
Bureau of Professional and Occupational Affairs —Telephonic Testimony— 49 Pa. Code Chapter 43b. (16A-55)	Summer 2014, as Proposed.	This proposed rulemaking would provide rules for the admission of testimony received by telephone at hearings conducted by boards/commissions or hearing examiners. Statutory Authority: Section 3 of the act of July 2, 1993 (P. L. 345, No. 48) authorizes the Commissioner of Professional and Occupational Affairs to promulgate regulations setting forth the procedural rules to be followed in the conduct of hearings in disciplinary matters before a licensing board or commission, after consultation with the licensing boards and commissions.	Cynthia K. Montgomery (717) 783-7200
State Board of Accountancy —General Revisions— 49 Pa. Code Chapter 11 (16A-5513)	Spring 2014, as Proposed.	This proposed rulemaking would implement the amendments to the CPA Law made by the act of July 9, 2008 (P. L. 954, No. 73), and the act of June 19, 2013 (P. L. 46, No. 15). Statutory Authority: Section 3 of the C.P.A. Law, 63 P. S. § 9.3.	Sara Fox (717) 783-1404
State Architects Licensure Board—Electronic seals and signing— 49 Pa. Code Chapter 9 (16A-4110)	Spring 2014, as Proposed.	This proposed rulemaking will implement rules on electronic seals and signing. Statutory Authority: Sections 6(a), 6(b) and 12 of the Architects' Licensure Law, 63 P. S. §§ 34.6(a), 34.6(b) and 34.12.	Penny Walker (717) 783-3397
State Board of Auctioneer Examiners—Schedule of Civil Penalties— 49 Pa. Code § 43b.12a (16A-648)	Summer 2014, as Proposed.	The proposed rulemaking would make updates to the current schedule of civil penalties, as requested by the Board. Statutory Authority: Section 5(a) of the act of July 2, 1993 (P. L. 345, No. 48), 63 P. S. § 2205(a).	Terrie Kocher (717) 783-3397
—Biennial Renewal Fees— 49 Pa. Code § 1.41 (16A-649)	Spring 2014, as Final.	The final-form rulemaking would increase biennial renewal fees to meet projected expenditures as required by law. Statutory Authority: Section 6(a) of the Auctioneer Licensure and Trading Assistant Registration Act, 63 P. S. § 734.6(a).	Terrie Kocher (717) 783-3397
State Board of Barber Examiners—Fees— 49 Pa. Code § 3.103 (16A-428)	Spring 2014, as Final.	The final-form rulemaking would increase biennial renewal fees and fees for other board services to meet projected expenditures as required by law. Statutory Authority: Section 14 of the Barbers License Law, 63 P. S. § 564.	Kelly Diller (717) 783-3402

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
—General Revisions— 49 Pa. Code Chapter 3 (16A-429)	Summer 2014, as Proposed.	The proposed rulemaking would update the regulations for barber managers, temporary student licenses, barber shops and schools of barbering. Statutory Authority: Section 10 of the Barbers License Law, 63 P. S. § 560.	Kelly Diller (717) 783-3402
State Board of Chiropractic —Chiropractic specialties— 49 Pa. Code Ch. 5 (16A-4312)	Spring 2014, as Proposed.	The Chiropractic Practice Act prohibits licensees from holding themselves out as specialists unless they possess a post-graduate certification in that specialty. This proposed rulemaking would identify the certifications acceptable to the Board. Statutory Authority: Section 302(3) of the Chiropractic Practice Act, 63 P. S. § 625.302(3).	Chris Stuckey (717) 783-7155
—Volunteer License— 49 Pa. Code § 5.20 (16A-4321)	Spring 2014, as Final (proposed-omitted).	This regulation would amend the volunteer license regulations to conform to amendments to the Volunteer Health Services Act. Statutory Authority: Section 302 of the Chiropractic Practice Act, 63 P. S. § 625.302; and section 5 of the Volunteer Health Services Act, 35 P. S. § 449.45.	Chris Stuckey (717) 783-7155
—Child Abuse Reporting Requirements— 49 Pa. Code §§ 5.91—5.96 (16A-4322)	Summer 2014, as Proposed.	This regulation would update the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL, 23 P. S. §§ 6301—6386. Statutory Authority: Section 6383(b)(2) of the CPSL, 23 P. S. § 6383(b)(2); and section 302(3) of the Chiropractic Practice Act, 63 P. S. § 62.302(3).	Chris Stuckey (717) 783-7155
Bureau of Commissions, Elections & Legislation —Lobbying Disclosure Fee— 51 Pa. Code § 51.12 (16-56)	Spring 2014, as Final.	This proposed rulemaking would increase the biennial registration fee for individuals and entities required to be registered un 65 P. S. Chapter 13A (relating to lobbying disclosure). Statutory Authority: Section 13A08(j) of the act provides that the Department may by regulation adjust the filing fee if a higher fee is needed to cover the costs of carrying out the provisions of the act.	Caroline Bailey (717) 265-7632

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
—Notaries Public— 4 Pa. Code Part VIII, Subpart C (number not yet assigned)	Spring 2014, as Proposed.	The proposed rulemaking would implement the act of October 9, 2013 (P. L. 609, No. 73), which adopted the Revised Uniform Law on Notarial Acts (RULONA). Statutory Authority: Section 327 of the RULONA, 57 Pa.C.S. § 327, authorizes the Department to promulgate regulations to implement the RULONA.	Martha Brown (717) 787-6802
Bureau of Corporations and Charitable Organizations —UCC Revised Article 9— (16-35)	Spring 2014, as Proposed.	This proposed rulemaking would adopt (with some revisions) the Model rules promulgated by the International Association of Corporate Administrators, which call for the delivery of filings by electronic means and acceptance of credit card payments. Statutory Authority: Section 9526 of the Uniform Commercial Code Modernization Act of 2001, 13 Pa.C.S. § 9526.	Martha Brown (717) 787-6802
State Board of Cosmetology —Fees— 49 Pa. Code § 7.2 (16A-4515)	Spring 2014, as Final.	The final-form rulemaking would increase biennial renewal fees for all licensee classifications to meet projected expenditures as required by law and would increase certain application fees where the current fees have been determined to be inadequate. Statutory Authority: Section 16(d) of the Beauty Culture Law, 63 P. S. § 522(d), requires the Board to increase fees by regulation to meet or exceed projected expenditures if the revenues raised by fees, fines and civil penalties are not sufficient to match expenditures over a 2-year period.	Kelly Diller (717) 783-7130
—Sanitation— 49 Pa. Code, Chapter 7 (16A-4516)	Summer 2014, as Proposed.	This proposed rulemaking would update the Board's regulations on sanitation to conform to modern standards within the profession. Statutory Authority: Sections 11 and 14 of the Act of May 3, 1933 (P. L. 242, No. 86), commonly referred to as the Beauty Culture Law, 63 P. S. §§ 517 and 520.	Kelly Diller (717) 783-7130
—Schedule of Civil Penalties— 49 Pa. Code § 43b.5. (16A-4517)	Spring 2014, as Proposed.	This proposed rulemaking would amend the schedule of civil penalties for the State Board of Cosmetology. Statutory authority: Section 5(a) of the act of July 2, 1993 (P. L. 345, No. 48), 63 P. S. § 2205(a).	Kelly Diller (717) 783-7130

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Crane Operators —Fees— 49 Pa. Code § 6.4 (16A-7102)	Spring 2014, as Proposed.	This final-form regulation would increase the biennial renewal fee for licensed crane operators. Statutory Authority: Section 701(a) of the Crane Operator Licensure Act, 63 P. S. § 2400.701(a).	Penny Walker (717) 783-1404
State Board of Dentistry —Anesthesia Update— 49 Pa. Code §§ 33.331—33.342 (16A-4621)	Spring 2014, as Proposed.	This proposed rulemaking would update the standards for the administration of general anesthesia, deep sedation, moderate sedation, minimal sedation and nitrous oxide/oxygen analgesia in dental offices. Statutory Authority: Sections 3(o) and 11.2 of the Dental Law, 63 P. S. §§ 122(o) and 130c.	Lisa Burns (717) 783-7162
—Volunteer License— 49 Pa. Code § 33.110 (16A-4625)	Spring 2014, as Final (proposed-omitted).	This regulation would amend the current volunteer license regulations to conform to amendments to the Volunteer Health Services Act. Statutory Authority: Section 3(o) of the Dental Law, 63 P. S. § 122(o).	Lisa Burns (717) 783-7162
—Child Abuse Reporting Requirements— 49 Pa. Code § 33.250 (16A-4626)	Summer 2014, as Proposed.	This regulation would update the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL), 23 P. S. §§ 6301—6386. Statutory Authority: section 6383(b)(2) of the CPSL, 23 P. S. § 6383(b)(2); and section 3(o) of the Dental Law, 63 P. S. § 122(o).	Lisa Burns (717) 783-7162
—General Revisions— 49 Pa. Code Chapter 33 (16A-4628)	Spring 2014, as Proposed.	This proposed rulemaking would generally amend, update and clarify the regulations relating to fictitious names, biennial renewal, inactive status, reactivation, licensure by criteria approval, acceptable proof of professional liability insurance, use of titles, advertising, unprofessional conduct, multi-disciplinary professional corporations, exclusion of auxiliary personnel from performing radiological procedures and continuing dental education. Section 3(o) of the Dental Law, 63 P. S. § 122(o).	Lisa Burns (717) 783-7162
—Mobile Dentistry— 49 Pa. Code Chapter 33 (16A-4629)	Summer 2014, as Proposed.	This proposed rulemaking will establish standards for the provision of dental and dental hygiene services through mobile dental units. Statutory Authority: Section 3(o) of the Dental Law, 63 P. S. § 122(o).	Lisa Burns (717) 783-7162



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Registration Board for Professional Engineers, Land Surveyors and Geologists—Qualifications for Licensure—49 Pa. Code Chapter 37 (16A-4711)	Spring 2014, as Final.	The regulation implements Act 25 of 2010, to provide for the certification of geologists-in-training, and to update the board's regulations concerning the licensure process for engineers and land surveyors. Statutory Authority: Section 4(l) of the Engineer, Land Surveyor and Geologist Registration Law, 63 P. S. § 151(l).	Robin Shearer (717) 783-7049
—Electronic Seals and Signing 49 Pa. Code Chapter 37 (16A-4712)	Spring 2014, as Proposed.	This proposed rulemaking will implement rules on electronic seals and signing. Statutory Authority: Sections 4(l) and 7 of the Engineer, Land Surveyor and Geologist Registration Law, 63 P. S. §§ 151.4(l) and 151.7.	Robin Shearer (717) 783-7049
State Board of Funeral Directors—Renewal; Continuing Education Enforcement—49 Pa. Code Chapter 13 (16A-4819)	Spring 2014, as Proposed.	This proposed rulemaking would update and clarify the Board's regulations relating to renewal of licenses and enforcement of continuing education. Statutory authority: Sections 10(b)(1) and 16(a) of the Funeral Director Law, 63 P. S. §§ 479.10(b)(1) and 479.16(a).	Heidy Weirich (717) 783-3397
—Schedule of Civil Penalties—Funeral Directors 49 Pa. Code § 43b.6 (16A-4820)	Spring 2014, as Proposed.	This proposed regulation would establish a schedule of civil penalties for continuing education enforcement. Statutory Authority: Section 5(a) of the act of July 2, 1993 (P. L. 345, No. 48), 63 P. S. § 2205(a).	Heidy Weirich (717) 783-3397
—Child Abuse Reporting Requirements— 49 Pa. Code §§ 13.301—13.307 (16A-4824)	Summer 2014, as Proposed.	This regulation would update the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL), 23 P. S. §§ 6301—6386. Statutory Authority: section 6383(b)(2) of the CPSL, 23 P. S. § 6383(b)(2); and section 16(a) of the Funeral Director Law, 63 P. S. § 479.16(a).	Heidy Weirich (717) 783-3397
—General Revisions— 49 Pa. Code Chapter 15 (16A-6111)	Spring 2014, as Proposed	This proposed rulemaking implements updates to current practices of the Board with respect to qualifications and experience, examinations and continuing education. Statutory Authority: Section 4(9) of the Landscape Architects' Registration Law, 63 P. S. § 904(9).	Terrie Kocher (717) 772-8528

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
—Schedule of Civil Penalties— Landscape Architects 49 Pa. Code Chapter 43b. (16A-6120)	Spring 2014, as Proposed.	This proposed rulemaking would adopt a schedule of civil penalties for unlicensed practice and other violations of the Landscape Architects Registration Law. Statutory Authority: Section 5(a) of the act of July 2, 1993 (P. L. 345, No. 48), 63 P. S. § 2205(a).	Terrie Kocher (717) 772-8528
—Electronic Seals and Signing— 49 Pa. Code Chapter 15 (16A-6121)	Spring 2014, as Proposed.	This proposed rulemaking will implement rules on electronic seals and signing from other design professional boards in Pennsylvania and other states. Statutory Authority: Sections 4 and 9 of the Landscape Architects' Registration Law, 63 P. S. §§ 904 and 909.	Terrie Kocher (717) 772-8528
State Board of Massage Therapy —Child Abuse Reporting Requirements— 49 Pa. Code Chapter 20 (16A-722)	Spring 2014, as Proposed.	This proposed rulemaking establishes mandatory reporting requirements relating to suspected child abuse under the Child Protective Services Law (CPSL), 23 P. S. §§ 6301—6386. Statutory Authority: Section 6383(b)(2) of the CPSL, 23 P. S. § 6383(b)(2); and section 4(2) of the Massage Therapy Law, 63 P. S. § 627.4(2).	Judy Harner (717) 783-7155
—Schedule of Civil Penalties— Massage Therapists— 49 Pa. Code § 43b.23a (16A-723)	Spring 2014, as Proposed.	The proposed rulemaking updates the schedule of civil penalties promulgated by the Board as a statement of policy in 2010. Statutory Authority: Section 5(a) of the act of July 2, 1993 (P. L. 345, No. 48), 63 P. S. § 2205(a).	Judy Harner (717) 783-7155
—Volunteer Licenses— 49 Pa. Code Chapter 16 (16A-4934)	Spring 2014, as Final (proposed-omitted).	This regulation will amend the volunteer license regulations to conform to amendments to the Volunteer Health Services Act (Acts 29 of 2007 and 58 of 2002). Statutory Authority: Section 8 of the Medical Practice Act of 1985, 63 P. S. § 422.8.	Tammy Dougherty (717) 783-1400
—Genetic Counselors— 49 Pa. Code Chapter 18 (16A-4937)	Summer 2014, as Final.	This proposed rulemaking would implement the act of December 22, 2011 (P. L. 576, No. 125) relating to the licensure of genetic counselors. Statutory Authority: Section 3 of Act 125 of 2011 requires the Board to promulgate regulations within 12 months. Section 8 of the Medical Practice Act of 1985, 63 P. S. § 422.8, provides the general regulatory authority of the Board.	Tammy Dougherty (717) 783-1400

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
—Use of Medical Lasers— 49 Pa. Code Chapter 18, Subchapter G (16A-4939)	Spring 2014, as Proposed.	This proposed rulemaking is intended to clarify the requirements for the use and delegation of medical devices and medical lasers. Statutory Authority: Section 8 of the Medical Practice Act of 1985, 63 P. S. § 422.8.	Tammy Dougherty (717) 783-1400
—Child Abuse Reporting Requirements— 49 Pa. Code §§ 16.101—16.107 (16A-4941)	Summer 2014, as Proposed.	This regulation updates the Board's existing regulation on mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL), 23 P. S. §§ 6301—6386. Statutory Authority: Section 6383(b)(2) of the CPSL, 23 P. S. § 6383(b)(2); and section 8 of the Medical Practice Act of 1985, 63 P. S. § 422.8.	Tammy Dougherty (717) 783-1400
—Schedule of Civil Penalties— 49 Pa. Code § 43b.20. (16A-4942)	Spring 2014, as Proposed.	This proposed rulemaking would amend the schedule of civil penalties for the State Board of Medicine to implement Act 48 civil penalties for practicing on a lapsed license and for continuing education violations. Statutory authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).	Tammy Dougherty (717) 783-1400
—Prosthetists, orthotists, pedorthists and orthotic fitters— 49 Pa. Code Chapters 16 and 18 (Number not yet assigned)	Spring 2014, as Proposed.	This proposed regulation would implement Act 90 of 2012 to establish licensure of prosthetists, orthotists, pedorthists and orthotic fitters. Statutory Authority: Section 3 of the act of July 5, 2012 (P. L. 873, No. 90) directs the Board to promulgate regulations within 18 months.	Tammy Dougherty (717) 783-1400
State Board of Nursing —General Revisions— 49 Pa. Code Chapter 21 (16A-5125)	Summer 2014, as Proposed.	This proposed rulemaking would establish a timeframe within which candidates for licensure as registered nurses, practical nurses and dietitian-nutritionists must first take and ultimately pass the appropriate licensing examination and updates and makes uniform application and examination provisions across the licensure categories. Statutory Authority: Sections 2.1(k) and 12(a) of the Professional Nursing Law, 63 P. S. §§ 212.1(k) and 222(a); and section 17.6 of the Practical Nurse Law, 63 P. S. § 667.6.	Cindy Miller (717) 783-7142

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
—Continuing Education; Reporting of Crimes and Discipline— 49 Pa. Code §§ 21.131—21.134 (16A-5126)	Spring 2014, as Proposed.	This proposed regulation will amend the Board's continuing education regulations to eliminate the ability of registered nurses to renew their licenses without completing their continuing education, and will clarify the requirements for timely reporting of crimes and disciplinary actions. Statutory Authority: Sections 2.1 and 12.1 of the Professional Nursing Law, 63 P. S. §§ 212.1 and 222.	Cindy Miller (717) 783-7142
—Volunteer License— 49 Pa. Code §§ 21.601—21.607. (16A-5139)	Spring 2014, as Final (Proposed-omitted).	This regulation would amend the volunteer license regulations to conform to amendments to the Volunteer Health Services Act. Statutory Authority: Section 2.1(k) of the Professional Nursing Law, 63 P. S. § 212.1(k).	Cindy Miller (717) 783-7142
—Child Abuse Reporting Requirements— 49 Pa. Code §§ 21.501—21.507. (16A-5140)	Summer 2014, as Proposed.	This regulation updates the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law, CPSL), 23 P. S. §§ 6301—6386. Statutory Authority: Section 6383(b)(2) of the CPSL, 23 P. S. § 6383(b)(2); section 2.1(k) of the Professional Nursing Law, 63 P. S. § 212.1(k); and Section 17.6 of the Practical Nurse Law, 63 P. S. § 667.6.	Cindy Miller (717) 783-7142
State Board of Examiners of Nursing Home Administrators —Sexual Misconduct— 49 Pa. Code §§ 39.1 and 39.9 (16A-6211)	Fall 2014, as Proposed.	This proposed rulemaking would add sexual abuse and sexual misconduct as offenses for which a nursing home administrator's license may be disciplined. Statutory Authority: Sections 4(c) and 6(g) of the Nursing Home Administrators Licensure Act, 63 P. S. §§ 1104(c) and 1106(g).	Chris Stuckey (717) 783-7155
—Schedule of Civil Penalties— 49 Pa. Code § 43b.17 (16A-6213)	Spring 2014, as Proposed.	This proposed rulemaking would amend the schedule of civil penalties for the State Board of Examiners of Nursing Home Administrators to implement Act 48 civil penalties for continuing education violations. Statutory authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).	Chris Stuckey (717) 783-7155



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
—Continuing Education— 49 Pa. Code Chapter 39 (16A-6215)	Fall 2014, as Proposed.	This proposed regulation updates the Board's existing regulations relating to continuing education requirements and reporting and establishes requirements for licensees who have been expired or inactive for more than five years to demonstrate competence prior to reactivation. Statutory Authority: Sections 4(a)(9), 8(e) and 9(a)—(c) of the Nursing Home Administrators Act, 63 P. S. §§ 1104(a)(9), 1108(e) and 1109(a)—(c).	Chris Stuckey (717) 783-7155
—Notice Requirements— 49 Pa. Code §§ 39.92 and 39.93 (16A-6217)	Fall 2014, as Proposed.	This proposed rulemaking clarifies notice requirements relating to convictions of crimes and return of suspended or revoked licenses. Statutory Authority: Section 4 (c) of the Nursing Home Administrators License Act, 63 P. S. § 1104(c).	Chris Stuckey (717) 783-7155
—Child Abuse Reporting Requirements— 49 Pa. Code Chapter 42 (16A-679)	Spring 2014, as Proposed.	This regulation updates the Board's regulations on mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL), 23 P. S. §§ 6301—6386. Statutory Authority: Section 6383(b)(2) of the CPSL requires the Board to promulgate regulations consistent with the CPSL; Section 5(b) of the Occupational Therapy Practice Act, 63 P. S. § 1505(b) directs the Board to adopt regulations consistent with law.	Judy Harner (717) 783-1389
—Code of Ethics— 49 Pa. Code § 42.24 (16A-6710)	Summer 2014, as Proposed.	This proposed rulemaking would update and amend the Board's existing code of ethics to adopt the AOTA ethics standards. Statutory authority: Section 5(b) of the Occupational Therapy Practice Act, 63 P. S. § 1505(b).	Judy Harner (717) 783-1389
—General Revisions— 49 Pa. Code Chapter 42 (16A-6711)	Spring 2014, as Proposed.	This proposed rulemaking implements the act of July 5, 2012 (P. L. 1132, No. 138), which amended the Occupational Therapy Practice Act. Statutory Authority: Section 5(b) of the Occupational Therapy Practice Act, 63 P. S. § 1505(b) directs the Board to adopt regulations consistent with law.	Judy Harner (717) 783-1389
State Board of Optometry —Schedule of Civil Penalties— Optometrists 49 Pa. Code Chapter 43b (16A-5212)	Spring 2014, as Proposed.	This proposed rulemaking would adopt a schedule of civil penalties for continuing education violations. Statutory Authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a), authorizes the Commissioner to set forth schedules of civil penalties.	Judy Harner (717) 783-7155

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
—General Revisions— 49 Pa. Code Chapter 23 (16A-5213)	Spring 2014, as Proposed.	This proposed rulemaking would update the Board's regulations to conform to current practices. Statutory Authority: Sections 3(b)(14) and 5 of the Optometric Practice and Licensure Act (63 P. S. §§ 244.3(b)(14) and 244.5).	Judy Harner (717) 783-7155
—Volunteer License— 49 Pa. Code § 23.26 (16A-5214)	Spring 2014, as Final (Proposed-omitted).	This regulation would amend the Board's volunteer license regulations to conform to amendments to the Volunteer Health Services Act. Statutory Authority: Section 3(b)(14) of the Optometric Practice and Licensure Act, 63 P. S. § 244.3(b)(14).	Judy Harner (717) 783-7155
—Child Abuse Reporting Requirements— 49 Pa. Code §§ 23.111—23.116 (16A-5215)	Summer 2014, as Proposed.	This regulation updates the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law, CPSL), 23 P. S. §§ 6301—6386. Statutory Authority: Section 6383(b)(2) of the CPSL, 23 P. S. § 6383(b)(2); and section 3(b)(14) of the Optometric Practice and Licensure Act, 63 P. S. § 244.3(b)(14).	Judy Harner (717) 783-7155
Volunteer License— 49 Pa. Code §§ 25.601—25.607. (16A-5323)	Spring 2014, as Final (Proposed-omitted).	This regulation would amend the Board's volunteer license regulations to conform to amendments to the Volunteer Health Services Act made by Act 58 of 2002 and Act 29 of 2007. Statutory Authority: Section 16 of the Osteopathic Medicine Act, 63 P. S. § 271.16.	Suzanne Smith (717) 783-4858
—Child Abuse Reporting Requirements— 49 Pa. Code §§ 25.401—25.416 (16A-5326)	Summer 2014, as Proposed.	This regulation updates the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law, CPSL), 23 P. S. §§ 6301—6386. Statutory Authority: Section 6383(b)(2) of the CPSL, 23 P. S. § 6383(b)(2); and section 16 of the Osteopathic Medicine Practice Act, 63 P. S. § 271.16.	Suzanne Smith (717) 783-4858
—Schedule of Civil Penalties— 49 Pa. Code Chapter 43b. (16A-5327)	Summer 2014, as Proposed.	This proposed rulemaking would establish a schedule of civil penalties for the State Board of Osteopathic Medicine to implement Act 48 civil penalties for failure to report complaints filed against an osteopathic physician in a medical professional liability action. Statutory authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).	Suzanne Smith (717) 783-4858

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
—Genetic Counselors— 49 Pa. Code Chapter 25 (16A-5328)	Spring 2014, as Proposed.	This proposed rulemaking would implement the act of December 22, 2011 (P. L. 581, No. 126) relating to the licensure of genetic counselors. Statutory Authority: Section 3 of Act 126 of 2011 requires the Board to promulgate regulations within 12 months. Section 16 of the Osteopathic Medicine Practice Act, 63 P. S. § 271.16, provides the general regulatory authority of the Board.	Suzanne Smith (717) 783-4858
State Board of Pharmacy —Compounding Practices— 49 Pa. Code Chapter 27 (16A-5419)	Spring 2014, as Proposed.	This proposed rulemaking would establish standards for the compounding of drugs by pharmacists. Statutory Authority: Section 6(k)(9) of the Pharmacy Act, 63 P. S. § 390-6(k)(9) grants the authority to promulgate rules and regulations to effectuate the purposes of the act. Section 2 of the Pharmacy Act, 63 P. S. § 390-2(11) defines the practice of pharmacy to include the compounding of drugs.	Melanie Zimmerman (717) 783-7156
—Pharmacy Internship— 49 Pa. Code Chapter 27 (16A-5424)	Spring 2014, as Final.	This final-form rulemaking would update the Board's regulations relating to the pharmacy internship required under section 3 of the Pharmacy Act. Statutory Authority: Section 3 of the Pharmacy Act, 63 P. S. § 390-3(c) requires the Board to establish by regulation the internship requirements which must be satisfactorily completed prior to issuance of a pharmacist license.	Melanie Zimmerman (717) 783-7156
—Collaborative Management of Drug Therapy— 49 Pa. Code Chapter 27 (16A-5425)	Spring 2014, as Final.	This final-form rulemaking would implement Act 29 of 2010, which provides for collaborative drug therapy management between a pharmacist and a licensed physician. Statutory Authority: Section 5 of the act of June 1, 2010 (P. L. 201, No. 29) requires the Board to promulgate regulations to implement Act 29 within 18 months of its effective date.	Melanie Zimmerman (717) 783-7156

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
—Emergency Preparedness— 49 Pa. Code Chapter 27 (16A-5426)	Summer 2014, as Proposed.	The proposed rulemaking would establish procedures and standards for the operation of remote emergency pharmacies in the event of an emergency caused by a natural or manmade disaster or any other exceptional situation that causes an extraordinary demand for pharmacy services. Statutory Authority: Section 6(k)(9) of the Pharmacy Act, 63 P. S. § 390-6(k)(9).	Melanie Zimmerman (717) 783-7156
—General Revisions to Standards of Practice— 49 Pa. Code § 27.18 (16A-5427)	Summer 2014, as Proposed.	This proposed rulemaking would update the Board's regulations relating to standards of practice for pharmacists. Statutory Authority: Section 6(k)(9) of the Pharmacy Act, 63 P. S. § 390-6(k)(9).	Melanie Zimmerman (717) 783-7156
—Correctional Facility Drug Redistribution— 49 Pa. Code Chapter 27 (number not yet assigned)	Summer 2014, as Proposed.	This proposed rulemaking is required to conform the Board's regulations to the act of July 9, 2010 (P. L. 457, No. 59), which permits a vendor pharmacy to redistribute drugs returned by a correctional facility to other correctional facilities. Statutory Authority: Section 6(k)(9) of the Pharmacy Act, 63 P. S. § 390-6(k)(9).	Melanie Zimmerman (717) 783-7156
—Schedule of Civil Penalties— 49 Pa. Code § 43b.7 (number not yet assigned)	Spring 2014, as Proposed.	This proposed rulemaking would amend the schedule of civil penalties for the State Board of Pharmacy to implement Act 48 civil penalties for continuing education violations. Statutory authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).	Melanie Zimmerman (717) 783-7156
State Board of Physical Therapy —Child Abuse Reporting Requirements— 49 Pa. Code §§ 40.201—40.207. (16A-6515)	Summer 2014, as Proposed.	This regulation updates the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law, CPSL), 23 P. S. §§ 6301—6386. Statutory Authority: Section 6383(b)(2) of the CPSL, 23 P. S. § 6383(b)(2); and section 3(a) of the Physical Therapy Practice Act, 63 P. S. § 1303(a).	Michelle Roberts (717) 783-7134
—Schedule of Civil Penalties— 49 Pa. Code Chapter 43b. (16A-6516)	Summer 2014, as Proposed.	This proposed rulemaking would establish a schedule of civil penalties for the State Board of Physical Therapy to implement Act 48 civil penalties for practicing on a lapsed license. Statutory authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).	Michelle Roberts (717) 783-7134



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
—Post—Act 38 Corrections— 49 Pa. Code Ch. 40 (16A-6517)	Spring 2014, as Proposed.	This proposed regulation would address provisions related to the Act 38 amendments that were not part of the rulemaking promulgated December 22, 2012 at 42 Pa.B. 7652. Statutory Authority: Section 3(a) of the Physical Therapy Practice Act 48 of 1993, 63 P. S. § 1303(a).	Michelle Roberts (717) 783-7134
—Continuing education enforcement— 49 Pa. Code §§ 40.67(f) and 40.192(f) (16A-6518)	Summer 2014, as Proposed.	In conjunction with the civil penalty schedule, this proposed rulemaking would amend the continuing education regulations with regard to enforcement. Statutory Authority: Section 3(a) of the Physical Therapy Practice Act, 63 P. S. § 1303(a).	Michelle Roberts (717) 783-7134
State Board of Podiatry —Certificate of Authority to Perform Acupuncture— 49 Pa. Code Chapter 29 (16A-449)	Spring 2014, as Proposed.	This proposed rulemaking would establish the fees and regulate the practice of acupuncture by podiatrists under the Acupuncture Registration Act. Statutory Authority: Section 3 of the Acupuncture Registration Act, 63 P. S. § 1803.	Suzanne Smith (717) 783-4858
—Volunteer License— 49 Pa. Code § 29.55 (16A-4411)	Spring 2014, as Final (Proposed-omitted).	This regulation would amend the Board's volunteer license regulations to conform to recent amendments to the Volunteer Health Services Act. Statutory Authority: Section 15 of the Podiatry Practice Act, 63 P. S. § 42.15.	Suzanne Smith (717) 783-4858
—Child Abuse Reporting Requirements— 49 Pa. Code §§ 29.91—29.97 (16A-4412)	Summer 2014, as Proposed.	This regulation updates the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law, CPSL), 23 P. S. §§ 6301—6386. Statutory Authority: Section 6383(b)(2) of the CPSL, 23 P. S. § 6383(b)(2); and section 15 of the Podiatry Practice Act, 63 P. S. § 42.15.	Suzanne Smith (717) 783-4858
—Schedule of Civil Penalties— Podiatrists 49 Pa. Code Chapter 43b (16A-4413)	Spring 2014, as Proposed.	This proposed rulemaking would adopt a schedule of civil penalties for continuing education violations. Statutory Authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a), authorizes the Commissioner to set forth schedules of civil penalties.	Suzanne Smith (717) 783-4858
—Therapeutic Drugs, Preparations, Vitamins and Supplements, and Wound Care Products— 49 Pa. Code § 29.41 (16A-4414)	Summer 2014, as Proposed.	This proposed rulemaking would amend the list of therapeutic drugs that podiatrists may prescribe. Statutory Authority: Section 15 of the Podiatry Practice Act, 63 P. S. § 42.15.	Suzanne Smith (717) 783-4858

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Psychology—Continuing Education—49 Pa. Code § 41.59 (16A-6317)	Spring 2014, as Proposed.	This proposed rulemaking would amend the Board's continuing education requirements regarding home study, instruction and carry over. Statutory Authority: Section 15 of the Professional Psychologists Practice Act, 63 P. S. § 1215.	Chris Stuckey (717) 783-7155
—Code of Ethics—49 Pa. Code § 41.61 (16A-6318)	Spring 2014, as Proposed.	This proposed rulemaking would update the Board's Code of Conduct so that it would be in line with changes to the American Psychological Association and the Association of State and Provincial Psychology Boards. Statutory Authority: Section 3.2(2) of the Professional Psychologists Practice Act, 63 P. S. § 1203.2(2).	Chris Stuckey (717) 783-7155
—Education, Examination and Experience—49 Pa. Code § 41.31 (16A-6320)	Spring 2014, as Proposed.	This proposed rulemaking would clarify the education, examination and experience requirements. Statutory Authority: Section 3.2(2) of the Professional Psychologists Practice Act, 63 P. S. § 1203.2(2).	Chris Stuckey (717) 783-7155
—Child Abuse Reporting Requirements—49 Pa. Code Chapter 41 (16A-6322)	Summer 2014, as Proposed.	This regulation would amend the board's regulations to conform to changes made to the Child Protective Services Act. Statutory Authority: Section 6383(b)(2) of the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2) and section 3.2(2) of the Professional Psychologists Practice Act, 63 P. S. § 1203.2(2).	Chris Stuckey (717) 783-7155
State Board of Certified Real Estate Appraisers—Schedule of Civil Penalties—Real Estate Appraisers—49 Pa. Code § 43b.15a (16A-7016)	Spring 2014, as Proposed.	The proposed rulemaking will codify and amend the Board's current schedule of civil penalties statement of policy. Statutory Authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a), authorizes the Commissioner to set forth schedules of civil penalties, with the approval of the Board.	Heidy Weirich (717) 783-4866
—Assessment Record Keeping and Reporting—49 Pa. Code §§ 36.201 and 36.265 (16A-7018)	Spring 2014, as Proposed.	The proposed rulemaking updates the Board's regulations to reflect current practice followed by assessment offices throughout the Commonwealth, and to assure consistency with Uniform Standards of Appraisal Practice (USPAP) and International Association of Assessing Officers (IAAO) standards of assessment practice. Statutory Authority: Section 3 of the Assessors Certification Act, 63 P. S. § 457.3.	Heidy Weirich (717) 783-4866

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
—Biennial Renewal Fee for Licensed Appraiser Trainee— 49 Pa. Code § 36.6 (16A-7020)	Spring 2014, as Final.	The proposed rulemaking would adopt a biennial renewal fee for licensed appraiser trainees. Statutory Authority: Section 9 of the Real Estate Appraisers Certification Act, 63 P. S. § 457.9.	Heidy Weirich (717) 783-4866
—General Rulemaking for Appraisal Management Companies— 49 Pa. Code Chapter 36 (16A-7021)	Spring 2014, as Proposed.	The proposal would promulgate a general rulemaking implementing the Appraisal Management Company Registration Act, 63 P. S. §§ 457.21—457.31. Statutory Authority: Section 4(a) of the Appraisal Management Company Registration Act, 63 P. S. § 457.24(a).	Heidy Weirich (717) 783-4866
State Real Estate Commission —Advertising and Solicitation— 49 Pa. Code § 35.305 (16A-5620)	Summer 2014, as Proposed.	The proposed rulemaking would require licensees to advertise or otherwise hold themselves out to the public only under the name listed on their licenses. Statutory Authority: Section 404 of the Real Estate Licensing and Registration Act, 63 P. S. § 455.404.	Patricia Ridley (717) 783-3658
—Escrow requirements— 49 Pa. Code Chapter 35 (16A-5622)	Summer 2014, as Proposed.	This proposed rulemaking would establish additional escrow requirements consistent with the changes made by Act 14 of 2009. Statutory Authority: Section 404 of the Real Estate Licensing and Registration Act, 63 P. S. § 455.404.	Patricia Ridley (717) 783-3658
—Schedule of Civil Penalties— 49 Pa. Code § 43b.8 (16A-5623)	Spring 2014, as Proposed.	This proposed rulemaking would amend the schedule of civil penalties for the State Real Estate Commission to implement Act 48 civil penalties for continuing education violations. Statutory authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).	Patricia Ridley (717) 783-3658
—Child Abuse Reporting Requirements— 49 Pa. Code §§ 47.51—47.57 (16A-6919)	Summer 2014, as Proposed.	This regulation would amend the board's regulations to conform to changes made to the Child Protective Services Act. Statutory Authority: Section 6383(b)(2) of the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2) and section 6(2) of the Social Workers, Marriage and Family Therapists and Professional Counselors Act, 63 P. S. § 1906(2).	Sandra Matter (717) 783-1389

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
—Biennial Renewal Fees— 49 Pa. Code § 47.4 (16A-6920)	Spring 2014, as Final.	The final-form rulemaking would increase biennial renewal fees to meet projected expenditures as required by law. Statutory Authority: Section 18(c) of the Social Workers, Marriage and Family Therapists and Professional Counselors Act, 63 P. S. § 1918(c).	Sandra Matter (717) 783-1389
—Qualifications for License— 49 Pa. Code §§ 47.12c, 48.13 and 49.13 (16A-6921)	Spring, 2014, as Final.	This regulation would amend the Board's existing regulations to incorporate changes made by the act of March 14, 2012 (P. L. 191, No. 17) relating to the qualifications for licensure of licensed clinical social workers, marriage and family therapists and professional counselors. Statutory Authority: Section 6(2) of the Social Workers, Marriage and Family Therapists and Professional Counselors Act, 63 P. S. § 1906(2).	Sandra Matter (717) 783-1389
—General Revisions— 49 Pa. Code Chapters 47—49 (16A-6923)	Spring 2014, as Proposed.	This proposed rulemaking will eliminate outdated regulations, and update existing regulations to comport with current standards of the profession and current practices of the Board. Statutory Authority: Section 6(2) of the Social Workers, Marriage and Family Therapists and Professional Counselors Act, 63 P. S. § 1906(2).	Sandra Matter (717) 783-1389
—Child Abuse Reporting Requirements— 49 Pa. Code §§ 45.401—45.407 (16A-6805)	Summer 2014, as Proposed.	This regulation would amend the board's regulations to conform to changes made to the Child Protective Services Act. Statutory Authority: Section 6383(b)(2) of the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2) and section 5(2) of the Speech-Language and Hearing Licensure Act, 63 P. S. § 1705(2).	Sandra Matter (717) 783-1389
—Termination of Grandfather Provisions— 49 Pa. Code § 45.21 (16A-6806)	Spring 2014, as Final.	This final-form rulemaking is intended to terminate an outdated grandfathering provision. Statutory Authority: Section 5(2) of the Speech-Language and Hearing Licensure Act, 63 P. S. § 1705(2).	Sandra Matter (717) 783-1389
—Continuing Education— 49 Pa. Code Chapter 45. (16A-6807)	Summer 2014, as Final.	This proposed rulemaking is intended to clarify the continuing education requirements for licensees that hold more than one class of license issued by the Board. Statutory Authority: Section 5(2) of the Speech-Language and Hearing Licensure Act, 63 P. S. § 1705(2).	Sandra Matter (717) 783-1389



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Vehicle Manufacturers, Dealers and Salespersons—Salesperson License— 49 Pa. Code Chapter 19 (16A-609)	Spring 2014, as Proposed.	This proposed rulemaking would clarify and update the requirements for salespersons in order to permit salespersons to sell at other locations of the same dealer. Statutory Authority: Section 4(9) of the Board of Vehicles Act, 63 P. S. § 818.4(9).	Janice Cline (717) 783-1697
—Out-of-state RV Dealer Registration Fee— 49 Pa. Code § 19.4 (16A-6011)	Spring 2014, as Proposed.	This proposed rulemaking would establish a fee for processing applications under section 32.1(c) of the act, 63 P. S. § 818.32a(c), for out-of-state RV dealers to register with the Board in order to participate in an RV show in this Commonwealth. Statutory Authority: Sections 4(9) and 32.1(c) of the Board of Vehicles Act, 63 P. S. §§ 818.4(9) and 818.32.1(c).	Janice Cline (717) 783-1697
State Board of Veterinary Medicine—Facilities— 49 Pa. Code Chapter 31 (16A-5720)	Summer 2014, as Proposed.	This proposed rulemaking would establish standards for and require registration of veterinary facilities. Statutory Authority: Sections 5 and 27 of the Veterinary Medicine Practice Act, 63 P. S. §§ 485.5 and 485.27.	Michelle Roberts (717) 783-7134
—Licensure of Euthanasia Technicians— 49 Pa. Code Chapter 31 (number not yet assigned)	Spring 2014, as Proposed.	This proposed rulemaking is necessary to implement the act of October 24, 2012 (P. L. 1452, No. 182) (Act 182 of 2012) to authorize animal protection organizations to purchase, possess and administer euthanasia drugs and to license euthanasia technicians. Statutory Authority: Section 304 (b) and (c) of Act 182 of 2012 direct the board to promulgate regulations within 18 months of the effective date of the act.	Michelle Roberts (717) 783-7134
<b>STATE EMPLOYEES' RETIREMENT SYSTEM</b>			
4 Pa. Code § 247.51. Time for Recomputation of Annuity. (This would impose a time limit for annuitants to change the optional payment plan authorized by the second to the last sentence of 71 Pa.C.S. § 5907(j)).	2015	This would provide guidance on when an annuitant is permitted to change their optional payment plan. There is no time frame in the statute for this election to occur causing administrative difficulties including possibly permitting anti-selection of death benefits, requiring members to make a declaration under discontinued disability benefits and negating an option change absent another qualifying event.	Brian McDonough, Esq. (717) 787-7317 Sharon Smith (717) 787-9657 David Durbin (717) 783-7210

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
4 Pa. Code § 243.8. Membership rules for educational employees.	2014	This would clarify the requirements for membership and final average salary calculations for educational employees.	Brian McDonough, Esq. (717) 787-7317 Sharon Smith (717) 787-9657 David Durbin (717) 783-7210
4 Pa. Code § 245.4. Member contributions for the purchase of credit for previous State service or to become a full coverage member. (This would be amended to specify the effects of a service purchase or reinstatement.)	2014	This would clarify the effects of the reinstatement or purchase of previous State service. An administrative decision has offered partial guidance in this area. This would enable consistent application of the statute and would reduce litigation of purchase of service issues. This is also being considered as a statutory amendment.	Brian McDonough, Esq. (717) 787-7317 Sharon Smith (717) 787-9657 David Durbin (717) 783-7210
<b>STATE POLICE</b>			
37 Pa. Code §§ 221.21 and 221.31	Spring 2014	Title 53 P. S. § 753.7 directs the Municipal Police Officer's Education and Training Commission (MPOETC) to promulgate regulations to implement the Retired Law Enforcement Identification Act. These amendments will make the regulations consistent with a 2011 change to federal law by reducing the time requirements necessary (from 15 years aggregate employment to 10 years) to be deemed a "retired law enforcement officer."	Lieutenant Robert J. Krol (717) 783-5566
37 Pa. Code § 41.5 Designation of Emergency Vehicles	Summer 2014	Title 75 Pa.C.S. § 6106 allows PSP to designate emergency vehicles upon certain findings. This amendment would add Philadelphia Prison System vehicles used to escort ambulances transporting sick or injured inmates to the class of vehicles eligible for designation.	Lieutenant Robert J. Krol (717) 783-5566
37 Pa. Code Chapter 51	Fall 2014	Revisions to Chapter 51 as it relates to officer certification/re-certification and authorization to engage in the conduct of communications interception.	Lieutenant Robert J. Krol (717) 783-5566
<b>STATE SYSTEM OF HIGHER EDUCATION</b>			
No regulations being developed or considered at this date.			
<b>TRANSPORTATION</b>			
321—Interstate Motor Carrier Safety 67 Pa. Code Chapter 231	Proposed Rulemaking— Estimated Promulgation March 2014	The proposed regulation change is needed to provide relief for mass transit drivers and companies from the hours of service and log book requirements and the parameters within which the relief may apply.	LaVerne Collins 717-787-1214

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
17—Authorization to Verify ID Numbers 67 Pa. Code Chapter 17	Final Rulemaking— Estimated Promulgation March 2014	Changes are needed to document the Vehicle Identification Number (VIN) verification process. The VIN verification process is not currently documented in either the Vehicle Code or in regulations.	Kristen Singer 717-787-2171
71—School Bus Drivers 67 Pa. Code Chapter 71	Proposed Rulemaking— Estimated Promulgation September 2015	The regulations will be updated to help ensure that school bus drivers diagnosed with various cardiovascular diseases are in stable condition. The regulations will also update the medical standards for school bus drivers that have brain disease, cognitive impairment or a mental/emotional disorder.	Laura Krol 717-346-1907
83—Physical & Mental Criteria—Including Vision Standards Relating to the Licensing of Drivers 67 Pa. Code Chapter 83	Proposed Rulemaking— Estimated Promulgation March 2014	The regulations will be updated to help ensure that license holders diagnosed with various cardiovascular diseases are in stable condition. The regulations will also update the medical standards for license holders that have brain disease, cognitive impairment or a mental/emotional disorder. Additionally, the regulations will be updated to ensure that license holders have the necessary field of vision to operate a motor vehicle. Finally, the regulations will update the medical standards for license holders who have a loss of consciousness of unknown or uncategorized etiology.	Laura Krol 717-346-1907
105—Mechanical Electrical and Electronic Speed Timing Devices	Proposed Rulemaking— On hold, pending analysis	The regulations are being updated to reflect changes in equipment technology relating to calibration and maintenance of speed timing devices used for law enforcement purposes and to delete references to obsolete equipment and calibration procedures.	Kay Kishbaugh 717-787-2171

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Chapter 427—Public Transportation (Act 44 of 2008)	Final Rulemaking— Estimated Promulgation February 2014	Act 44 of 2008, Chapter 15, Sustainable Mobility Options, authorizes almost all public transportation funding programs for the Commonwealth. The legislation required the Department to develop regulations for several sections of the legislation. The temporary regulations were published in the Pennsylvania Bulletin on July 18, 2009. Permanent regulations were published on November 12, 2011. IRRC provided comments to Office of Chief Counsel. As of May 15, 2012, Office of Chief Counsel is in the process of addressing the IRRC comments.	LaVerne Collins 717-787-1214
Chapter 441 Driveway/Local Road	Final Rulemaking— On hold	<ul style="list-style-type: none"> <li>• Allows sales agreement or mineral right owners to apply for permits</li> <li>• Update sight distance requirements to AASHTO standards</li> <li>• Relocate driveway designs to Publication 282 to allow immediate updates</li> <li>• Allow driveway applications to be submitted by electronic submission</li> <li>• Updating outdated references.</li> </ul>	Mike Dzurko 717-787-7350
Chapter 459 Occupancy of Highways by Utilities 67 Pa. Code Chapter 459	Proposed Rulemaking— March 2014	<ul style="list-style-type: none"> <li>• Allow utility applications to be submitted by electronic submission</li> <li>• Allows newest techniques in utility work to be used.</li> <li>• Updating outdated references.</li> </ul>	Glenn Rowe 717-787-3620
Chapter 101 Authorizing Appropriately Attired Persons to Direct, Control or Regulate Traffic 67 Pa. Code Chapter 101	Proposed Rulemaking— Estimated publication March 2014	The proposed regulation change is needed to be consistent with a Federal Highway Administration rule making (23 CFR Part 634: Worker Visibility Rule”—issued November 24, 2008).	Matt Briggs 783-6268
Chapter 443 Roadside Rest Areas 67 Pa. Code Chapter 443	Final Rulemaking— On hold	These amendments more clearly delineate what activities are prohibited and permitted at roadside rest areas.	Terry Pearsal 787 0466

[Pa.B. Doc. No. 14-255. Filed for public inspection January 31, 2014, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Action Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10 a.m., Thursday, January 16, 2014, and announced the following:

*Regulation Deemed Approved Pursuant to Section 5(g) of the Regulatory Review Act—Effective January 15, 2014*

Pennsylvania Liquor Control Board #54-76: Sale by Limited Winery Licensees (amends 40 Pa. Code § 11.111)

*Action Taken—Regulations Approved:*

Constables' Education and Training Board #35-32: Constables' Education and Training Board Amendments (amends 37 Pa. Code Chapter 431)

State Board of Landscape Architects #16A-6110: Continuing Education and Elimination of Registration without Examination (amends 49 Pa. Code Chapter 15)



State Registration Board for Professional Engineers, Land Surveyors and Geologists #16A-4711: Qualifications For Licensure (amends 49 Pa. Code §§ 37.1, 37.16, 37.17, 37.31—37.33, 37.33a, 37.34, 37.36, 37.36a, 37.37, 37.47—37.49 and 37.57)

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**Approval Order**

Public Meeting Held  
January 16, 2014

*Commissioners Voting:* George D. Bedwick, Vice Chairperson; John F. Mizner, Esq.; Lawrence J. Tabas, Esq.; Dennis A. Watson, Esq.

*Constables' Education and Training Board—  
Constables' Education and Training Board Amendments;  
Regulation No. 35-32 (#2921)*

On October 26, 2011, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Constables' Education and Training Board (Board). This rulemaking amends 37 Pa. Code Chapter 431. The proposed regulation was published in the November 5, 2011 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on November 14, 2013.

This regulation aligns the Board's regulations with the Board's policy and practices regarding certification, training attendance policies and financial responsibility. The regulation also eliminates waiver of the firearms qualification course for law enforcement officers, establishes a minimum age requirement for firearm qualification and eliminates 10mm caliber firearm from training.

We have determined this regulation is consistent with the statutory authority of the Board (44 Pa.C.S. § 7144(10)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

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**Approval Order**

Public Meeting Held  
January 16, 2014

*Commissioners Voting:* George D. Bedwick, Vice Chairperson; John F. Mizner, Esq.; Lawrence J. Tabas, Esq.; Dennis A. Watson, Esq.

*State Board of Landscape Architects—  
Continuing Education and Elimination of  
Registration without Examination;  
Regulation No. 16A-6110 (#2994)*

On March 21, 2013, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Landscape Architects (Board). This rulemaking amends 49 Pa. Code Chapter 15. The proposed regulation was published in the April 6, 2013 *Pennsylvania Bulletin* with a 30-day public comment

period. The final-form regulation was submitted to the Commission on November 22, 2013.

This regulation implements Act 24 of 2009 by deleting grandfathering provisions and amending the biennial continuing education requirements from 10 clock hours to 24 clock hours. In addition, the Board is increasing record retention requirements from 4 to 6 years.

We have determined this regulation is consistent with the statutory authority of the Board (63 P.S. § 904(9)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

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**Approval Order**

Public Meeting Held  
January 16, 2014

*Commissioners Voting:* George D. Bedwick, Vice Chairperson; John F. Mizner, Esq.; Lawrence J. Tabas, Esq.; Dennis A. Watson, Esq.

*State Registration Board for Professional Engineers, Land Surveyors and Geologists—Qualifications For Licensure;  
Regulation No. 16A-4711 (#2926)*

On December 15, 2011, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Registration Board for Professional Engineers, Land Surveyors and Geologists (Board). This rulemaking amends 49 Pa. Code §§ 37.1, 37.16, 37.17, 37.31—37.33, 37.33a, 37.34, 37.36, 37.36a, 37.37, 37.47—37.49 and 37.57. The proposed regulation was published in the December 31, 2011 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on November 22, 2013.

This regulation establishes a two-step licensing process for professional geologists similar to that for engineers and land surveyors, and conforms the Board's other regulations related to qualification for licensure to current administrative practice.

We have determined this regulation is consistent with the statutory authority of the State Registration Board for Professional Engineers, Land Surveyors and Geologists (63 P.S. §§ 151.4(b), 151.4(l), 151.2, 151.3 and 151.4) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

GEORGE D. BEDWICK,  
Vice Chairperson

[Pa.B. Doc. No. 14-256. Filed for public inspection January 31, 2014, 9:00 a.m.]

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**Notice of Comments Issued**

Section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b).

The Commission has issued comments on the following proposed regulations. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close

of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
#125-175	Pennsylvania Gaming Control Board Licensing; Slot Software; Count Room Characteristics; Credit; Table Game Rules 43 Pa.B. 6764 (November 16, 2013)	12/16/13	01/15/14
#57-297	Pennsylvania Public Utility Commission Recovery of Fuel Costs by Gas Utilities 43 Pa.B. 6503 (November 2, 2013)	12/17/13	01/16/14
#57-298	Pennsylvania Public Utility Commission Household Goods in Use Carriers and Property Carriers 43 Pa.B. 6894 (November 23, 2013)	12/23/13	01/22/14

### **Pennsylvania Gaming Control Board**

#### **Regulation #125-175 (IRRC #3040)**

#### **Licensing; Slot Software; Count Room Characteristics; Credit; Table Game Rules**

**January 15, 2014**

We submit for your consideration the following comments on the proposed rulemaking published in the November 16, 2013 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (RRA) (71 P. S. § 745.5b). Section 5.1(a) of the RRA (71 P. S. § 745.5a(a)) directs the Pennsylvania Gaming Control Board (Board) to respond to all comments received from us or any other source.

#### **1. Section 427a.5. Responsibilities of a manufacturer.—Clarity; Reasonableness.**

Subsections (c) and (d) address the possibility that a slot machine licensee may service, repair or perform routine maintenance on slot machines. The Board proposes to delete Subsections (c) and (d) because they do not relate to the chapter or section heading. Relating to responsibilities of a supplier, the Board proposes to delete identical language from Section 431a.4(f) and (g). We agree with the Board that these subsections are not relevant to the respective chapters or sections. Is the language that the Board proposes to delete addressed elsewhere? We ask the Board to clarify in the Preamble of the final-form regulation where this information is found in the Board's regulations, or to explain why it is reasonable for Board regulations not to address slot machine service, repair or maintenance by slot machine licensees.

As noted, this comment applies to the Board's proposal to delete identical language from Section 431a.4(f) and (g).

#### **2. Section 435a.5. Nongaming employee registration.—Clarity and lack of ambiguity; Reasonableness of requirements; Implementation procedures and timetables for compliance.**

The Board proposes to create Subsection (f) which states that a registration issued under this section will be valid for four years from the date of Board approval. The subsection also provides that if a registrant is not employed for two years in a position that requires a nongaming registration, the registration will be deemed to have expired. The Board states that currently registrations do not have an expiration date, and therefore, a subsequent background check is not conducted beyond

initial registration. The Board further explains that currently more than 5,500 nongaming employees remain registered with the Board but have not worked in a position that requires registration for two years or more. We agree that periodic background investigations are necessary to protect the integrity of gaming by ensuring that every nongaming employee remains eligible and suitable to hold a registration. However, neither the Preamble nor the proposed regulation addresses how the Board will implement these provisions. We ask the Board to provide detailed responses to the following questions in the Preamble of the final-form regulation.

- How will the Board notify the regulated community, including the 5,500 registrants referenced by the Board whose registrations will be deemed to have expired, of these changes?

- How will currently registered nongaming employees obtain registrations with expiration dates, and how will their expiration dates be determined?

- How will the two-year timeframe work? Will it begin on the effective date of the regulation, or will the 5,500 registrations referenced by the Board be deemed to have expired on the effective date of the regulation?

In responding to these questions, the Board should clarify how the regulated community will transition to compliance with these provisions, and explain how the implementation of these provisions, including the timeframe, is reasonable.

We have similar concerns and questions related to Section 437a.6(b) (relating to registration and certification term and renewal) which establishes an expiration date for a publicly traded gaming service provider's authorization. We ask the Board to clarify how the regulated community will transition to compliance with this provision, and explain how the implementation of this provision is reasonable.

Finally, the Board should ensure that the annex of the final-form regulation clearly reflects the Board's intent for implementation of the provisions in Section 435a.5 and Section 437a.6(b), and that the annex clearly states how the regulated community is to comply.

#### **3. Section 441a.25. Approval of material debt transactions.—Clarity and lack of ambiguity; Implementation procedures.**

Subsection (e) states that a debt transaction that does not otherwise qualify as a material debt transaction *may* require Board approval *if* Board staff determines that approval is necessary to protect the integrity of gaming.

[Emphasis added.] This provision is not regulatory language and does not set a binding norm. A regulation has the full force and effect of law, and this provision does not establish a standard that could be predicted by the regulated community. The Board should either remove the subsection or clearly identify the standards for debt transactions that do not otherwise qualify as a material debt transaction that *will* require Board approval.

These comments likewise apply to Section 441a.26(e).

#### **4. Section 609a.4. Approval of credit limits.—Clarity.**

Subsection (c) provides for the steps that shall be undertaken prior to approving a credit increase. Paragraph (c)(2) currently requires the reverification of patron information required under Section 609a.3(2) and (3). The Board proposes to delete the reference to Paragraph (c)(3). We ask the Board to explain in the Preamble of the final-form regulation the reasonableness of deleting this requirement.

These comments likewise apply to Section 609a.5(c), where the Board proposes the same change.

#### **5. Compliance with the RRA.**

We ask the Board to revise its response to Question #15 of the Regulatory Analysis Form in order to ensure that the new criteria required by Act 76 of 2012 related to small businesses are met. The Board should provide a citation to the relevant provisions of the federal definition of small business that were reviewed in the development of the rulemaking and an analysis of their applicability or inapplicability to the regulation.

### **Pennsylvania Public Utility Commission**

#### **Regulation #57-297 (IRRC #3038)**

#### **Recovery of Fuel Costs by Gas Utilities**

**January 16, 2014**

We submit for your consideration the following comments on the proposed rulemaking published in the November 2, 2013 *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. Section 53.66. Filing requirements for small gas utilities.—Consistency with statute; Reasonableness; Economic impact.**

##### *Interest rate applied to over and under collections*

Subsection (d) specifies that the interest rate should be “as calculated in the manner specified in 66 Pa.C.S. § 1307(f)(5),” which states, in part:

... Refunds to customers shall be made with interest, at the legal rate of interest plus two percent, during the period or periods for which the commission orders refunds, and recoveries from customers shall include interest at the legal rate of interest. . . .

PUC Commissioner Cawley invited parties to comment on what they believe is the optimal interest rate, including five historical interest rate options. Valley Energy, Inc. responded that the proposed prime rate for commercial borrowing is the most optimal rate because it most accurately reflects the cost of service associated with net over and under collections. The PA Office of Consumer Advocate (OCA) commented that an asymmetric interest mechanism should be used, meaning a different rate should be used for over collections than under collections.

The PUC, as well as commentators, note that pending legislation (House Bill 1188) might modify the applicable interest rate for 1307(f) utilities; however, passage of this legislation is not guaranteed. The current statute, 66 Pa.C.S. § 1307(f)(5), specifies the rates to be applied to over and under collections. Regarding the interest rates included in the final regulation, the PUC should explain how those interest rates are consistent with the current statute, and are reasonable for both the utility and its customers.

#### **2. Regulatory Analysis Form (RAF)—Regulations impacting small business.**

We ask the PUC to revise its response to Question #15 of the RAF in order to ensure that the new criteria required by Act 76 of 2012 related to small businesses are met. The PUC should provide a citation to the relevant provisions of the federal definition of small business that were reviewed in the development of the rulemaking and an analysis of their applicability or inapplicability to the regulation.

### **Pennsylvania Public Utility Commission**

#### **Regulation #57-298 (IRRC #3041)**

#### **Household Goods in Use Carriers and Property Carriers**

**January 22, 2014**

We submit for your consideration the following comments on the proposed rulemaking published in the November 23, 2013 *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. Implementation procedures; Clarity; Reasonableness.**

This proposal amends nine sections of the PUC’s existing regulations and also a statement of policy related to evidentiary criteria used to decide motor common carrier applications found at § 41.14. As described by the PUC, the intent of these amendments is to better reflect the competitive marketplace in the household goods carrier industry. The amendment that has garnered the most opposition from the regulated community is the elimination of the requirement that an applicant for a certificate of public convenience to transport household goods need not establish that the proposed service to be provided is responsive to a public demand or need. This amendment is found under the cited statement of policy. The PUC notes that the authority to eliminate the public need requirement has been considered and affirmed by the Pennsylvania Supreme Court. *Elite Industries, Inc. v. Pa. P.U.C.*, 832 A.2d 428 (Pa. 2003).

Regulations have the full force and effect of law and establish a binding norm between an agency and the regulated community. Statements of policy, unlike regulations, provide guidance by which agencies carry or will carry out their duties authorized by state law. A statement of policy does not expand upon the plain meaning of a statute and is not binding upon third parties. We note that the amendments to the statement of policy under this proposal include mandatory provisions that are regulatory in nature. We believe that the opening of the household goods carrier marketplace via amendments to regulations and a statement of policy that has binding provisions could create a confusing and unclear regula-



tory environment. We ask the PUC to explain why it believes this approach to opening the household goods carrier marketplace is the most appropriate way to implement these changes. While we do not question the policy of the PUC as it moves the household goods carrier industry to a more open and competitive market place, we do question the reasonableness of deregulating via amendments to a statement of policy. In order to create a more stable and less potentially litigious regulatory environment, we suggest that the statement of policy be promulgated as a regulation.

**2. Determining whether the regulation is in the public interest; Economic or fiscal impacts; Direct and indirect costs to the Commonwealth and to the private sector; Adverse effects on prices of services or competition; Compliance with the Regulatory Review Act.**

Section 5.2 of the Regulatory Review Act (RRA) (71 P. S. § 745.5b) directs this Commission to determine whether a regulation is in the public interest. When making this determination, the Commission considers criteria such as economic or fiscal impact and reasonableness. To make that determination, the Commission must analyze the text of the proposed rulemaking and the reasons for the new or amended language. The Commission also considers the information a promulgating agency is required to provide under Section 5 of the RRA in the Regulatory Analysis Form (RAF) (71 P. S. § 745.5(a)).

Many of the questions on the RAF address the fiscal impact on the regulated community and small businesses. The PUC's responses to several of these questions are not sufficient to allow this Commission to determine if the regulation is in the public interest. Specifically, we seek answers to the following questions:

- What is the approximate number of prospective household goods carriers that will seek a certificate of public convenience under the new standards established by this rulemaking? (#10)
- What is the regulatory environment in other states, especially states that border on Pennsylvania? Why does the PUC believe this regulation will not affect Pennsylvania's ability to compete with other states? (#12)
- What type of and how many small businesses will be affected? Include a citation to the relevant provisions of the federal definition of small business that were reviewed in the development of the rulemaking and an analysis of their applicability/inapplicability to the regulation. (#15)
- What impact will the regulation have financially and economically on small businesses, especially small businesses that currently have a certificate of public convenience? (#17)
- What are the specific estimated costs and/or savings to the regulated community? How are these amounts derived? We note that some commentators contend that they have invested a significant amount of money in obtaining certificates of public convenience and this rulemaking will render those certificates valueless. We ask

the PUC to quantify the average cost associated with obtaining a certificate under the existing rulemaking and address the contentions raised by commentators pertaining to their value under the new rulemaking. (#19)

- Why does the PUC believe that the information requested under #23 and #23a is not applicable to this rulemaking? We ask for complete responses to these questions.
- What is the probable effect on impacted small businesses, especially existing certificate holders? (#24)
- Given the concerns raised by commentators, why does the PUC believe the rulemaking will not have any adverse impacts on small businesses, especially existing certificate holders? (#27)

We ask the PUC to provide more detailed information in the RAF submitted with the final-form regulation in response to these questions.

**3. Section 3.381. Applications for transportation of property, household goods in use and persons.— Protection of the public health, safety and welfare; Reasonableness; Implementation procedures; Clarity.**

Subsection (c) allows parties to file objections to the approval of applications for passenger or household goods in use authority. New language is being added that limits challenges to household goods in use applications to the fitness of the applicant and whether the applicant "lacks a propensity to operate safely and legally." This phrase lacks clarity. What criteria will the PUC use to determine if an applicant lacks the propensity to operate safely and legally? We recommend that the standards be included in the final-form regulation.

Subsection (e) establishes conditions for approval for passenger and household goods in use authority. Under Subsection (e)(1), applicants that have been approved by the PUC but do not possess a current satisfactory rating issued by the United States Department of Transportation or by a state with safety regulations comparable to the Commonwealth must complete a safety review conducted by PUC staff. The review must be conducted within 180 days of the day of approval of the application. Failure to achieve a satisfactory evaluation will result in the immediate suspension of the certificate of public convenience. We have two concerns with Subsection (e)(1). First, who will determine if the safety regulations of another state are comparable? Has the PUC already determined the adequacy of the safety regulations of every other state? We ask the PUC to explain how this provision will be implemented. Second, we question the reasonableness of this provision and ask how it adequately protects the health, safety and welfare of Pennsylvania citizens. What is the PUC's rationale for conducting safety reviews after a certificate of public convenience has been issued?

GEORGE D. BEDWICK,  
*Vice Chairperson*

[Pa.B. Doc. No. 14-257. Filed for public inspection January 31, 2014, 9:00 a.m.]

**Notice of Filing of Final Rulemaking**

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy.



<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
2-174	Department of Agriculture Food Code; Food Employee Certification	1/14/14	2/27/14
<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Resubmitted</i>	<i>Public Meeting</i>
12-91	Department of Labor and Industry Prohibition of Excessive Overtime in Health Care Act Regulations	1/16/14	2/27/14

GEORGE D. BEDWICK,  
*Vice Chairperson*

[Pa.B. Doc. No. 14-258. Filed for public inspection January 31, 2014, 9:00 a.m.]

## INSURANCE DEPARTMENT

### American Progressive Life and Health Insurance Company of New York; Rate Increase Filing for Several LTC Forms

American Progressive Life and Health Insurance Company of New York is requesting approval to increase the premium 50% on 165 policyholders with the following individual LTC policy form numbers: HHC 1/98, PRNHO, PRNHOQ, PRNHOQRS and QHHC 11/99.

Unless formal administrative action is taken prior to April 17, 2014, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](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 and Market Enforcement, 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. 14-259. Filed for public inspection January 31, 2014, 9:00 a.m.]

### Constitution Life Insurance Company; Rate Increase Filing for Several LTC Forms

Constitution Life Insurance Company is requesting approval to increase the premium 25% on 55 policyholders with the following individual LTC policy form numbers: LTC-92, NH86, NH87 GR, NH-88-GR and NHST-95.

Unless formal administrative action is taken prior to April 17, 2014, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](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 and Market Enforcement, 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. 14-260. Filed for public inspection January 31, 2014, 9:00 a.m.]

### Pennsylvania Life Insurance Company; Rate Increase Filing for Several LTC Forms

Pennsylvania Life Insurance Company is requesting approval to increase the premium 44% on 77 policyholders with the following individual LTC policy form numbers: 1460, 1490, P30, P34, P35, P39, PLNHO and PLNHOQ.

Unless formal administrative action is taken prior to April 17, 2014, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](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 and Market Enforcement, 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. 14-261. Filed for public inspection January 31, 2014, 9:00 a.m.]

### Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) (Act 68) in connection with the termination of the insureds' automobile insurance policies. The hearings will be held in accordance with the requirements of Act 68; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held in the Insurance Department's regional office in Pittsburgh, PA. Failure by an appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in Room 2019, Piatt Building, 301 5th Avenue, Pittsburgh, PA 15222.

Appeal of Gerald Evans; file no. 13-116-150576; Erie Insurance Exchange; Doc. No. P13-11-004; February 20, 2014, 10 a.m.

Appeal of Mark and Tracy Elias; file no. 13-115-147448; Encompass Home and Auto Insurance Company; Doc. No. P13-10-005; February 20, 2014, 1 p.m.

Appeal of Sue Spade; file no. 13-188-150974; State Farm Mutual Automobile Insurance Company; Doc. No. P13-11-011; February 20, 2014, 2 p.m.

Appeal of Ellie Gordon; file no. 13-114-141697; State Farm Mutual Auto Insurance Company; Doc. No. P13-07-003; February 20, 2014, 3:30 p.m.

Appeal of Joseph Yatzor; file no. 13-198-148988; Brethren Mutual Insurance Company; Doc. No. P13-12-014; February 21, 2014, 9 a.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to

participate in the hearing should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-262. Filed for public inspection January 31, 2014, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Act 13 of 2012—Producer Fees for Calendar Year 2013

Average Annual Price of Natural Gas for calendar Year 2013:<sup>(1)</sup> \$3.652

Consumer Price Index, Urban Consumers, PA, NJ, DE and MD:<sup>(2)</sup> 1.2%

#### Number of Spud Wells for Calendar Years, 2012 and 2013

	2012	2013
Number of wells spud:	1,347	1,205

CPI adjustment to spud well fees is not applicable in 2013. See section 2302(c) of the act of February 14, 2012 (P. L. 87, No. 13) (Act 13).

#### Unconventional Gas Well Fees for Calendar 2013

Year of Well <sup>(3)</sup>	Horizontal	Vertical—Producing
Year 1	\$50,000	\$10,000
Year 2	\$40,000	\$8,000
Year 3	\$30,000	\$6,000

<sup>(1)</sup> Source: [www.hessenergy.com](http://www.hessenergy.com)

<sup>(2)</sup> Source: [www.bls.gov](http://www.bls.gov)

<sup>(3)</sup> Horizontal unconventional gas wells pay the yearly fee upon spudding plus 2 subsequent years. Fees after the first 3 years are based on production levels as defined in section 2302(b.1) of Act 13. Vertical well producing gas level above 90,000 cubic feet average in any given month during the current year are subject to 20% of the applicable horizontal well fee.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-263. Filed for public inspection January 31, 2014, 9:00 a.m.]

### Eligible Telecommunications Carriers; Lifeline Service

The Pennsylvania Public Utility Commission (Commission) invites comment on the following pending wireless carrier's petition for designation as eligible telecommunications carriers (ETC) for purposes of providing Lifeline service:

Tempo Telecom, LLC; Doc. No. P-2013-2398807

The Commission, at its July 29, 2010, public meeting adopted a final policy statement on ETC designation and ETC annual recertification and reporting requirements for all telecommunications carriers. This notice informs

telecommunications providers and interested parties that the Commission intends to act on the previously-referenced ETC petition pending before the Commission.

Interested parties are invited to file comments at the relevant docket number within 20 days of publication of this notice. Reply comments of the carrier are due within 10 days thereafter. Interested parties may review the pending petition at the Commission web site <http://www.puc.state.pa.us/> or hard copies are available for a fee by means of written request to the Secretary of the Commission, Pennsylvania Public Utility Commission, Rosemary Chiavetta, Secretary, P. O. Box 3265, Harrisburg, PA 17105-3265.

The contact for questions regarding this notice is David E. Screven, Assistant Counsel, Law Bureau (717) 787-5000.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 14-264. Filed for public inspection January 31, 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 February 18, 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-2013-2395034. First Choice Limousine, Inc.** (2870 Welsh Road, Philadelphia, PA 19152) for the right to begin to transport as a common carrier, by motor vehicle, persons in paratransit service from points in the Counties of Bucks, Delaware and Montgomery.

**A-2013-2398071. Autofax, LLC** (1042 Old Gate Road, Pittsburgh, PA 15235) for the right to begin to transport, as a common carrier, by motor vehicle, persons in airport transfer service to customers within a 10-mile radius of the following Cities and Boroughs: Arnold, New Kensington, Lower Burrell, Murrysville, Export, Delmont, Irwin, Jeannette, Greensburg and Trafford and the Townships of Allegheny, Upper Burrell, Washington, Salem, Penn, North Huntingdon and Hempfield. *Attorney:* Brian T. Lindauer, Goehring Rutter & Boehm, 437 Grant Street, 1424 Frick Building, Pittsburgh, PA 15219.

**A-2014-2399311. Elite EMS, Inc.** (3625 East State Street, Hermitage, PA 16148) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to non-ambulatory persons

that require wheelchair van or ambulant transport, from points in Mercer and Lawrence Counties, to points in Pennsylvania, and return.

#### Application of the following for approval of the *additional right and privilege of operating motor vehicles as common carriers for transportation of persons as described under the application.*

**A-2013-2397068. First Choice Limousine, Inc.** (2870 Welsh Road, Philadelphia, PA 19152) for the additional right to begin to transport as a common carrier, by motor vehicle, persons in limousine service from points in the Counties of Bucks, Delaware and Montgomery.

#### Application of the following for approval of the *beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods by transfer of rights as described under the application.*

**A-2013-2397678. Nicholas Moving & Storage, Inc.** (1980 North Main Street Ext, Butler, Butler County, PA 16001) household goods in use from points in the City of Jeannette, Westmoreland County and within 15 miles by the usually traveled highways of the limits of said city, to other points in Pennsylvania, and vice versa; which is to be a transfer of all rights authorized under the certificate issued at A-00064650, F.1, Am-B, to Suzanne Diehl Stewart, t/d/b/a Diehl Moving & Storage, subject to the same limitations and conditions.

#### Applications of the following for the approval of the *right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.*

**A-2014-2399293. Fireman's Ambulance Corps of Uniontown PA, t/d/b/a Uniontown Fireman's Ambulance Corps** (P. O. Box 7010, Uniontown, Fayette County, PA 15401) for the discontinuance of service and cancellation of its certificate, as a common carrier, by motor vehicle, at A-00120314, authorizing the transportation of persons, in paratransit service, between points in the City of Uniontown and North Union Township, located in Fayette County and from points in said territory, to points in Pennsylvania, and return.

**A-2014-2399301. Angel Cakir, t/a A N S Limo and Car Service** (4532 Remo Crescent Road, Bensalem, Bucks County, PA 19020) for the discontinuance of service and cancellation of his certificate, as a common carrier, by motor vehicle, at A-6412672, authorizing the transportation of persons in limousine service, from points in Bucks County, to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 14-265. Filed for public inspection January 31, 2014, 9:00 a.m.]

### Termination of the Power Purchase Agreement

**P-2014-2400828. Pennsylvania Electric Company.** Petition of Pennsylvania Electric Company requesting approval of the termination of the power purchase agreement with Scrubgrass Generating Company, LP.

Answers and petitions to intervene must be filed on or before Monday, February 10, 2014. In accordance with 52 Pa. Code §§ 5.61 and 5.74 (relating to answers to com-

plaints, petitions, motions and preliminary objections; and filing of petitions to intervene), 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 petitioner. The documents filed in support of the petition are available for inspection and copying at the Pennsylvania Public Utility Commission's (Commission) Secretary's Bureau 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 petitioner's business address.

*Petitioner:* Pennsylvania Electric Company

*Through and By Counsel:* Tori L. Giesler, Esquire, FirstEnergy Service Company, 2800 Pottsville Pike, P. O. Box 16001, Reading, PA 19612-6001

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-266. Filed for public inspection January 31, 2014, 9:00 a.m.]

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### Transfer of Control

**A-2014-2401755 and A-2014-2401851. Peerless Network, Inc., its certified subsidiary Peerless Networks of Pennsylvania, LLC and IntelePeer, Inc.** Joint application of Peerless Network, Inc., its certificated subsidiary Peerless Networks of Pennsylvania, LLC and IntelePeer, Inc. for approval of a transfer of control of IntelePeer, Inc. to Peerless Network, Inc.

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 February 18, 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.

*Applicants:* Peerless Network, Inc., Peerless Networks of Pennsylvania, LLC, IntelePeer, Inc.

*Through and By Counsel:* Winafred Brantl, Esquire, Barbara A. Miller, Esquire, Kelley Drye and Warren, LLP, 3050 K Street NW, Washington, DC 20007.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-267. Filed for public inspection January 31, 2014, 9:00 a.m.]

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## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority will accept sealed bids for Project No. 14-003.1, Tioga Marine Terminal Landside Infrastructure Upgrades, until 2 p.m. on Thursday, March 6, 2014. Information (including mandatory prebid information) can be obtained from the web site [www.philaport.com](http://www.philaport.com) under Procurement or call (215) 426-2600.

JAMES T. McDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 14-268. Filed for public inspection January 31, 2014, 9:00 a.m.]



