

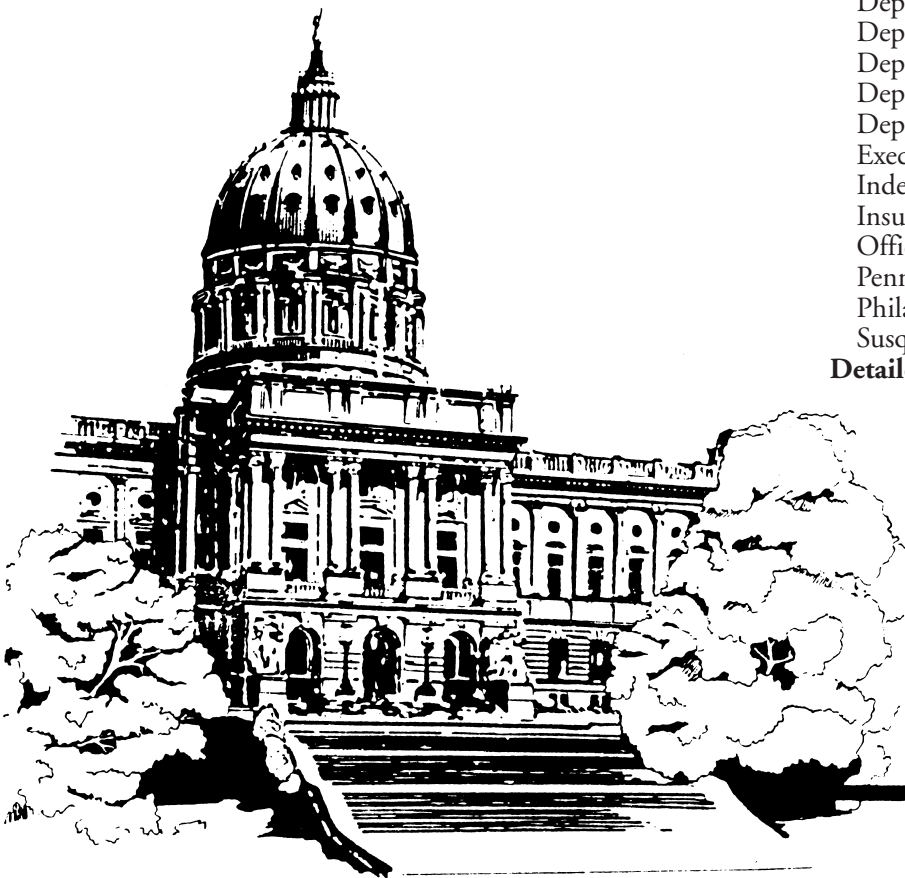
PENNSYLVANIA BULLETIN

Volume 44
Saturday, February 8, 2014 • Harrisburg, PA
Number 6
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Agencies in this issue

The Courts
Capitol Preservation Committee
Department of Aging
Department of Banking and Securities
Department of Conservation and Natural Resources
Department of Environmental Protection
Department of General Services
Department of Health
Department of Revenue
Department of State
Executive Board
Independent Regulatory Review Commission
Insurance Department
Office of Open Records
Pennsylvania Public Utility Commission
Philadelphia Parking Authority
Susquehanna River Basin Commission

Detailed list of contents appears inside.



**Latest Pennsylvania Code Reporters
(Master Transmittal Sheets):**

No. 471, February 2014

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CONTENTS

THE COURTS

| | |
|--|-----|
| DISCIPLINARY BOARD OF THE SUPREME COURT | |
| Notice of disbarment (3 documents) | 782 |
| Notice of suspension (2 documents) | 782 |
| JUDICIAL SYSTEM GENERAL PROVISIONS | |
| Amendment of Rule 108 of the Rules for Continuing Legal Education; no. 626 Supreme Court rules doc. | 768 |
| Amendment of Rules 514(a) and 514(b) of the Pennsylvania Rules of Disciplinary Enforcement; no. 123 disciplinary rules doc. | 768 |
| JUVENILE RULES | |
| Order amending the comments to Rules 150 and 1150 of the Rules of Juvenile Court Procedure; no. 619 Supreme Court rules doc.; correction | 781 |
| RULES OF CRIMINAL PROCEDURE | |
| Proposed amendments to Pa.Rs.Crim.P. 528 and 535 | 778 |
| Proposed new Pa.R.Crim.P. 1036, proposed amendment to Pa.Rs.Crim.P. 105, 1000, 1031—1035 and 1037 and proposed revision of the comments to Pa.Rs.Crim.P. 103, 140, 141, 431, 441, 462, 1001, 1002 and 1030 | 769 |

EXECUTIVE AGENCIES

| | |
|--|-----|
| CAPITOL PRESERVATION COMMITTEE | |
| Notices | |
| Request for proposals (3 documents) | 788 |
| DEPARTMENT OF AGING | |
| Notices | |
| Senior Community Center Grant application announcement | 788 |
| DEPARTMENT OF BANKING AND SECURITIES | |
| Notices | |
| Actions on applications | 789 |
| DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES | |
| Notices | |
| Request for bids | 790 |
| DEPARTMENT OF ENVIRONMENTAL PROTECTION | |
| Notices | |
| Applications, actions and special notices | 791 |
| Bid opportunity (2 documents) | 859 |
| Citizens Advisory Council; 2014 meetings changes | 859 |
| DEPARTMENT OF GENERAL SERVICES | |
| Notices | |
| Lease retail space to the Commonwealth | 860 |
| DEPARTMENT OF HEALTH | |
| Notices | |
| Application of Aria Health Bucks Campus for exception | 860 |
| Long-term care nursing facilities; request for exception | 860 |

DEPARTMENT OF REVENUE

| | |
|--|-----|
| Notices | |
| Pennsylvania Cash 5 terminal-based lottery game | 861 |
| Pennsylvania Match 6 Lotto terminal-based lottery game | 861 |
| Pennsylvania Quinto terminal-based lottery game | 862 |
| Pennsylvania Treasure Hunt terminal-based lottery game | 862 |

DEPARTMENT OF STATE

| | |
|---|-----|
| Notices | |
| Revised form of nomination petitions and instructions | 862 |

EXECUTIVE BOARD

| | |
|---|-----|
| Statements of Policy | |
| Reorganization of the Department of Conservation and Natural Resources and Department of Environmental Protection | 783 |
| Reorganization of the Governor's Office of Administration | 783 |
| Reorganization of the Governor's Office of the Budget | 783 |

INDEPENDENT REGULATORY REVIEW COMMISSION

| | |
|---|-----|
| Notices | |
| Notice of filing of final rulemakings | 863 |

INSURANCE DEPARTMENT

| | |
|--|-----|
| Notices | |
| Qualified annuity contractors for awarded periodic medical professional liability payments | 864 |
| Review procedure hearings; cancellation or refusal of insurance | 864 |

OFFICE OF OPEN RECORDS

| | |
|---|-----|
| Notices | |
| Office of Open Records appeal forms | 865 |

PENNSYLVANIA PUBLIC UTILITY COMMISSION

| | |
|--|-----|
| Notices | |
| Alternative Energy Credit Program | 867 |
| Commercial mobile radio services | 867 |
| Service of notice of motor carrier applications | 867 |
| Service of notice of motor carrier formal complaints | 868 |

PHILADELPHIA PARKING AUTHORITY

| | |
|--|-----|
| Notices | |
| Motor carrier application for luxury limousine service in the City of Philadelphia | 869 |

SUSQUEHANNA RIVER BASIN COMMISSION

| | |
|---|-----|
| Notices | |
| Actions taken at December meeting | 870 |

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READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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

A chronological table of the history of *Pennsylvania Code* sections may be found at www.legis.state.pa.us.

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

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

Fiscal Notes

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

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

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List of Pa. Code Chapters Affected

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

| | | | |
|--|----------|--|---------------|
| 4 Pa. Code (Administration) | | 631a | 599, 619 |
| Adopted Rules | | 633a | 599, 619 |
| 405 | 485 | 635a | 619 |
| | | 637a | 619 |
| Statements of Policy | | 649a | 619 |
| 9 | 32, 783 | 659a | 619 |
| | | 661a | 619 |
| 12 Pa. Code (Commerce, Trade and Local Government) | | 663a | 619 |
| Adopted Rules | | 665a | 619 |
| 149 | 488 | | |
| | | 201 Pa. Code (Rules of Judicial Administration) | |
| 25 Pa. Code (Environmental Protection) | | Adopted Rules | |
| Proposed Rules | | 2 | 319 |
| 78 | 648 | 19 | 454 |
| | | | |
| 37 Pa. Code (Law) | | 204 Pa. Code (Judicial System General Provisions) | |
| Adopted Rules | | Adopted Rules | |
| 79 | 328 | 82 | 768 |
| | | 83 | 768 |
| 49 Pa. Code (Professional and Vocational Standards) | | | |
| Adopted Rules | | 207 Pa. Code (Judicial Conduct) | |
| 16 | 583 | Adopted Rules | |
| 18 | 583 | 33 | 455 |
| 25 | 589 | | |
| 43b | 597 | 210 Pa. Code (Appellate Procedure) | |
| | | Adopted Rules | |
| Proposed Rules | | 1 | 8 |
| 21 | 648 | | |
| | | Proposed Rules | |
| 52 Pa. Code (Public Utilities) | | 1 | 471 |
| Adopted Rules | | 3 | 319 |
| 1 | 249 | 9 | 319, 471 |
| 3 | 249 | 11 | 471 |
| 5 | 249 | 13 | 471 |
| 23 | 249 | 33 | 471 |
| 29 | 249 | | |
| 32 | 249 | 231 Pa. Code (Rules of Civil Procedure) | |
| 53 | 249 | Adopted Rules | |
| 54 | 249 | 200 | 323 |
| 57 | 249 | 1000 | 8 |
| 59 | 249 | 2220 | 8 |
| 62 | 249 | | |
| | | Proposed Rules | |
| Proposed Rules | | 200 | 323, 324, 475 |
| 1017 | 252 | | |
| | | 234 Pa. Code (Rules of Criminal Procedure) | |
| 58 Pa. Code (Recreation) | | Adopted Rules | |
| Adopted Rules | | 5 | 239, 477 |
| 63 | 250 | | |
| 461a | 599, 619 | Proposed Rules | |
| 463a | 599 | 1 | 769 |
| 464a | 599 | 4 | 475, 577, 769 |
| 465a | 599, 619 | 5 | 778 |
| 525 | 619 | 7 | 475 |
| 575 | 619 | 10 | 769 |
| 577 | 619 | | |
| 579 | 619 | 237 Pa. Code (Juvenile Rules) | |
| 590 | 26 | Adopted Rules | |
| 603a | 619 | 1 | 781 |
| 607a | 599 | 11 | 781 |
| 609a | 619 | | |
| 623a | 619 | Proposed Rules | |
| 627a | 599, 619 | 4 | 246 |
| 629a | 599, 619 | 11 | 9 |

246 Pa. Code (Minor Court Civil Rules)

Adopted Rules

300 13
500 13, 14
800 14
1000 14

Proposed Rules

300 10, 479

255 Pa. Code (Local Court Rules)

Unclassified 16, 17, 18, 19, 20, 21, 23, 24, 25,
247, 324, 325, 480, 481, 581

THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT [204 PA. CODE CH. 82]

Amendment of Rule 108 of the Rules for Continuing Legal Education; No. 626 Supreme Court Rules Doc.

Order

Per Curiam

And Now, this 23rd day of January, 2014, upon the recommendation of the Pennsylvania Continuing Legal Education Board; the proposal having been submitted without publication pursuant to Pa.R.J.A. No. 103(a)(3):

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 108 of the Pennsylvania Rules for Continuing Legal Education is amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b). These amendments apply to the one-year compliance period beginning on May 1, 2014, and to all compliance periods commencing thereafter.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart A. PROFESSIONAL RESPONSIBILITY

CHAPTER 82. CONTINUING LEGAL EDUCATION

Subchapter A. PROFESSIONAL RESPONSIBILITY

Rule 108. Credit for Continuing Legal Education Courses and Activity.

* * * * *

(e) The number of credits earned by distance learning education that may be applied to the annual compliance requirement shall not exceed [**four (4)**] **six (6)**.

[Pa.B. Doc. No. 14-269. Filed for public inspection February 7, 2014, 9:00 a.m.]

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

Amendment of Rules 514(a) and 514(b) of the Pennsylvania Rules of Disciplinary Enforcement; No. 123 Disciplinary Rules Doc.

Order

Per Curiam

And Now, this 24th day of January, 2014, upon submission by the Board of the Pennsylvania Lawyers Fund for Client Security; the proposal having been published for public comment at 43 Pa.B. 4967 (August 31, 2013):

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 514(a) and 514(b) of the Pennsylvania Rules of Disciplinary Enforcement are amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective in 30 days for claims currently pending with the Pennsylvania Lawyers Fund for Client Security, claims filed with the Pennsylvania Lawyers Fund for Client Security on or after the above date and, awards approved by the Board of the Pennsylvania Lawyers Fund for Client Security after the effective date of this Order.

Mr. Chief Justice Castille files a dissenting statement.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart B. DISCIPLINARY ENFORCEMENT

CHAPTER 83. PENNSYLVANIA RULES OF DISCIPLINARY ENFORCEMENT

Subchapter E. PENNSYLVANIA LAWYERS FUND FOR CLIENT SECURITY

DISHONEST CONDUCT OF ATTORNEY

Rule 514. Reimbursable losses.

(a) *General rule.* For the purposes of this subchapter, reimbursable losses consist of those losses of money, property or other things of value which meet all of the following requirements:

* * * * *

(4) The loss was not incurred by:

(i) the spouse or other close relative, partner, associate, employer or employee of the Covered Attorney, or a business entity controlled by the Covered Attorney, or any entity controlled by any of the foregoing;

(ii) an insurer, surety or bonding agency or company, or any entity controlled by any of the foregoing;

(iii) any government unit;

(iv) any financial institution that may recover under a "banker's blanket bond" or similar commonly available insurance or surety contract; [**or**]

(v) a business organization having twenty or more employees; or

[(v)] (vi) an individual or business entity suffering a loss arising from personal or business investments not arising in the course of the client-attorney relationship.

(5) In cases of extreme hardship or special and unusual circumstances, **and subject to the provisions of paragraph (b)**, the Board may, in its discretion, and consistent with the purpose of the Fund, recognize a claim which would otherwise be excluded under this subchapter.

* * * * *

(b) *Maximum recovery.* The maximum amount which may be disbursed from the Fund to any one Claimant with respect to the Dishonest Conduct of any one Covered

Attorney shall be \$100,000. **The maximum amount which may be disbursed from the Fund as a result of any one Covered Attorney shall be \$1,000,000. The Board may request the Supreme Court of Pennsylvania to exceed the \$1,000,000 maximum when the Board determines, in the exercise of its discretion, that exceeding the maximum is necessary to adequately compensate all victims of the Dishonest Conduct of the Covered Attorney and exceeding the maximum will not unduly burden the Fund.**

* * * * *

**Dissenting Statement
Mr. Chief Justice Castille**

I respectfully dissent in part, only insofar as the amendment to Pa.R.D.E. 514(a)(4)(v) excludes from the scope of entities that may assert a reimbursable loss “a business organization having twenty or more employees.” In my view, the purpose of the Fund does not include reimbursing large entities which are sufficiently positioned to insure against losses. I would prefer an amendment that applied to “a business organization having five or more employees.”

[Pa.B. Doc. No. 14-270. Filed for public inspection February 7, 2014, 9:00 a.m.]

Title 234—RULES OF CRIMINAL PROCEDURE

[234 PA. CODE CHS. 1, 4 AND 10]

Proposed New Pa.R.Crim.P. 1036, Proposed Amendment to Pa.Rs.Crim.P. 105, 1000, 1031—1035 and 1037 and Proposed Revision of the Comments to Pa.Rs.Crim.P. 103, 140, 141, 431, 441, 462, 1001, 1002 and 1030

The Criminal Procedural Rules Committee is considering recommending that the Supreme Court of Pennsylvania adopt new Rule 1036, amend Rules 105, 1000, 1031—1035, and 1037 and revise the Comments to Rules 103, 140, 141, 431, 441, 462, 1001, 1002, and 1030 to accommodate the transfer of functions from the Philadelphia Traffic Court to the Philadelphia Municipal Court Traffic Division. This proposal has not been submitted for review by the Supreme Court of Pennsylvania.

The following explanatory Report highlights the Committee’s considerations in formulating this proposal. Please note that the Committee’s Reports should not be confused with the official Committee Comments to the rules. Also note that the Supreme Court does not adopt the Committee’s Comments or the contents of the explanatory Reports.

The text of the proposed amendments to the rules precedes the Report. Additions are shown in bold; deletions are in bold and brackets.

We request that interested persons submit suggestions, comments, or objections concerning this proposal in writing to the Committee through counsel,

Jeffrey M. Wasileski, Counsel
Supreme Court of Pennsylvania
Criminal Procedural Rules Committee
601 Commonwealth Avenue, Suite 6200
Harrisburg, PA 17106-2635
fax: (717) 231-9521
e-mail: criminalrules@pacourts.us

no later than Friday, March 7, 2014.

By the Criminal Procedural Rules Committee:

THOMAS P. ROGERS,
Chair

Annex A

TITLE 234. RULES OF CRIMINAL PROCEDURE CHAPTER 1. SCOPE OF RULES, CONSTRUCTION AND DEFINITIONS, LOCAL RULES

PART A. Business of the Courts

Rule 103. Definitions.

* * * * *

Comment

* * * * *

Neither the definition of law enforcement officer nor the definition of police officer gives the power of arrest to any person who is not otherwise given that power by law.

See Rule 1036 for the definition of hearing officers of the Philadelphia Municipal Court Traffic Division as “issuing authorities” for limited purposes specified in the rule.

The definition of signature was added in 2004 to make it clear when a rule requires a document generated by the minor judiciary or court of common pleas to include a signature or to be signed, that the signature may be in any of the forms provided in the definition. In addition, documents that institute proceedings or require the inclusion of an oath ordinarily are not documents generated by the minor courts or courts of common pleas and therefore any signature required on the document would not be included in this definition of signature; however, in the event such a document is generated by the minor courts or the courts of common pleas, the form of “signature” on this document is limited to handwritten, and the other forms of signature provided in the definition are not permitted.

Included in Chapter 5 Part C of the rules are additional definitions of words and phrases that apply specifically to bail in criminal cases. *See, e.g.*, Rule 524, which defines the types of release on bail.

Official Note: Previous Rules 3 and 212 adopted June 30, 1964, effective January 1, 1965, suspended January 31, 1970, effective May 1, 1970; present Rule 3 adopted January 31, 1970, effective May 1, 1970; amended June 8, 1973, effective July 1, 1973; amended February 15, 1974, effective immediately; amended June 30, 1977, effective September 1, 1977; amended January 4, 1979, effective January 9, 1979; amended July 12, 1985, effective January 1, 1986; January 1, 1986 effective date extended to July 1, 1986; amended August 12, 1993, effective September 1, 1993; amended February 27, 1995, effective July 1, 1995; amended September 13, 1995, effective January 1, 1996. The January 1, 1996 effective date extended to April 1, 1996; the April 1, 1996 effective date extended to July 1, 1996; renumbered Rule 103 and Comment revised March 1, 2000, effective April 1, 2001; amended May 10, 2002, effective September 1, 2002; amended March 3,

2004, effective July 1, 2004; amended April 30, 2004, effective July 1, 2004; amended August 24, 2004, effective August 1, 2005; amended February 4, 2005, effective immediately; amended May 6, 2009, effective immediately; amended June 21, 2012, effective in 180 days; amended , 2014, effective , 2014.

Committee Explanatory Reports:

* * * * *

Report explaining the proposed revision of the Comment cross-referencing Rule 1036 limited definition of Philadelphia Municipal Court Traffic Division hearing officers as "issuing authorities" published for comment at 44 Pa.B. 777 (February 8, 2014).

Rule 105. Local Rules.

(A) For the purpose of this rule, the term "local rule" shall include every rule, administrative order, regulation, directive, policy, custom, usage, form or order of general application, however labeled or promulgated, which is adopted or enforced by a court of common pleas, by the Philadelphia Municipal Court, or by [the Philadelphia Traffic Court] the Philadelphia Municipal Court Traffic Division to govern criminal practice and procedure.

* * * * *

Official Note: Rule 6 adopted January 28, 1983, effective July 1, 1983; amended May 19, 1987, effective July 1, 1987; renumbered Rule 105 and amended March 1, 2000, effective April 1, 2001; amended October 24, 2000, effective January 1, 2001; Comment revised June 8, 2001, effective immediately; amended October 15, 2004, effective January 1, 2005; amended September 9, 2005, effective February 1, 2006; amended January 25, 2008, effective February 1, 2009; amended January 30, 2009, effective February 1, 2009; amended , 2014, effective , 2014.

Committee Explanatory Reports:

* * * * *

Report explaining the proposed amendments concerning the transfer of the Philadelphia Traffic Court functions to the Philadelphia Municipal Court published for comment at 44 Pa.B. 777 (February 8, 2014).

PART D. Procedures Implementing 42 Pa.C.S. §§ 4137, 4138, and 4139: Criminal Contempt Powers of District Justices, Judges of the Pittsburgh Magistrates Court, and Judges of the Traffic Court of Philadelphia

Rule 140. Contempt Proceedings Before Magisterial District Judges, Pittsburgh Magistrates Court Judges, and Philadelphia Traffic Court Judges.

* * * * *

Comment

* * * * *

By Orders dated November 29, 2004, 34 Pa.B. 6507 (December 11, 2004) and February 25, 2005, 35 Pa.B. 1662 (March 12, 2005), the Pennsylvania Supreme Court created an administrative judicial unit referred to as the Pittsburgh Municipal Court and assigned all matters within the jurisdiction of the Pittsburgh Magistrates Court to the Pittsburgh Municipal Court. As a result of these orders, the Pittsburgh Magistrates Court is no longer staffed while the Pittsburgh Municipal Court is

staffed by Allegheny County magisterial district judges assigned on a rotating basis. The terminology is retained in these rules because the Pittsburgh Magistrates Court, which is created by statute, has not been disestablished by the statute.

Pursuant to Act 17 of 2013, P.L. 55, No. 17 (June 19, 2013), the jurisdiction and functions of the Philadelphia Traffic Court were transferred to the Philadelphia Municipal Court Traffic Division. The terminology is retained in these rules because the Philadelphia Traffic Court, which is created by the Pennsylvania Constitution, has not been disestablished by constitutional amendment. Hearing officers of the Philadelphia Municipal Court Traffic Division do not have contempt powers of Philadelphia Traffic Court judges under 42 Pa.C.S. § 4139(d).

All contempt proceedings under this rule are to be entered on the issuing authority's miscellaneous docket, and a separate docket transcript for the contempt proceeding is to be prepared. If an appeal is taken, the issuing authority is required to forward the transcript and the contempt order to the clerk of courts. See Rule 141.

* * * * *

Official Note: Rule 30 adopted October 1, 1997, effective October 1, 1998; renumbered Rule 140 and amended March 1, 2000, effective April 1, 2001; Comment revised March 26, 2004, effective July 1, 2004; amended March 1, 2012, effective July 1, 2012; Comment revised , 2014, effective , 2014.

Committee Explanatory Reports:

* * * * *

Report explaining the proposed Comment revision concerning the transfer of the Philadelphia Traffic Court functions to the Philadelphia Municipal Court published for comment at 44 Pa.B. 777 (February 8, 2014).

Rule 141. Appeals from Contempt Adjudications by Magisterial District Judges, Pittsburgh Magistrates Court Judges, or Philadelphia Traffic Court Judges.

* * * * *

Comment

* * * * *

By Orders dated November 29, 2004, 34 Pa.B. 6507 (December 11, 2004) and February 25, 2005, 35 Pa.B. 1662 (March 12, 2005), the Pennsylvania Supreme Court created an administrative judicial unit referred to as the Pittsburgh Municipal Court and assigned all matters within the jurisdiction of the Pittsburgh Magistrates Court to the Pittsburgh Municipal Court. As a result of these orders, the Pittsburgh Magistrates Court is no longer staffed while the Pittsburgh Municipal Court is staffed by Allegheny County magisterial district judges assigned on a rotating basis. The terminology is retained in these rules because the Pittsburgh Magistrates Court, which is created by statute, has not been disestablished by the statute.

Pursuant to Act 17 of 2013, P.L. 55, No. 17 (June 19, 2013), the jurisdiction and functions of the Philadelphia Traffic Court were transferred to the Philadelphia Municipal Court Traffic Division. The terminology is retained in these rules because the Philadelphia Traffic Court, which is created by the

Pennsylvania Constitution, has not been disestablished by constitutional amendment. Hearing officers of the Philadelphia Municipal Court Traffic Division do not have contempt powers of Philadelphia Traffic Court judges under 42 Pa.C.S. § 4139(d).

As the Pennsylvania Supreme Court stated in *Commonwealth v. McMullen*, 599 Pa. 435, 961 A.2d 842 (2008), legislative limitations on a court's power to sentence for contempt are unconstitutional.

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Official Note: Rule 31 adopted October 1, 1997, effective October 1, 1998; renumbered Rule 141 and Comment revised March 1, 2000, effective April 1, 2001; amended February 28, 2003, effective July 1, 2003; Comment revised March 26, 2004, effective July 1, 2004; amended March 1, 2012, effective July 1, 2012; **Comment revised , 2014, effective , 2014.**

Committee Explanatory Reports:

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Report explaining the proposed Comment revision concerning the transfer of the Philadelphia Traffic Court functions to the Philadelphia Municipal Court published for comment at 44 Pa.B. 777 (February 8, 2014).

CHAPTER 4. PROCEDURES IN SUMMARY CASES

PART D. Arrest Procedures in Summary Cases

PART D(1). Arrests With a Warrant

Rule 431. Procedure When Defendant Arrested With Warrant.

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Comment

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For the procedures in summary cases within the jurisdiction of [**Philadelphia Traffic Court or**] Philadelphia Municipal Court **and the Philadelphia Municipal Court Traffic Division**, see Chapter 10.

Official Note: Rule 76 adopted July 12, 1985, effective January 1, 1986; Comment revised September 23, 1985, effective January 1, 1986; January 1, 1986 effective dates extended to July 1, 1986; Comment revised January 31, 1991, effective July 1, 1991; amended August 9, 1994, effective January 1, 1995; amended October 1, 1997, effective October 1, 1998; amended July 2, 1999, effective August 1, 1999; renumbered Rule 431 and amended March 1, 2000, effective April 1, 2001; amended August 7, 2003, effective July 1, 2004; Comment revised April 1, 2005, effective October 1, 2005; amended June 30, 2005, effective August 1, 2006; Comment revised March 9, 2006, effective August 1, 2006; **amended , 2014, effective , 2014.**

Committee Explanatory Reports:

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Report explaining the proposed Comment revision changing the cross-reference to the Philadelphia Traffic Court to the Traffic Division of the Philadelphia Municipal Court published for comment at 44 Pa.B. 777 (February 8, 2014).

PART D(2). Arrests Without a Warrant

Rule 441. Procedure Following Arrest Without Warrant.

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Comment

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For the procedures in summary cases within the jurisdiction of [**Philadelphia Traffic Court or**] Philadelphia Municipal Court **and the Philadelphia Municipal Court Traffic Division**, see Chapter 10.

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Official Note: Rule 71 adopted July 12, 1985, effective January 1, 1986; Comment revised September 23, 1985, effective January 1, 1986; January 1, 1986 effective dates extended to July 1, 1986; amended August 9, 1994, effective January 1, 1995; amended May 14, 1999, effective July 1, 1999; renumbered Rule 441 and amended March 1, 2000, effective April 1, 2001; amended August 7, 2003, effective July 1, 2004; amended June 30, 2005, effective August 1, 2006; **amended , 2014, effective , 2014.**

Committee Explanatory Reports:

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Report explaining the proposed Comment revision changing the cross-reference to the Philadelphia Traffic Court to the Traffic Division of the Philadelphia Municipal Court published for comment at 44 Pa.B. 777 (February 8, 2014).

PART F. Procedures in Summary Cases for Appealing to Court of Common Pleas for Trial De Novo Rule 462. Trial De Novo.

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Comment

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For the procedures for appeals from the [**Philadelphia Traffic Court**] Philadelphia Municipal Court **Traffic Division**, see Rule 1037.

Official Note: Former Rule 86 adopted July 12, 1985, effective January 1, 1986; revised September 23, 1985, effective January 1, 1986; the January 1, 1986 effective dates extended to July 1, 1986; amended February 2, 1989, effective March 1, 1989; amended March 22, 1993, effective January 1, 1994; amended October 28, 1994, effective as to cases instituted on or after January 1, 1995; amended February 27, 1995, effective July 1, 1995; amended October 1, 1997, effective October 1, 1998; amended May 14, 1999, effective July 1, 1999; rescinded March 1, 2000, effective April 1, 2001, and paragraph (G) replaced by Rule 462. New Rule 462 adopted March 1, 2000, effective April 1, 2001; amended March 3, 2000, effective July 1, 2000; amended February 28, 2003, effective July 1, 2003; Comment revised March 26, 2004, effective July 1, 2004; amended January 18, 2007, effective August 1, 2007; amended December 16, 2008, effective February 1, 2009; Comment revised October 16, 2009, effective February 1, 2009; **amended , 2014, effective , 2014.**

Committee Explanatory Reports:

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NEW RULE 462:

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Report explaining the proposed Comment revision changing the cross-reference to the Philadelphia Traffic Court to the Traffic Division of the

Philadelphia Municipal Court published for comment at 44 Pa.B. 777 (February 8, 2014).

CHAPTER 10. RULES OF CRIMINAL PROCEDURE FOR THE PHILADELPHIA MUNICIPAL COURT AND [THE PHILADELPHIA TRAFFIC COURT] THE PHILADELPHIA MUNICIPAL COURT TRAFFIC DIVISION

Rule 1000. Scope of Rules.

(A) The rules in this chapter govern all proceedings in the Philadelphia Municipal Court, including summary cases; Municipal Court cases, as defined in Rule 1001(A); the filing of appeals from Municipal Court cases; the filing of petitions for writs of *certiorari*; and the preliminary proceedings in criminal cases charging felonies, Part A, and govern proceedings in summary traffic cases in [**Traffic Court**] **Municipal Court Traffic Division**, Part B.

(B) Any procedure that is governed by a statewide Rule of Criminal Procedure that is not specifically covered in Chapter 10 or by a Philadelphia local rule authorized by these rules and adopted pursuant to Rule 105 shall be governed by the relevant statewide rule.

Comment

The 2004 amendments make it clear that, except as otherwise provided in the rules, Chapter 10 governs all proceedings in the Philadelphia Municipal Court, including the procedures for instituting criminal cases charging felonies, preliminary arraignments, and preliminary hearings. See 42 Pa.C.S. § 1123 (Jurisdiction and Venue).

Official Note: Rule 6000 adopted December 30, 1968, effective January 1, 1969; amended March 28, 1973, effective March 28, 1973; amended July 1, 1980, effective August 1, 1980; renumbered Rule 1000 and amended March 1, 2000, effective April 1, 2001; amended August 24, 2004, effective August 1, 2005; amended June 30, 2005, effective August 1, 2006; amended September 9, 2005, effective February 1, 2006; **amended** , **2014, effective** , **2014.**

Committee Explanatory Reports:

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Report explaining the proposed amendments concerning the abolition of the Philadelphia Traffic Court transfer of functions to the Philadelphia Municipal Court published for comment at 44 Pa.B. 777 (February 8, 2014).

Rule 1001. Disposition of Criminal Cases—Philadelphia Municipal Court.

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Comment

This rule, which defines “Municipal Court case,” is intended to ensure that the Municipal Court will take dispositive action, including trial and verdict when appropriate, in any criminal case that does not involve a felony, excluding summary cases under the Vehicle Code. The latter are under the jurisdiction of the [**Philadelphia Traffic Court, see 42 Pa.C.S. §§ 1301—1303, 1321**] **Municipal Court Traffic Division, the successor of the Philadelphia Traffic Court, see Act 17 of 2013, P. L. 55, No. 17 (June 19, 2013) and 42 Pa.C.S. § 102, 325, 1121, 1127, 1302, 1321.**

Paragraph (D) was added in 2007 in accord with the 1998 amendment to article I, § 6 of the Pennsylvania Constitution that provides that “the Commonwealth shall

have the same right to trial by jury as does the accused.” See *Commonwealth v. Hargraves*, 883 A.2d 616 (Pa. Super. 2005), *allocatur denied*, 587 Pa. 711, 898 A.2d 1069 (2006). The filing and service requirement in paragraph (D) must be accomplished as provided in Rule 576. Once a case is bound over to Common Pleas Court, the trial judge may not remand the case to the Municipal Court for any reason, even if the right to jury trial is waived.

Official Note: Present Rule 6001 adopted March 28, 1973, effective March 28, 1973, replacing prior Rule 6001; amended June 28, 1974, effective July 1, 1974; paragraph (C) added February 10, 1975, effective immediately; title amended July 1, 1980, effective August 1, 1980; Comment revised January 28, 1983, effective July 1, 1983; amended June 19, 1996, effective July 1, 1996; amended August 28, 1998, effective immediately; renumbered Rule 1001 and Comment revised March 1, 2000, effective April 1, 2001; amended August 24, 2004, effective August 1, 2005; amended January 5, 2007, effective March 6, 2007; amended January 27, 2011, effective in 30 days; **amended** , **2014, effective** , **2014.**

Committee Explanatory Reports:

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Report explaining the proposed Comment revision the transfer of functions from the Philadelphia Traffic Court to the Philadelphia Municipal Court published for comment at 44 Pa.B. 777 (February 8, 2014).

PART A. Philadelphia Municipal Court Procedures

Rule 1002. Procedure in Summary Cases.

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Comment

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All summary offenses under the motor vehicle laws and parking violations are under the jurisdiction of the [**Philadelphia Traffic Court. See 42 Pa.C.S. §§ 1301—1303, 1321**] **Municipal Court Traffic Division, the successor of the Philadelphia Traffic Court, see Act 17 of 2013, P. L. 55, No. 17 (June 19, 2013) and 42 Pa.C.S. § 102, 325, 1121, 1127, 1302, 1321.**

Official Note: Rule 6002 adopted June 28, 1974, effective July 1, 1974; amended July 1, 1980, effective August 1, 1980; Comment revised January 28, 1983, effective July 1, 1983; amended July 12, 1985, effective January 1, 1986; January 1, 1986 effective date extended to July 1, 1986; amended February 1, 1989, effective July 1, 1989; amended August 9, 1994, effective January 1, 1995; renumbered Rule 1002 and amended March 1, 2000, effective April 1, 2001. Rule 1002 rescinded August 15, 2005, effective February 1, 2006, and replaced by new Rule 1002; amended May 6, 2009, effective February 1, 2010; Comment revised February 12, 2010, effective April 1, 2010; amended December 22, 2010, effective February 20, 2011; **amended** , **2014, effective** , **2014.**

Committee Explanatory Reports:

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Report explaining the proposed Comment revisions concerning the transfer of functions from the Philadelphia Traffic Court to the Philadelphia Municipal Court published for comment at 44 Pa.B. 777 (February 8, 2014).

PART B. Philadelphia [Traffic Court] Municipal Court Traffic Division Procedures

Rule 1030. Scope of Summary Traffic Court Rules.

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Comment

These rules were developed in 2005 to accommodate the procedures Philadelphia Traffic Court has implemented to address the issues in summary traffic cases unique to Philadelphia, to more efficiently handle the vast number of summary traffic cases, and to protect the defendants' rights to a fair and prompt disposition of their cases.

The jurisdiction and functions of the Philadelphia Traffic Court were transferred to the Philadelphia Municipal Court Traffic Division in 2013, see Act 17 of 2013, P.L. 55, No. 17 (June 19, 2013) and 42 Pa.C.S. § 102, 325, 1121, 1127, 1302, 1321.

See Rule 105 for the procedures for promulgating local rules.

Official Note: Adopted September 9, 2005, effective February 1, 2006; amended , 2014, effective , 2014.

Committee Explanatory Reports:

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Report explaining the proposed Comment revision concerning the transfer of functions from the Philadelphia Traffic Court to the Philadelphia Municipal Court published for comment at 44 Pa.B. 777 (February 8, 2014).

Rule 1031. Institution of Proceedings in Summary Traffic Cases.

(A) Summary traffic cases in Philadelphia shall be instituted by:

- (1) issuing a citation to the defendant as provided in Rules 405—409;
- (2) filing a citation with the [Traffic Court] Philadelphia Municipal Court Traffic Division as provided in Rules 410—414; or
- (3) arresting without a warrant when arrest is specifically authorized by law as provided in Rules 440 and 441.

(B) [The Administrative Judge of Traffic Court, or in the event the position of Administrative Judge is vacant, the Traffic Court President Judge, may provide by local rule, as an exception to the trial notice procedures in Rule 408(B), when a citation is issued to the defendant as provided in Rule 405, that the law enforcement officer also shall give the defendant written notice of the date and time and location set for the summary trial.] When provided by local rule as an exception to the trial notice procedures in Rule 408(B), the law enforcement officer also shall give the defendant written notice of the date and time and location set for the summary trial when a citation is issued to the defendant as provided in Rule 405.

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Official Note: Adopted September 9, 2005, effective February 1, 2006; amended , 2014, effective , 2014.

Committee Explanatory Reports:

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Report explaining the proposed amendments concerning the transfer of functions from the Philadelphia Traffic Court to the Philadelphia Municipal Court published for comment at 44 Pa.B. 777 (February 8, 2014).

Rule 1032. Pleas in Response to Citation.

In addition to the procedures in Rules 407 and 412 for entering a plea in a summary traffic case, the defendant, by means of electronic transmission as provided by local rule, may notify the [Traffic Court] Municipal Court Traffic Division of his or her plea, and either pay the fines and costs or post the requisite collateral.

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Official Note: Adopted September 9, 2005, effective February 1, 2006; amended , 2014, effective , 2014.

Committee Explanatory Reports:

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Report explaining the proposed amendments concerning the transfer of functions from the Philadelphia Traffic Court to the Philadelphia Municipal Court published for comment at 44 Pa.B. 777 (February 8, 2014).

Rule 1033. Procedures When Defendant Arrested with Warrant.

(A) When a defendant is arrested pursuant to a warrant issued as provided in Rule 430, the police officer without unnecessary delay shall take the defendant before the proper issuing authority and shall proceed as provided in this rule and by local rule.

(B) When the defendant appears in person or appears by means of two-way simultaneous audio-video equipment, the judge or [bail commissioner] arraignment court magistrate shall:

- (1) inform the defendant concerning the specific citations to which the defendant has not entered a plea as required by Rules 407 and 412;
- (2) inform the defendant concerning the specific citations that have been adjudicated that have outstanding fines or costs for which the defendant is in default of a payment order or a payment plan; and
- (3) advise the defendant of the right to retain counsel, and if, in the event of a conviction, there is a reasonable likelihood of a sentence of imprisonment and the defendant does not have the financial ability to retain counsel, advise the defendant that counsel will be appointed by Traffic [Court] Division as provided in Rule 1035.

(C) When the defendant appears before [a bail commissioner, the bail commissioner] an arraignment court magistrate, the arraignment court magistrate shall schedule the next court proceeding before the Traffic [Court] Division and give the defendant a hearing notice or subpoena, set collateral as provided in Rule 1034 and local rule, and release the defendant, or if the defendant is unable to post the collateral, commit the defendant.

(D) When the defendant appears before a Traffic [Court judge] Division judge or hearing officer,

- (1) if the matter is not ready to proceed, the Traffic [Court judge] Division judge or hearing officer shall schedule the next court proceeding and give the defendant a scheduling order, set collateral as provided in

Rule 1034 and local rule, and release the defendant, or if the defendant is unable to post the collateral, commit the defendant.

(2) If the matter is ready to proceed,

(a) when the defendant is arrested pursuant to a warrant issued as provided in Rule 430(A) or (B)(1)(a) or (B)(2), the defendant shall enter a plea. If the defendant pleads guilty, the Traffic [**Court judge**] **Division judge or hearing officer** shall impose sentence. If the defendant pleads not guilty, the summary trial shall be conducted.

(b) When the defendant is arrested following a trial *in absentia* pursuant to a warrant issued as provided in Rule 430(B)(3)(c) and (B)(4),

(i) the Traffic [**Court judge**] **Division judge or hearing officer** shall conduct an immediate hearing to determine defendant's financial ability to pay the full amount due.

(ii) If the Traffic [**Court judge**] **Division judge or hearing officer** determines the defendant is financially unable to pay the full amount due, the judge may order an installment payment plan as provided in Rule 456(C)(2).

(iii) If the judge **or hearing officer** determines the defendant is financially unable to pay the full amount due, and that there is a likelihood that imprisonment will be imposed at the conclusion of the hearing, the judge **or hearing officer** shall advise the defendant of the right to retain counsel, and, if the defendant does not have the financial ability to retain counsel, advise the defendant that counsel will be appointed by Traffic [**Court**] **Division** as provided in Rule 1035. A hearing may be held if retained or appointed counsel is available; otherwise, the hearing shall be rescheduled for a date certain, and the defendant shall be released on collateral as provided in Rule 1034.

(iv) At the conclusion of the hearing, the Traffic [**Court judge**] **Division judge or hearing officer** shall proceed as provided in Rule 456(C)(3).

(c) When the defendant is arrested after defaulting on the payment of fine or costs or restitution pursuant to a warrant issued as provided in Rule 430(B)(3)(b) and (B)(4),

(i) the Traffic [**Court judge**] **Division judge or hearing officer** shall conduct an immediate hearing to determine whether the defendant is financially able to pay the outstanding fines and costs as previously ordered.

(ii) If the judge **or hearing officer** determines the defendant is financially unable to pay as previously ordered, the judge may issue a revised payment order or payment plan.

(iii) If the judge **or hearing officer** determines the defendant is financially able to pay as previously ordered, and that there is a likelihood that imprisonment will be imposed at the conclusion of the hearing, the judge shall advise the defendant of the right to retain counsel, and if, the defendant does not have the financial ability to retain counsel, advise the defendant that counsel will be appointed by Traffic Court as provided in Rule 1035. A hearing may be held if retained or appointed counsel is available; otherwise the hearing shall be rescheduled for a date certain, and the defendant shall be released on collateral as provided in Rule 1034.

(iv) At the conclusion of the hearing, the Traffic [**Court judge**] **Division judge or hearing officer** shall proceed as provided in Rule 456(C)(3).

(d) When the defendant is arrested on multiple warrants in cases involving both unadjudicated citations and adjudicated citations with outstanding balances, the matter shall proceed as provided in paragraph (D)(2)(a) (summary trial), or paragraphs (D)(2)(b) or (D)(2)(c) (default hearings). These cases may be joined and the proceeding scheduled before the same Traffic [**Court judge**] **Division judge or hearing officer**.

Comment

Pursuant to **Philadelphia** Municipal Court Local Rule 540 and Traffic [**Court**] **Division** Local Rule 1033, when a defendant is arrested outside the normal business hours of Traffic [**Court**] **Division**, the defendant is to be taken without unnecessary delay before a Philadelphia Municipal Court [**bail commissioner**] **arraignment court magistrate** who shall proceed as provided in paragraph (C) and in Traffic [**Court**] **Division** Local Rule 1033.

"Proper issuing authority" as used in this rule is the [**traffic court judge or bail commissioner**] **Traffic Division judge or arraignment court magistrate** assigned to conduct these proceedings as provided in this rule, Municipal Court Local Rule 540, and Traffic [**Court**] **Division** Local Rule 1033.

For the procedures for contempt proceedings in Traffic [**Court**] **Division** cases, see Rules 140, 141, and 142.

For the summary appeal procedures, see Rules 460, 461, and 462.

See Rule 105 for the procedures for promulgating local rules.

Official Note: Adopted September 9, 2005, effective February 1, 2006; amended , 2014, effective , 2014.

Committee Explanatory Reports:

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Report explaining the proposed amendments concerning the transfer of functions from the Philadelphia Traffic Court to the Philadelphia Municipal Court published for comment at 44 Pa.B. 777 (February 8, 2014).

Rule 1034. Collateral.

(A) Except as provided in this rule, the procedures for collateral shall be as provided in Rule 452.

(B) When determining the amount of collateral, if any,

(1) if the defendant does not have a prior history of failure to appear for scheduled hearings, or there are other reasonable grounds to believe that the defendant will appear, or the defendant is without adequate resources to deposit collateral, the Traffic [**Court judge or bail commissioner**] **Division judge, hearing officer or arraignment court magistrate** shall consider releasing the defendant on his or her own recognizance, or sign own bail ("SOB"), or on a nominal amount of collateral.

(2) If the defendant has a prior history of failing to appear for Traffic [**Court**] **Division** scheduled hearings, and notice of the hearings was served personally on defendant, the Traffic [**Court judge or bail commis-**

sioner] **Division judge, hearing officer or arraignment court magistrate** may set collateral in an amount not to exceed the collateral that may be required for the payment of defendant's unadjudicated citations and the balance of outstanding fines and costs owed on adjudicated citations.

Comment

When the collateral is set in a monetary amount, the Traffic [**Court judge or bail commissioner**] **Division judge, hearing officer or arraignment court magistrate** may permit the defendant to be released from custody when 10% of the amount has been posted.

When determining the amount of collateral to set in paragraph (B)(2), the judge [**or bail commissioner**], **hearing officer or arraignment court magistrate** must take into consideration the defendant's financial resources and ability to post the amount set. The amount of collateral must be reasonable.

See Rule 105 for the procedures for promulgating local rules.

Official Note: Adopted September 9, 2005, effective February 1, 2006; **amended** , 2014, effective , 2014.

Committee Explanatory Reports:

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Report explaining the proposed amendments concerning the transfer of functions from the Philadelphia Traffic Court to the Philadelphia Municipal Court published for comment at 44 Pa.B. 777 (February 8, 2014).

Rule 1035. Appointment of Counsel.

A) When the Traffic [**Court judge**] **Division judge or hearing officer** has preliminarily determined that there is a likelihood that imprisonment will be imposed at the conclusion of a summary traffic proceeding,

(1) a hearing may be held if retained or appointed counsel is available; or

(2) if the defendant is without financial resources or is otherwise unable to employ counsel, the judge shall continue the proceeding, issue a scheduling order, and either appoint counsel or direct the defendant to report for a financial interview to determine eligibility to court-appointed counsel.

(B) When the defendant reports for the financial interview to determine eligibility to court-appointed counsel, the defendant shall provide supporting documentation, such as a driver's license, a DPW card, pay stubs, and any other relevant information. Upon review of the information provided by the defendant during the financial interview, the Traffic [**Court judge**] **Division judge or hearing officer** shall enter an appropriate order.

(C) Counsel's appointment shall terminate at the conclusion of the Traffic [**Court**] **Division** proceeding, unless the Traffic [**Court**] **Division** judge sentences the defendant to a period of incarceration, in which case, counsel's appointment shall continue through any appeal for a trial *de novo* in the court of common pleas.

(D) At the time a sentence is imposed that includes a period of incarceration, if the defendant is represented by private counsel, the Traffic [**Court**] **Division** judge shall advise the defendant that, in the event private

counsel ceases to represent the defendant after the imposition of the sentence and before the sentence is carried out, if the defendant is unable to afford counsel, he or she has the right to have counsel appointed to represent the defendant to file an appeal for a trial *de novo*, and if appointed, counsel's appointment shall continue through the trial *de novo* in the court of common pleas.

Comment

No defendant may be sentenced to imprisonment or probation if the right to counsel was not afforded at trial. See *Alabama v. Shelton*, 535 U.S. 654, 122 S.Ct. 1764, 152 L.Ed.2d 888 (2002), *Scott v. Illinois*, 440 U.S. 367, 99 S.Ct. 1158, 59 L.Ed.2d 383 (1979), and *Argersinger v. Hamlin*, 407 U.S. 25, 92 S.Ct. 2006, 32 L.Ed.2d 530 (1972).

See Rules 460, 461, and 462 for the procedures for summary case appeals.

Official Note: Adopted September 9, 2005, effective February 1, 2006; **amended** , 2014, effective , 2014.

Committee Explanatory Reports:

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Report explaining the proposed amendments concerning the transfer of functions from the Philadelphia Traffic Court to the Philadelphia Municipal Court published for comment at 44 Pa.B. 777 (February 8, 2014).

Rule 1036. [**Traffic Court Hearing Officers**] (Reserved).

[(A) **The Administrative Judge of Traffic Court, or in the event the position of Administrative Judge is vacant, the President Judge of Traffic Court, may appoint Traffic Court hearing officers to conduct post-hearing proceedings, including but not limited to, establishing or re-establishing payment plans, monitoring compliance with payment plans, holding warrant hearings, and performing additional duties as may be identified by local rule.**

(B) **The Administrative Judge by local rule shall establish the qualifications and educational requirements for the position of Traffic Court hearing officer.**

Comment

See Pa.R.Crim.P. 105 for the procedures for promulgating local rules.

Official Note: Adopted September 9, 2005, effective February 1, 2006.

Committee Explanatory Reports:

Final Report explaining the provisions of the new rule published with the Court's Order at 35 Pa.B. 5242 (September 24, 2005).]

(*Editor's Note:* The following rule is new and printed in regular type to enhance readability.)

Rule 1036. Philadelphia Municipal Court Traffic Division Hearing Officers.

(A) As provided in this rule, Philadelphia Municipal Court Traffic Division hearing officers may be appointed to hear cases and issue adjudications in connection with prosecutions for summary offenses arising under Title 75 (relating to vehicles) and ordinances enacted pursuant to Title 75.

(1) Hearing officers are “issuing authorities” only for purposes of conducting summary trials, accepting pleas, conducting trials *in absentia*, setting collateral, and conducting post-trial proceedings, including but not limited to, establishing or re-establishing payment plans, monitoring compliance with payment plans, holding warrant hearings, and performing additional duties as may be identified by local rule.

(2) Hearing officers shall not conduct summary trials or hearings if there is a likelihood that imprisonment will be imposed at the conclusion of a summary traffic proceeding.

(B) The Philadelphia Municipal Court Traffic Division by local rule shall establish the qualifications and educational requirements for the position of Traffic Division hearing officer.

(C) The Code of Conduct for Employees of the Unified Judicial System shall be applicable to the Philadelphia Municipal Court Traffic Division hearing officers.

Comment

The position of “*Philadelphia Municipal Court Traffic Division hearing officer*” was established by legislation in 2013 as part of the transfer of jurisdiction and functions from the Philadelphia Traffic Court to the Philadelphia Municipal Court Traffic Division. See Act 17 of 2013, P. L. 55, No. 17 (June 19, 2013) and 42 Pa.C.S. § 102, 325, 1121, 1127, 1302, 1321.

Official Note: New Rule 1036 adopted _____, 2014, effective _____, 2014.

Committee Explanatory Reports:

Report explaining proposed new Rule 1036 concerning hearing officers of the Philadelphia Municipal Court Traffic Division published for comment at 44 Pa.B. 777 (February 8, 2014).

Rule 1037. Appeal from Summary Conviction.

(A) When a defendant appeals after the entry of a guilty plea or a conviction in any **Traffic Division** summary proceeding [**in the Philadelphia Traffic Court**], upon the filing of the transcript and other papers by the Traffic [**Court**] **Division**, the Court of Common Pleas may schedule a status or settlement conference prior to the *de novo* summary trial.

(1) In the event the attorney for the Commonwealth or a designee and the defendant reach a negotiated plea, the plea may be entered before a Trial Commissioner and, upon approval by a judge of the Court of Common Pleas, the negotiated sentence will be recorded.

(2) In the event a negotiated plea is not approved by the court, the case shall be heard *de novo* by a judge of the Court of Common Pleas sitting without a jury.

(B) The attorney for the Commonwealth may appear and assume charge of the prosecution. When no attorney appears on behalf of the Commonwealth, the affiant may be permitted to ask questions of any witness who testifies.

(C) In appeals from **Traffic Division** summary proceedings [**in the Philadelphia Traffic Court**], the law enforcement officer who observed the alleged offense must appear and testify. The failure of a law enforcement officer to appear and testify shall result in the dismissal of the charges unless:

(1) the defendant waives the presence of the law enforcement officer in open court on the record;

(2) the defendant waives the presence of the law enforcement officer by filing a written waiver signed by the defendant and defense counsel, or the defendant if proceeding *pro se*, with the clerk of courts; or

(3) the trial judge determines that good cause exists for the law enforcement officer’s unavailability and grants a continuance.

(D) If the defendant fails to appear for the trial *de novo*,

(1) when the appeal is from a mandatory sentence of imprisonment, the Court of Common Pleas judge shall dismiss the appeal, enter judgment in the Court of Common Pleas on the judgment of the Traffic [**Court**] **Division** judge, and issue a bench warrant and a commitment for the defendant. Execution of the sentence shall commence immediately upon defendant’s arrest; and

(2) in all other cases, the Common Pleas Court judge shall dismiss the appeal and enter the judgment in the Court of Common Pleas on the judgment of the Traffic [**Court judge**] **Division judge or hearing officer**.

(E) If the defendant withdraws the appeal, the Court of Common Pleas judge shall enter the judgment in the Court of Common Pleas on the judgment of the Traffic [**Court judge**] **Division judge or hearing officer**.

(F) At the time of sentencing, the Court of Common Pleas judge shall:

(1) if the defendant’s sentence includes a fine or costs and the defendant has the financial means to pay the amount in a single remittance, the judge shall instruct the defendant to make the payment at the Philadelphia [**Traffic Court**] **Municipal Court Traffic Division**. If the defendant is without the financial means to pay the amount in a single remittance, the judge shall instruct the defendant to contact the [**Philadelphia Traffic Court**] **Traffic Division** to establish an installment payment plan;

(2) advise the defendant of the right to appeal to the Superior Court within 30 days of the imposition of sentence, and that, if an appeal is filed, the execution of sentence will be stayed and the judge may set bail;

(3) if a sentence of imprisonment has been imposed, direct the defendant to appear for the execution of sentence on a date certain unless the defendant files a notice of appeal within the 30-day period; and

(4) issue a written order imposing sentence, signed by the judge. The order shall include the information specified in paragraphs (F)(1)—(F)(3), and a copy of the order shall be given to the defendant and to the Traffic Court.

(G) After sentence is imposed by the Court of Common Pleas judge, and either after the expiration of the time to file an appeal to the appellate courts, or, if a sentence of imprisonment has been imposed, after the execution of the sentence of imprisonment, the case shall be returned to the [**Philadelphia Traffic Court**] **Traffic Division** for the collection of any outstanding fines and costs and for all other appropriate action.

Comment

This rule was adopted in 2009 to provide the procedures for appeals from the [**Philadelphia Traffic Court**] **Traffic Division** to the Court of Common Pleas of the First Judicial District. Except as provided in this rule, the procedures of Rules 460, 461 and 462, governing

appeals for a trial *de novo* in summary cases, shall apply to summary case appeals [**in the Philadelphia Traffic Court**] **Traffic Division**.

For purposes of this rule, “judgment” means the determination of guilty and any sentence imposed on the defendant.

The date upon which payment is due upon a sentence of a fine or costs ordinarily will be 30 days following imposition of sentence.

Official Note: Rule 1037 adopted October 16, 2009, effective February 1, [**2009**] **2010; amended** , **2014, effective** , **2014**.

Committee Explanatory Reports:

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Report explaining the proposed amendments concerning the transfer of functions from the Philadelphia Traffic Court to the Philadelphia Municipal Court published for comment at 44 Pa.B. 777 (February 8, 2014).

REPORT

Proposed New Pa.R.Crim.P. 1036, Proposed Amendment to Pa.Rs.Crim.P. 105, 1000, 1031—1035, and 1037, and Proposed Revision of the Comments to Pa.Rs.Crim.P. 103, 140, 141, 431, 441, 462 1001, 1002, and 1030

Rule Changes in Light of the Abolition of the Philadelphia Traffic Court

On June 19, 2013, Act 17 of 2013 was signed into law by the Governor, effectively abolishing the Philadelphia Traffic Court.¹ By the terms of the Act, most of its functions have been transferred to a new Traffic Division of the Philadelphia Municipal Court. Given that there are numerous statewide rules that discuss procedures in the Traffic Court, correlative changes will be necessary. Additionally, certain structural changes, particularly the creation of the new office of hearing officer of the Municipal Court Traffic Division, will need to be incorporated into the rules.

The Committee has determined that the following rules listed below would need to be modified. Following each rule title is a brief description of the nature of the proposed changes:

103 (Definitions)

Would add a cross-reference to the Comment to new Rule 1036 regarding the limited definition of hearing officer as an “issuing authority” under that rule;

105 (Local Rules)

Would change the court’s name in the rule text;

140 (Contempt Proceedings Before Magisterial District Judges, Pittsburgh Magistrates Court Judges, and Philadelphia Traffic Court Judges)

Would add language to the Comment regarding the abolition of the Traffic Court and its impact on contempt powers;

141 (Appeals from Contempt Adjudications Before Magisterial District Judges, Pittsburgh Magistrates Court Judges, and Philadelphia Traffic Court Judges)

Would add language to the Comment regarding the abolition of the Traffic Court and its impact on contempt powers;

¹ As the Philadelphia Traffic Court is provided in the Pennsylvania Constitution, a constitutional amendment will be necessary before the Traffic Court is formally abolished in its entirety. That process is ongoing as of this publication.

431 (Procedures When Defendant Arrested with Warrant)

Would change the court’s name in a cross-reference in the Comment;

441 (Procedures Following Arrest Without Warrant)

Would change the court’s name in a cross-reference in the Comment;

462 (Trial De Novo)

Would change the court’s name in a cross-reference in the Comment;

Chapter 10 (Rules of Criminal Procedure For the Philadelphia Municipal Court and the Philadelphia Traffic Court)

Would change the title of the Chapter;

1000 (Scope of Rules)

Would change the court’s name in the rule text;

1001 (Disposition of Criminal Cases—Philadelphia Municipal Court)

Would change the court’s name in the Comment;

1002 (Procedures in Summary Cases)

Would change the court’s name in the Comment;

Chapter 10 Part B (Philadelphia Traffic Court Procedures)

Would change the title of the Part;

1030 (Scope of Summary Traffic Court Rules)

Would add a Comment provision regarding the abolition of the Traffic Court and transfer of function and jurisdiction to the Traffic Division;

1031 (Institution of Proceedings in Summary Traffic Cases)

Would reorganize the structure of paragraph (A) of the rule to remove references to the Administrative Judge of Traffic Court;

1032 (Pleas in Response to Citation)

Would change the court’s name in the rule text;

1033 (Procedures When Defendant Arrested with Warrant)

Would change the court’s name and the terminology of the presiding officers in the rule text and Comment;

1034 (Collateral)

Would change the court’s name and the terminology of the presiding officers in the rule text and Comment;

1035 (Appointment of Counsel)

Would change the court’s name and the terminology of the presiding officers in the rule text;

1036 (Traffic Court Hearing Officers)

New rule describing appointment, qualifications, and duties of Traffic Division Hearing Officers

1037 (Appeals from Summary Convictions)

Would change the court’s name and the terminology of the presiding officers in the rule text and Comment;

The majority of the proposed rule changes are correlative changes to terminology resulting from the transfer of the Traffic Court functions to the Traffic Division of the Philadelphia Municipal Court.

As noted above, the greatest change is the creation of the office of hearing officer of the Philadelphia Municipal Court Traffic Division. The position was created by Act 17 as the primary officer for proceedings before the Traffic

Division. Therefore, current Rule 1036, which provides for the hearing officers of the Traffic Court, would be rescinded and replaced by a new Rule 1036 that would provide for the appointment, qualifications, and duties of Traffic Division Hearing Officers. Hearing officers would be defined as "issuing authorities" for the limited purposes of the proceedings in the Traffic Division but would be precluded from conducting hearings in which there is a likelihood of imprisonment. Consistent with Act 17, hearing officers may be either lawyers or non-lawyers who would be governed by the Code of Conduct for Employees of the Unified Judicial System. Also consistent with Act 17, the responsibility for hearing officer training would be developed by local rule.²

[Pa.B. Doc. No. 14-271. Filed for public inspection February 7, 2014, 9:00 a.m.]

[234 PA. CODE CH. 5]

Proposed Amendments to Pa.Rs.Crim.P. 528 and 535

The Criminal Procedural Rules Committee is considering recommending that the Supreme Court of Pennsylvania amend Rule 528 (Monetary Condition for Release of Bail) and Rule 535 (Receipt for Deposit; Return of Deposit) to provide (1) procedures for applying bail monies that would be returnable to the defendant after full and final disposition of the case to the defendant's outstanding restitution, court fees, fine, and costs in the current case and (2) notice to depositors to warn of the possibility of the loss of security deposited. This Supplemental Report explains the proposed changes to the original proposal that were made in response to communications to the Committee from the Supreme Court of Pennsylvania after publication of our original explanatory Report. This revised proposal has not been submitted for review by the Supreme Court of Pennsylvania.

The following explanatory Supplemental Report highlights the Committee's considerations in formulating this proposal. Please note that the Committee's Supplemental Report should not be confused with the official Committee Comments to the rules. Also, note that the Supreme Court does not adopt the Committee's Comments or the contents of the explanatory Reports.

The text of the proposed amendments to the rules precedes the Report. Additions are shown in bold; deletions are in bold and brackets.

We request that interested persons submit suggestions, comments, or objections concerning this proposal in writing to the Committee through counsel,

Jeffrey M. Wasileski, Counsel
Supreme Court of Pennsylvania
Criminal Procedural Rules Committee
601 Commonwealth Avenue, Suite 6200
Harrisburg, PA 17106-2635
fax: (717) 231-9521
e-mail: criminalrules@pacourts.us

no later than Friday, March 7, 2014.

By the Criminal Procedural Rules Committee:

THOMAS P. ROGERS,
Chair

² The Committee anticipates that the First Judicial District may need to adopt additional local rules to accommodate the transfer of the functions. These local rules would be subject to the Committee's approval pursuant to Rule 105.

Annex A

**TITLE 234. RULES OF CRIMINAL PROCEDURE
CHAPTER 5. PRETRIAL PROCEDURES IN COURT
CASES**

PART C(1). Release Procedures

Rule 528. Monetary Condition of Release on Bail.

* * * * *

(E) The bail authority shall record on the bail bond the amount of the monetary condition imposed and the form of security that is posted by the defendant or by an individual acting on behalf of the defendant or acting as a surety for the defendant.

(F) **Except as limited in Rule 531 (Qualification of Surety), the defendant or another person may deposit the cash percentage of the bail. If the defendant posts the money, the defendant shall sign the bond, thereby becoming his or her own surety, and is liable for the full amount of bail if he or she fails to appear or to comply. When a person other than the defendant deposits the cash percentage of the bail, the clerk of courts or issuing authority shall explain and provide written notice to that person that:**

(1) if the person agrees to act as a surety and signs the bail bond with the defendant, the person shall be liable for the full amount of bail if the defendant fails to appear or comply; or

(2) if the person does not wish to be liable for the full amount of bail, the person shall be permitted to deposit the money for the defendant to post, and will relinquish the right to make a subsequent claim for the return of the money pursuant to these rules. In this case, the defendant would be deemed the depositor, and only the defendant would sign the bond and be liable for the full amount of bail.

(3) Pursuant to Rule 535(E), if the bail was deposited by or on behalf of the defendant and the defendant is the named depositor, the amount otherwise returnable to the defendant may be used to pay and satisfy any outstanding restitution, fees, fines, and costs owed by the defendant as a result of a sentence imposed in the court case for which the deposit is being made.

Comment

* * * * *

If a percentage of the cash bail is accepted pursuant to these rules, when the funds are returned at the conclusion of the defendant's bail period, the court or bail agency may retain as a fee an amount reasonably related to the cost of administering the cash bail program. *See Schilb v. Kuebel*, 404 U.S. 357 (1971).

[Except as limited in Rule 531 (Qualification of Surety), the defendant or another person, such as a relative or neighbor, may deposit the cash percentage of the bail. If the defendant posts the money, the defendant must sign the bond, thereby becoming his or her own surety, and is liable for the full amount of bail if he or she fails to appear or to comply. When someone other than the defendant deposits the cash percentage of the bail, the clerk of courts or issuing authority must explain to that person that:

1) if the person agrees to act as a surety and signs the bail bond with the defendant, the person will be liable for the full amount of bail if the defendant fails to appear or comply; or

2) if the person does not wish to be liable for the full amount of bail, the person will be permitted to deposit the money for the defendant to post, and will relinquish the right to make a subsequent claim for the return of the money pursuant to these rules. In this case, the defendant would be deemed the depositor, and only the defendant would sign the bond and be liable for the full amount of bail. See Rule 535.]

Paragraph (F), which formerly was included in the Comment, was added to the rule in 2014 to clarify the manner in which the defendant or a third party may act as a surety for the defendant's bond. The rule now requires that written notice be given to the person posting the bail, especially a third party, of the possible consequences if the defendant receives a sentence that includes restitution, a fine, fees, and costs.

The defendant must be permitted to substitute the form(s) of security deposited as provided in Rule 532.

The method of valuation when realty is offered to satisfy the monetary condition pursuant to paragraphs (D)(3) and (D)(4) is determined at the local level. If no satisfactory basis exists for valuing particular tracts of offered realty, especially tracts located in remote areas, acceptance of that realty is not required by this rule.

Official Note: Former Rule 4007 adopted July 23, 1973, effective 60 days hence, replacing prior Rule 4013; amended January 28, 1983, effective July 1, 1983; rescinded September 13, 1995, effective January 1, 1996, and replaced by Rule 4011. Present Rule 4007 adopted September 13, 1995, effective January 1, 1996. The January 1, 1996 effective dates extended to April 1, 1996; the April 1, 1996 effective dates extended to July 1, 1996; renumbered Rule 528 and amended March 1, 2000, effective April 1, 2001; amended September 21, 2012, effective November 1, 2012; amended , 2013, effective , 2013.

Committee Explanatory Reports:

* * * * *

Report explaining the proposed changes to Rule 535 concerning retention of bail to be applied to fees, fines, costs, and restitution published for comment at 42 Pa.B. 6253 (October 6, 2012); Supplemental Report explaining the revised proposed amendment providing for the advice required to be given concerning possible forfeiture of the deposit published for comment at 44 Pa.B. 781 (February 8, 2014).

PART C(2). General Procedures in all Bail Cases
Rule 535. Receipt for Deposit; Return of Deposit.

(A) Any deposit of cash in satisfaction of a monetary condition of bail shall be given to the issuing authority, the clerk of courts, or another official designated by the president judge by local rule pursuant to Rule 117(C). The issuing authority, clerk, or other official who accepts the deposit shall give the depositor an itemized receipt, and shall note on the bail bond the amount deposited and the name of the person who made the deposit. The defendant shall sign the bail bond, and be given a copy of the signed bail bond.

(1) When the issuing authority accepts a deposit of bail, the issuing authority shall note on the docket transcript the amount deposited and the name of the person who made the deposit. The issuing authority shall have the deposit, the docket transcript, and a copy of the bail bond delivered to the clerk of courts.

(2) When another official is designated by the president judge to accept a bail deposit, that official shall deliver the deposit and the bail bond to either the issuing authority, who shall proceed as provided in paragraph (A)(1), or the clerk of courts, who shall proceed as provided in paragraph (A)(3).

(3) When the clerk of courts accepts the deposit, the clerk shall note in the list of docket entries the amount deposited and the name of the person who made the deposit, and shall place the bail bond in the criminal case file.

[(4) At the time bail is being deposited, no inquiry shall be made of the depositor whether he or she consents to have the deposit retained to be applied toward the defendant's fines, costs, or restitution, if any.]

(B) When the deposit is the percentage cash bail authorized by Rule 528, the depositor shall be notified that by signing the bail bond, the depositor becomes a surety for the defendant and is liable for the full amount of the monetary condition in the event the defendant fails to appear or comply as required by these rules **and that, if the defendant is the named depositor, the amount otherwise returnable may be used to pay and satisfy any outstanding restitution, fees, fines, and costs owed by the defendant as a result of a sentence imposed in the court case for which the deposit is being made.**

(C) The clerk of courts shall place all cash bail deposits in a bank or other depository approved by the court and shall keep records of all deposits.

(D) [Within] Unless the court has issued an order issued pursuant to paragraph (E), within 20 days of the full and final disposition of the case, the deposit shall be returned to the depositor, less any bail-related fees or commissions authorized by law, and the reasonable costs, if any, of administering the percentage cash bail program.

(E) In any case in which the defendant is the named depositor, upon the full and final disposition of the case, the court may order, upon motion of the attorney for the Commonwealth, that any money deposited pursuant to this rule by or on behalf of the defendant that is otherwise returnable to the defendant be held and applied to the payment of any restitution, fees, fines, and costs imposed upon the defendant in the case for which the deposit had been made unless the defendant shows that he or she would suffer an undue hardship.

[(E)] (F) When a case is transferred pursuant to Rule 130(B) or Rule 555, the full deposit shall be promptly forwarded to the transfer judicial district, together with any bail-related fees, commissions, or costs paid by the depositor.

Comment

When the president judge has designated another official to accept the bail deposit as provided in Rule 117, the other official's authority under Rule 117 and this rule is limited to accepting the deposit, having the defendant

sign the bail bond, releasing the defendant, and delivering the bail deposit and bail bond to the issuing authority or the clerk of courts.

Paragraph (A) was amended in 2006 to make it clear that the clerk of courts or other official accepting a deposit of cash bail is not permitted to request that the depositor agree to have the cash bail deposit retained after the full and final disposition of the case to be applied toward the payment of the defendant's fines, costs, or restitution, if any. *See, e.g., Commonwealth v. McDonald*, 476 Pa. 217, 382 A.2d 124 (1978), which held that a deposit of cash to satisfy a defendant's monetary bail condition that is made by a person acting as a surety for the defendant may not be retained to pay for the defendant's court costs and/or fines.

Paragraph (E) was added in 2014 to permit the attorney for the Commonwealth to seek, at the full and final disposition of any case in which the defendant is the named depositor of bail money, to have the deposited bail money applied to any restitution, fees, fines, and costs imposed on the defendant in the case for which the deposit had been made. This new provision, adopted pursuant to the authority granted in 42 Pa.C.S. § 5702, is a procedural mechanism by which the court may retain money previously deposited with the court to satisfy the defendant's obligations but only in the current criminal case. This procedure also secures the right of the defendant to proffer reasons why retention of the bail money would be an undue hardship. *See Commonwealth v. McDonald, supra.*

The procedure stated in this rule is the only procedure by which bail may be retained to pay for assessments imposed on the defendant. Any local practice that permits the retention of bail other than as provided in this rule is inconsistent with the statewide rules and subject to the provisions in Rule 105(B).

For the manner of distribution of any funds applied to the outstanding restitution, fees, fines, and costs owed by the defendant, see the Pennsylvania Supreme Court's Uniform Disbursement Schedule, *In Re: Promulgation of Financial Regulations Pursuant to Act 49 of 2009* (42 PA.C.S. §§ 3733(A.1) and 3733.1), No. 335 Judicial Administration Docket (October 29, 2009), 204 Pa. Code § 29.353.

The procedures in paragraph (E) contemplate the decision to retain the bail to be made at the court of common pleas. There may be court cases in which bail had been set that are resolved at the magisterial district court, for example, in cases in which a plea agreement is entered to withdraw misdemeanor or felony charges in exchange for a plea to summary charges or misdemeanor charges within the jurisdiction of the magisterial district judge. In such cases, the magisterial district judge may not order the retention of bail money for the payment of assessments unless the parties agree.

Any order issued pursuant to paragraph (E) shall be in conformance with Rule 114.

Given the complexities of posting real estate to satisfy a monetary condition of release, posting of real estate may not be feasible outside the normal business hours.

Paragraph (B) requires the issuing authority or the clerk of courts who accepts a percentage cash bail deposit to explain to the person who deposits the money the

consequences of acting as a surety. There will be cases in which a person merely deposits the money for the defendant to post, and is not acting as the defendant's surety. In this situation, the defendant is the depositor and should receive the receipt pursuant to paragraph (A). *See* Rule 528. ***See also Rule 528 for the notice the clerk of courts or issuing authority must provide when a person other than the defendant deposits the cash percentage of the bail.***

When cash bail that is deposited in a bank pursuant to paragraph (C) is retained by a county in an interest-bearing account, case law provides that the county retains the earned interest. *See Crum v. Burd*, 131 Pa. Cmwlth. 550, 571 A.2d 1 (1989), *allocatur* denied 525 Pa. 649, 581 A.2d 574 (1990).

The full and final disposition of a case includes all avenues of direct appeal in the state courts. Therefore, the return of any deposits would not be required until after either the expiration of the appeal period or, if an appeal is taken, after disposition of the appeal. *See* Rule 534.

Any fees, commissions, or costs assessed pursuant to paragraph (D) must be reasonably related to the county's actual bail administration costs. Each county should establish local procedures to ensure adequate notice and uniform application of such fees, commissions, or costs. *See, e.g., Buckland v. County of Montgomery*, 812 F.2d 146 (3rd Cir. 1987).

When a case is transferred pursuant to Rules 130(B) and 555, paragraph [(E)] (F) and Rules 130(B) and 555 require that any bail-related fees, commissions, or costs collected pursuant to paragraph (D) be forwarded to the transfer judicial district. Fees, commissions, or costs that have been assessed but not paid at the time of transfer may not be collected in the transferring judicial district.

When bail is terminated upon acceptance of the defendant into an ARD program, such action constitutes a "full and final disposition" for purposes of this rule and Rule 534 (Duration of Obligation). *See* Rule 313.

Official Note: Former Rule 4015, previously Rule 4009, adopted November 22, 1965, effective June 1, 1966; renumbered Rule 4015, former paragraph (b) integrated into paragraph (a) and new paragraph (b) adopted July 23, 1973, effective 60 days hence; rescinded September 13, 1995, effective January 1, 1996, and replaced by present Rule 4015. Present Rule 4015 adopted September 13, 1995, effective January 1, 1996. The January 1, 1996 effective dates extended to April 1, 1996; the April 1, 1996 effective dates extended to July 1, 1996; renumbered Rule 535 and amended March 1, 2000, effective April 1, 2001; amended April 20, 2000, effective July 1, 2000; amended March 3, 2004, effective July 1, 2004; amended June 30, 2005, effective August 1, 2006; amended March 9, 2006, effective August 1, 2006; amended , 2014, effective , 2014.

Committee Explanatory Reports:

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Report explaining the proposed changes to paragraph (D) Rule 535 concerning defendant's deposits of bail to be applied to fees, fines, costs, and restitution published for comment at 42 Pa.B. 6253 (October 6, 2012); Supplemental Report explaining revised proposed amendments concerning defendant's deposits of bail to be applied to restitution, fees, fines, and costs in the current case published for comment at 44 Pa.B. 781 (February 8, 2014).

SUPPLEMENTAL REPORT

Proposed Amendments to Pa.Rs.Crim.P. 528 and 535

Use of Bail Money for Payment of Restitution, Fees, Fines, and Costs

The Committee has been examining procedures that would permit retention of a defendant’s bail money that would be returnable to the defendant after full and final disposition of the case in order for it to be applied to the defendant’s outstanding restitution, court fees, fine, and costs. The Rules of Criminal Procedure traditionally have precluded directly applying bail money in this manner, based on the concept that the purpose of bail is to ensure the presence of the defendant during the pendency of the case and not to obtain a “deposit” on future assessments. However, the Committee concluded that a change that would permit the retention of returnable bail money to satisfy a defendant’s existing obligations to the court was a valid exercise of the rule-making authority and that such a change has the potential to be a useful tool for the more efficient collection of owed moneys, including restitution, reducing collection costs for the court and even for the defendant who would otherwise face additional costs where the court is forced to seek collections processes.

The Committee previously developed a proposal, which was published for comment at 42 Pa.B. 6253 (October 6, 2012), that would have amended Rule 535 and revised of the Comment to Rule 528 to permit the clerk of courts to automatically apply any bail monies that otherwise would be returnable to the defendant after full and final disposition of the case to any of the defendant’s outstanding restitution, court fees, fines, costs, and bail judgments. The proposal would have been limited to only money that has been deposited by the defendant and would have permitted relief where its application would work a hardship on the defendant.

Following publication of this proposal, the Committee received further direction from the Supreme Court of Pennsylvania to narrow the scope of the proposal by requiring the prosecution to make a motion for holding deposited funds for payment of outstanding restitution, fees, fines, and costs assessed in the case for which the deposit had originally been made. Additionally, the exemption for third party sureties and for cases in which the defendant would suffer an undue hardship were to be more explicitly stated and fuller notice be provided to the depositor of the potential loss of the deposit.

The Committee has therefore revised the proposal to enhance the protection afforded to third party depositors by requiring detailed notice that the bail authority must provide to depositors to warn them of the possibility of the loss of security deposited if they allow the defendant to be the named depositor. Rule 528 would be amended to move into the rule text the language currently in the Comment that describes the manner by which a depositor may be named and the consequences for a third party of allowing the defendant to be named depositor when the third party has supplied the bail money, including the possibility of the money being applied to assessments. This notice requirement would be reiterated in Rule 535(B).

Additionally, a new paragraph (E) would be added to Rule 535 that would establish the procedures for retaining the bail money. A motion by the attorney for the Commonwealth would be required before the bail money could be retained and could only be retained for the payment of assessments placed on the case for which the money had originally been deposited with the defendant

being the named depositor. The paragraph would also contain the exemption when the defendant shows that retention of the bail money would be a hardship.

An additional change would be the removal of current paragraph (A)(4) of Rule 535 that prohibits inquiring whether the defendant consents to applying deposited bail money towards fines, costs, etc., because the defendant’s consent to having the bail money retained would no longer be needed if the defendant was the named depositor and third party depositors would be provided more detailed notice of the potential consequences.

The Comment to Rule 535 would be revised to describe the rationale and basis for this change as well as cross-reference the Court’s Uniform Disbursement Schedule that details the manner in which the retained money would be dispersed. The Comment would also state that the proposal would not apply to cases before a magisterial district judge unless the parties agree.

There was a concern raised by the Committee that some counties may be retaining bail presently, despite being contrary to the rules, so the proposal includes language in the Rule 535 Comment that any local practice that varied from that in Rule 535 would be inconsistent with the statewide rules.

[Pa.B. Doc. No. 14-272. Filed for public inspection February 7, 2014, 9:00 a.m.]

Title 237—JUVENILE RULES

PART I. RULES

[237 PA. CODE CHS. 1 AND 11]

Order Amending the Comments to Rules 150 and 1150 of the Rules of Juvenile Court Procedure; No. 619 Supreme Court Rules Doc.; Correction

An error occurred in the order published at 43 Pa.B. 7547 (December 28, 2013). Existing text in the Comment to Rule 1150 was not indicated by ellipses. The correct version of Rule 1150 follows. The remainder of the order was accurate as printed.

Annex A

TITLE 237. JUVENILE RULES

PART I. RULES

Subpart B. DEPENDENCY MATTERS

CHAPTER 11. GENERAL PROVISIONS

PART B(2). COUNSEL

Rule 1150. Attorneys—Appearances and Withdrawals.

* * * * *

Comment

* * * * *

See the Comment to Rule 1634 for assisting children in filing resumption of jurisdiction motions. It is best practice for the court to appoint the guardian *ad litem* or legal counsel who was previously assigned to the child as legal counsel in the re-opened case. If there are extenuating circumstances preventing the attorney from representing the child, the attorney should make this known at the time of the filing of the motion for resumption of jurisdiction so the court can assign a new attorney.

For admission *pro hac vice*, see Pa.B.A.R. 301.

Official Note: Rule 1150 adopted August 21, 2006, effective February 1, 2007. Amended October 21, 2013, effective December 1, 2013. **Amended December 10, 2013, effective February 10, 2014.**

Committee Explanatory Report:

* * * * *

Final Report explaining the amendments to Rule 1150 published with the Court's Order at 43 Pa.B. 7547 (December 28, 2013).

[Pa.B. Doc. No. 14-273. Filed for public inspection February 7, 2014, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Disbarment

Notice is hereby given that Steven Todd Berman having been disbarred by consent from the practice of law in the District of Columbia by Order of the District of Columbia Court of Appeals filed June 27, 2013, the Supreme Court of Pennsylvania issued an Order on January 27, 2014, ordering that Steven Todd Berman be Disbarred from the practice of law in this Commonwealth, effective February 26, 2014. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

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

[Pa.B. Doc. No. 14-274. Filed for public inspection February 7, 2014, 9:00 a.m.]

Notice of Disbarment

Notice is hereby given that Steven L. Ellman having been disbarred from the practice of law in the State of California by Order of the Supreme Court of California filed October 25, 2011, the Supreme Court of Pennsylvania issued an Order on January 27, 2014, ordering that Steven L. Ellman be Disbarred from the practice of law in this Commonwealth, effective February 26, 2014. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

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

[Pa.B. Doc. No. 14-275. Filed for public inspection February 7, 2014, 9:00 a.m.]

Notice of Disbarment

Notice is hereby given that Bradford John Rieger having been disbarred from the practice of law in the State of Connecticut by Order of the Connecticut Superior Court, Judicial District of New Haven, dated June 18, 2013; the Supreme Court of Pennsylvania issued an Order on January 27, 2014, disbaring Bradford John Rieger from the Bar of this Commonwealth, effective February 26, 2014. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

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

[Pa.B. Doc. No. 14-276. Filed for public inspection February 7, 2014, 9:00 a.m.]

Notice of Suspension

Notice is hereby given that Faye Esther Bennett having been suspended from the practice of law in the State of Florida for a period of ninety-one days by Order of the Supreme Court of Florida dated November 28, 2012, the Supreme Court of Pennsylvania issued an Order dated January 27, 2014 suspending Faye Esther Bennett from the practice of law in this Commonwealth for a period of ninety-one, effective February 26, 2014. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

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

[Pa.B. Doc. No. 14-277. Filed for public inspection February 7, 2014, 9:00 a.m.]

Notice of Suspension

Notice is hereby given that Wilfrid LeBlanc, Jr., having been suspended from the practice of law in the State of New Jersey by Order of the Supreme Court of New Jersey dated April 24, 2013; the Supreme Court of Pennsylvania issued an Order dated January 27, 2014 suspending Wilfrid LeBlanc, Jr. from the practice of law in this Commonwealth for a period of two years, effective February 26, 2014. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

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

[Pa.B. Doc. No. 14-278. Filed for public inspection February 7, 2014, 9:00 a.m.]

STATEMENTS OF POLICY

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Department of Conservation and Natural Resources and Department of Environmental Protection

The Executive Board approved a reorganization of the Department of Conservation and Natural Resources and Department of Environmental Protection effective January 15, 2014.

The organization charts at 44 Pa.B. 784, 785 (February 8, 2014) are published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of *Pennsylvania Code*) as a document general and permanent in nature which shall be codified in the *Pennsylvania Code*.)

[Pa.B. Doc. No. 14-279. Filed for public inspection February 7, 2014, 9:00 a.m.]

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Governor's Office of Administration

The Executive Board approved a reorganization of the Governor's Office of Administration effective January 15, 2014.

The organization chart at 44 Pa.B. 786 (February 8, 2014) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of *Pennsylvania Code*) as a document general and permanent in nature which shall be codified in the *Pennsylvania Code*.)

[Pa.B. Doc. No. 14-280. Filed for public inspection February 7, 2014, 9:00 a.m.]

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Governor's Office of the Budget

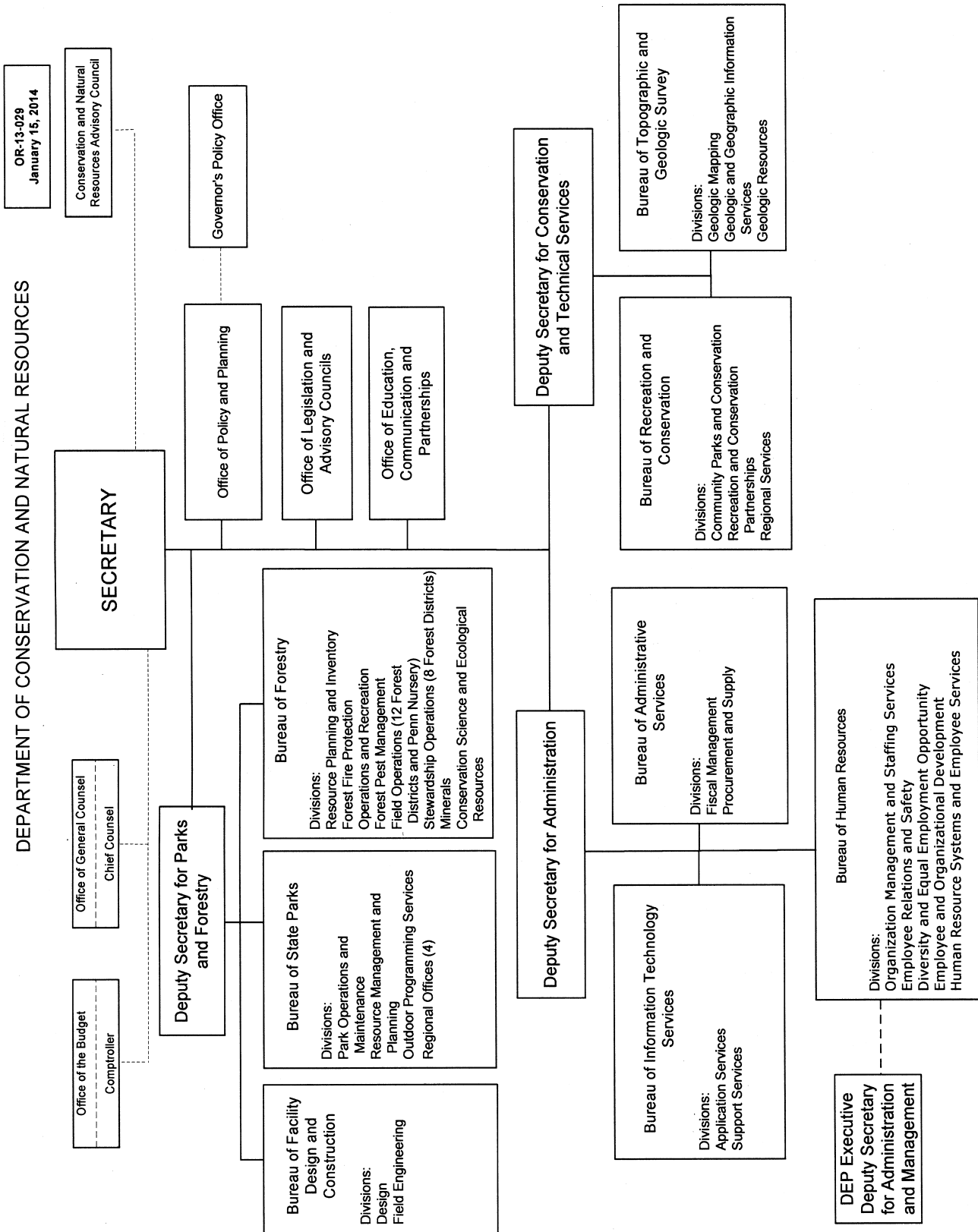
The Executive Board approved a reorganization of the Governor's Office of the Budget effective January 15, 2014.

The organization chart at 44 Pa.B. 787 (February 8, 2014) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

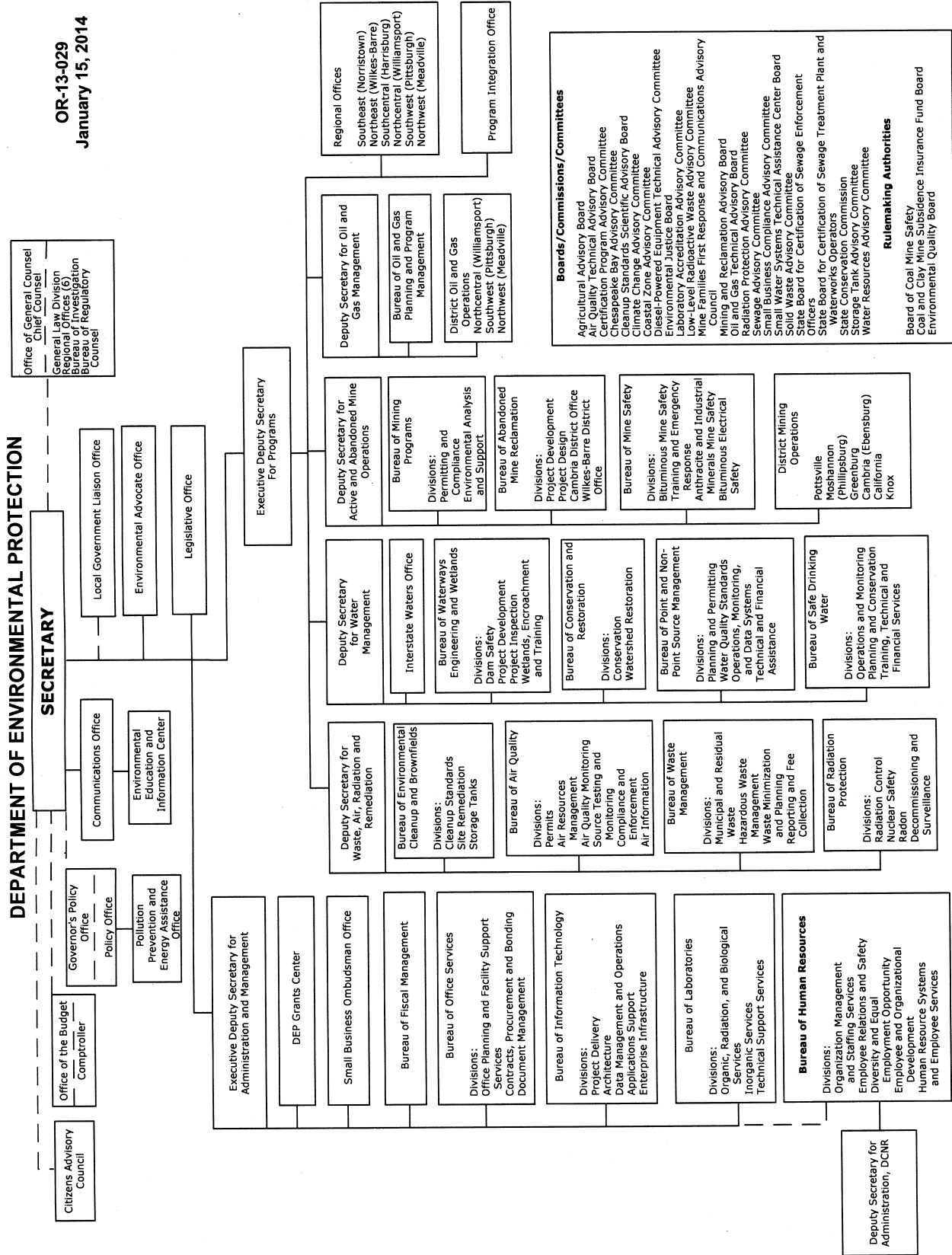
(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of *Pennsylvania Code*) as a document general and permanent in nature which shall be codified in the *Pennsylvania Code*.)

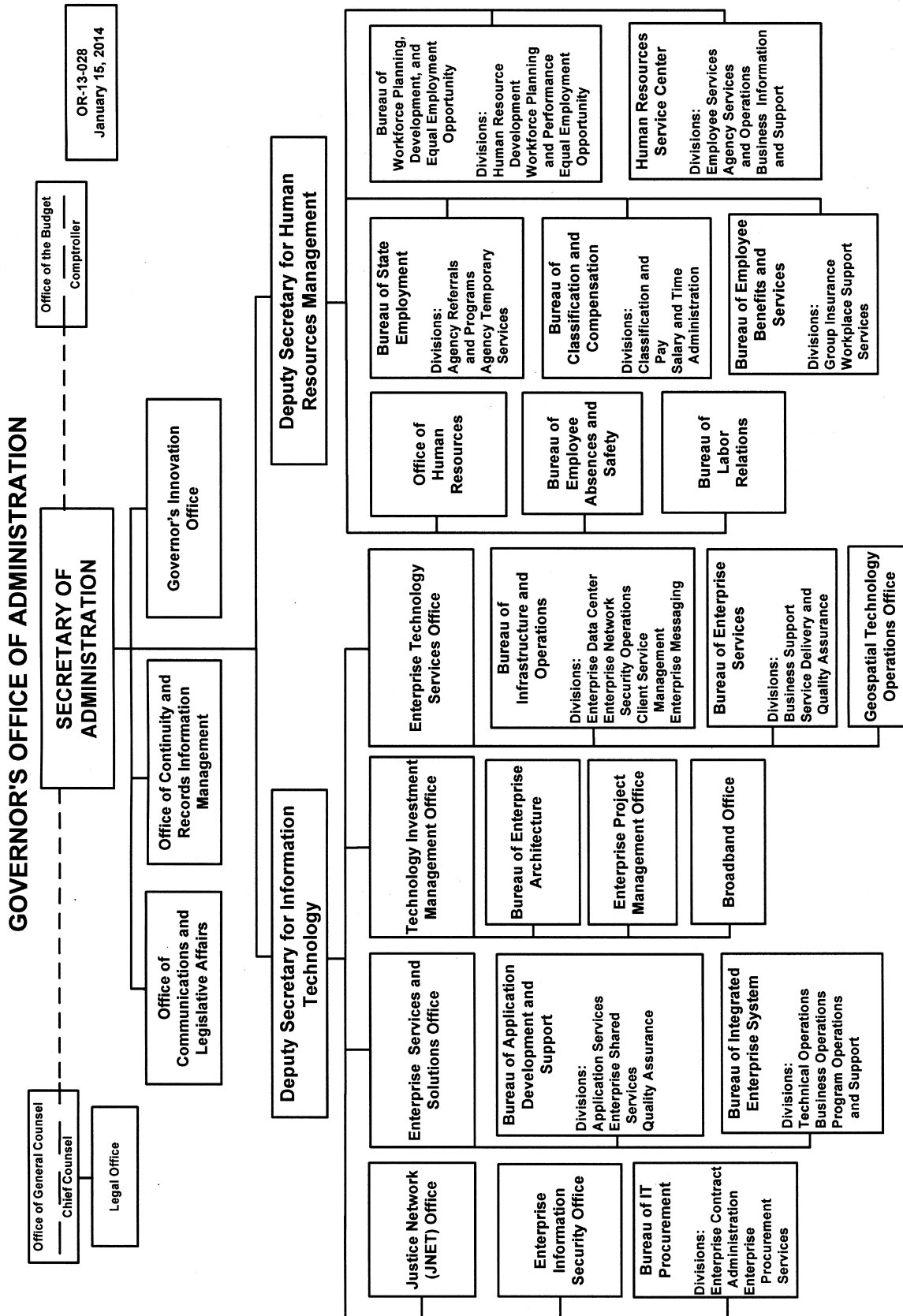
[Pa.B. Doc. No. 14-281. Filed for public inspection February 7, 2014, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES



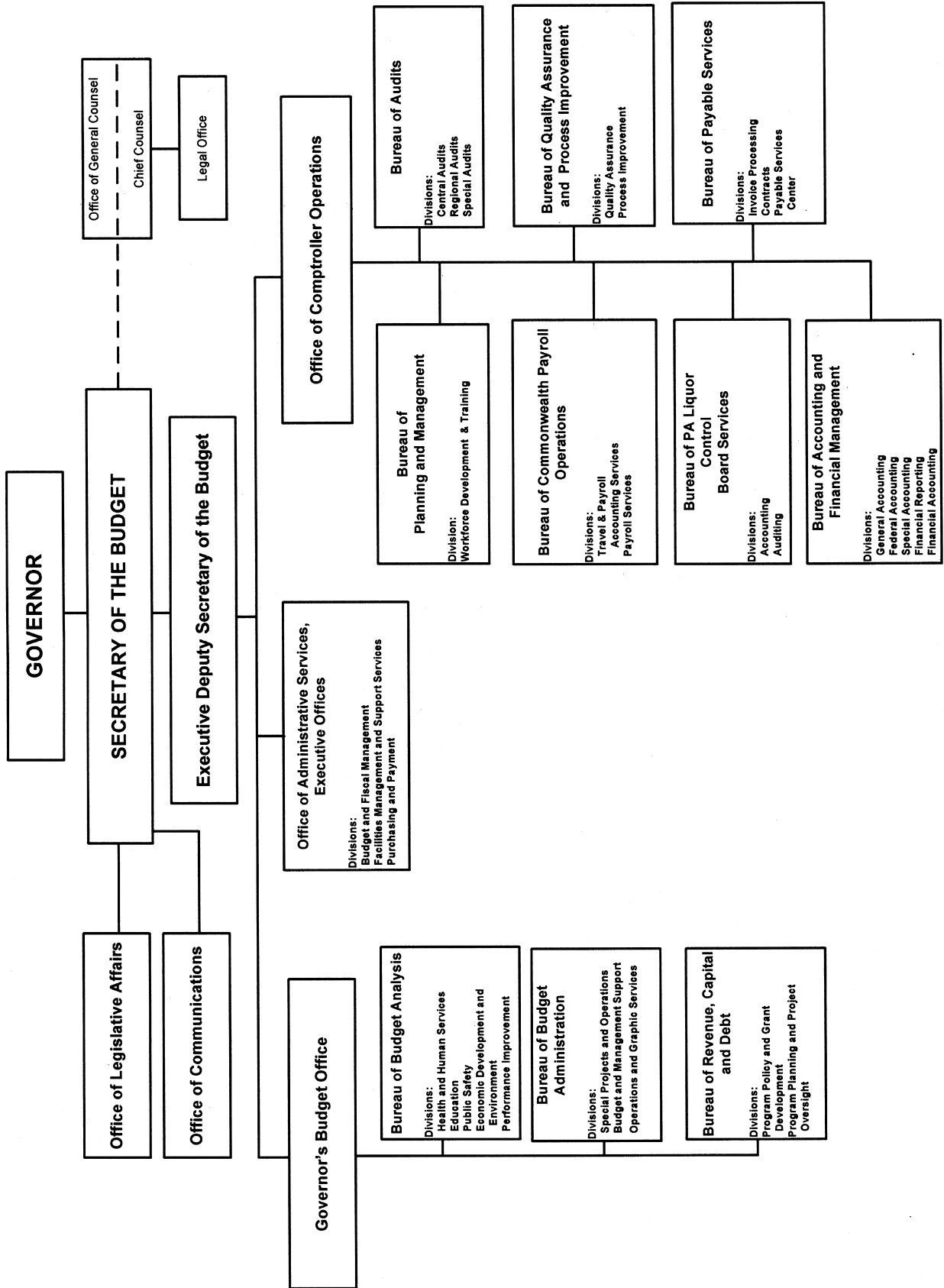
OR-13-029
January 15, 2014





OR-13-031
January 15, 2014

GOVERNOR'S OFFICE OF THE BUDGET



NOTICES

CAPITOL PRESERVATION COMMITTEE

Request for Proposals

CPC 13.143: Capitol Maintenance of Finishes and Fixtures. This is a 5-year maintenance project. The scope includes dusting and general cleaning of plaster and marble, walls, beam drops, soffits, moldings, bronze and marble railings, bronze and marble sculpture, gilded surfaces, finished woodwork, painted art work and miscellaneous architectural materials and finishes. The work also includes repair, preparation and refinishing of historic plaster, marble and wood and touch in of gilded surfaces by qualified artisans.

The project duration is July 2014—March 2019.

A \$100 deposit is required for issuance of project documents. The issue date of the proposal will be March 25, 2014, at 2 p.m. A mandatory preproposal conference and walk through will be held on April 8, 2014, at 10 a.m., convene in Room 630 Main Capitol. The proposal receipt date is April 29, 2014, at 2 p.m. Project documents may be obtained in Room 630, Main Capitol Building, Harrisburg, PA or by contacting Tara Pyle at (717) 783-6484.

DAVID L. CRAIG,
Executive Director

[Pa.B. Doc. No. 14-282. Filed for public inspection February 7, 2014, 9:00 a.m.]

Request for Proposals

CPC 13.144: Preservation of Lawrie Bronze Doors Phase II. The scope of work includes disassembly, repair, cleaning, reglazing of art bronze doors, hardware, frame and transom. The work also includes the modification of existing bronze sill and installation of new door closers and pivot sets, with the provision for temporary wood doors, frame, transom and hardware. Complete documentation (comprehensive text narration augmented with supporting documentation and photographs) of the disassembly, repair, cleaning, modification and finishing processes is required.

A \$100 deposit is required for issuance of project documents. The issue date of the proposal will be March 25, 2014, at 2 p.m. A mandatory preproposal conference and walk through will be held on April 8, 2014, at 11 a.m., convene in Room 630 Main Capitol Building. The proposal receipt date is April 29, 2014, at 2 p.m. Proposals must remain firm for 60 calendar days following proposal receipt date. Project documents may be obtained in Room 630, Main Capitol Building, Harrisburg, PA or by contacting Tara Pyle at (717) 783-6484.

DAVID L. CRAIG,
Executive Director

[Pa.B. Doc. No. 14-283. Filed for public inspection February 7, 2014, 9:00 a.m.]

Request for Proposals

CPC 12.137: Restoration of the Law Library Ceiling. A general description includes the following but not limited to: repair, restoration, preservation, refinishing and cleaning of selected plaster ceiling areas, beam drops, soffits, moldings, gilded surfaces and coffer panel painted artwork by qualified artisans; manufacturing and installation of reproduction light fixtures; and rerouting and wiring of existing branch lighting circuitry to accommodate the new lighting scheme.

A \$100 deposit is required for issuance of project documents. The issue date of the proposal will be March 25, 2014, at 2 p.m. A mandatory preproposal conference and walk through will be held on April 8, 2014, at 1:30 p.m., convene in Room 630 Main Capitol. The proposal receipt date is April 29, 2014, at 2 p.m. Project documents may be obtained in Room 630, Main Capitol Building, Harrisburg, PA or by contacting Tara Pyle at (717) 783-6484.

DAVID L. CRAIG,
Executive Director

[Pa.B. Doc. No. 14-284. Filed for public inspection February 7, 2014, 9:00 a.m.]

DEPARTMENT OF AGING

Senior Community Center Grant Application Announcement

The purpose of this notice is to announce a grant funding opportunity for senior community centers (centers) in this Commonwealth. The Department of Aging announces the availability of \$2.15 million in grant funding to help modernize centers throughout this Commonwealth.

Eligible applicants are centers as outlined in the Department of Aging Program Directive No. 96-04-01, Senior Community Center and Satellite Center Policies and Standards, and as revised by memo dated 2-24-06 found at <http://www.portal.state.pa.us/portal/server.pt?open=514&objID=616013&mode=2>. These supplemental grant funds will be issued through a competitive grant process.

The grants will focus on modernizing facilities, developing a more diverse membership and participation; expanding and increasing quality programs; and encouraging sustainable and innovative programs and services.

The application period begins February 3, 2014, and applications must be submitted by 5 p.m. on March 3, 2014. For more information about the grant announcement and application process, as well as centers visit www.aging.state.pa.us.

BRIAN M. DUKE,
Secretary

[Pa.B. Doc. No. 14-285. Filed for public inspection February 7, 2014, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of 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 28, 2014.

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

BANKING INSTITUTIONS

Branch Applications

De Novo Branches

| <i>Date</i> | <i>Name and Location of Applicant</i> | <i>Location of Branch</i> | <i>Action</i> |
|-------------|---|--|---------------|
| 1-23-2014 | Somerset Trust Company Somerset Somerset County | 2100 Summit Ridge Plaza Mt. Pleasant Westmoreland County | Filed |
| 1-24-2014 | Centric Bank Harrisburg Dauphin County | 5001 Jonestown Road Harrisburg Dauphin County | Withdrawn |
| 1-24-2014 | CNB Bank Clearfield Clearfield County | 2302 West 12th Street Erie Erie County | Filed |

Relocations

| <i>Date</i> | <i>Name and Location of Applicant</i> | <i>Location of Branch</i> | <i>Action</i> |
|-------------|---|--|---------------|
| 1-24-2014 | Royal Bank America Narberth Montgomery County | <i>To:</i> 124 Main Street Phoenixville Chester County <i>From:</i> 808 Valley Forge Road Phoenixville Chester County | Approved |
| 1-27-2014 | Royal Bank America Narberth Montgomery County | <i>To:</i> 795 East Lancaster Avenue Villanova Delaware County <i>From:</i> 801 East Lancaster Avenue Villanova Delaware County | Effective |

Branch Consolidations

| <i>Date</i> | <i>Name and Location of Applicant</i> | <i>Location of Branch</i> | <i>Action</i> |
|-------------|---|---|---------------|
| 1-24-2014 | AmeriServ Financial Bank Johnstown Cambria County | <i>Into:</i> 216 Franklin Street Johnstown Cambria County <i>From:</i> 163 Fairfield Avenue Johnstown Cambria County | Approved |
| 1-24-2014 | CNB Bank Clearfield Clearfield County | <i>Into:</i> One South Second Street Clearfield Clearfield County <i>From:</i> 221 East Cherry Street Clearfield Clearfield County | Filed |

SAVINGS INSTITUTIONS

Conversions

| <i>Date</i> | <i>Name and Location of Applicant</i> | <i>Action</i> |
|-------------|---|---------------|
| 1-24-2014 | <p><i>From:</i> ESSA Bank and Trust Stroudsburg Monroe County</p> <p><i>To:</i> ESSA Bank and Trust Stroudsburg Monroe County</p> <p>Application for approval to convert from a Pennsylvania State-chartered savings and loan association to a Pennsylvania State-chartered savings bank.</p> | Approved |
| 1-24-2014 | <p><i>From:</i> Fidelity Savings and Loan Association of Bucks County Bristol Bucks County</p> <p><i>To:</i> Fidelity Savings and Loan Association of Bucks County Bristol Bucks County</p> <p>Application for approval to convert from a Pennsylvania State-chartered savings and loan association to a Pennsylvania State-chartered savings bank.</p> | Approved |

CREDIT UNIONS

Consolidations, Mergers and Absorptions

| <i>Date</i> | <i>Name and Location of Applicant</i> | <i>Action</i> |
|-------------|--|---------------|
| 1-24-2014 | <p>PPL Gold Credit Union Allentown Lehigh County</p> <p>Application for approval to merge Keystone First Federal Credit Union, Hazleton, with and into PPL Gold Credit Union, Allentown.</p> | Approved |

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

GLENN E. MOYER,
Secretary

[Pa.B. Doc. No. 14-286. Filed for public inspection February 7, 2014, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Request for Bids

The Department of Conservation and Natural Resources is soliciting bids for the following projects. Bid documents can be obtained from the Administrative Services Section, Bureau of Facility Design and Construction, (717) 787-5055:

FDC-018-6630.1—Jefferson Tract—Structure No. 18-9006, Access Road and Culvert Construction over Tributary to Bear Creek, Forest District 18, Weiser State Forest, South Manheim Township, Schuylkill County. Work included under this contract consists of construction of a forestry access road with bituminous and driving surface aggregate paving, guiderail and a corrugated metal plate arch culvert with cast-in-place concrete headwalls, pre-cast concrete wingwalls and rock protection.

FDC-010-100091.1—Gabion Abutments Snowmobile Trail over West Branch Lick Run and Lick Run, Sproul State Forest, Gallagher Township, Clinton County. Work

included under this contract consists of moving two steel stringer bridges, constructing new gabion abutments with concrete beam seats and rip rap, reinstalling the two steel stringer bridges and regarding the trail.

Responsive bidders must hold a current small business certification from the Department of General Services (DGS).

FDC-012-7432.2—HVAC Modifications to Tiadaghton Resource Management Center, Tiadaghton State Forest, Cummings Township, Lycoming County. Work included under this contract consists of lowering the noise that the existing HVAC system produces in office spaces. Work will include providing acoustical lining in existing ductwork, installing baffles/curtains, installing sound dissipating louvers, replacing acoustical ceiling tile and installing polyurethane foam between joist spaces.

Responsive bidders must hold a current small business certification from the DGS.

Bid documents will be available on or after February 12, 2014. The bid opening will be held on March 13, 2014.

ELLEN FERRETTI,
Secretary

[Pa.B. Doc. No. 14-287. Filed for public inspection February 7, 2014, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications

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

| <i>NPDES No. (Type)</i> | <i>Facility Name & Address</i> | <i>County & Municipality</i> | <i>Stream Name (Watershed No.)</i> | <i>EPA Waived Y/N?</i> |
|-----------------------------|---|--|--|----------------------------|
| PA0050644 (IW) | East Greenville Water Filtration Plant 206 Main Street East Greenville, PA 18041 | Montgomery County Upper Hanover Township | Perkiomen Creek (3-E) | Y |

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 & Address</i> | <i>County & Municipality</i> | <i>Stream Name (Watershed No.)</i> | <i>EPA Waived Y/N?</i> |
|-----------------------------|---|--|--|----------------------------|
| PA0061212 (Sewage) | Mik-Joan, Inc. 655 Route 61 Orwigsburg, PA 17961-2231 | Schuylkill County North Manheim Township | Mahannon Creek (3-A) | Y |
| PA0060712 (Sewage) | Grace & Truth Evangelistic Association—Rock Mountain Bible Camp P.O. Box 64 South Gibson, PA 18842-0064 | Susquehanna County Gibson Township | Unnamed Tributary to Tunkhannock Creek (04F) | Y |

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

| <i>NPDES No. (Type)</i> | <i>Facility Name & Address</i> | <i>County & Municipality</i> | <i>Stream Name (Watershed #)</i> | <i>EPA Waived Y/N?</i> |
|-----------------------------|--|--------------------------------------|--------------------------------------|----------------------------|
| PA0246611 (Sew) | Strausstown Borough PO Box 325 Strausstown, PA 19559 | Berks County Strausstown Borough | Jackson Creek / 3-C | Y |

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

| <i>NPDES No. (Type)</i> | <i>Facility Name & Address</i> | <i>County & Municipality</i> | <i>Stream Name (Watershed No.)</i> | <i>EPA Waived Y/N?</i> |
|-----------------------------|--|---|---|----------------------------|
| PA0217841 (Sewage) | Ryerson St Park STP 361 Bristonia Road Wind Ridge, PA 15308-1258 | Greene County Richhill Township | North Fork Dunkard Fork (20-E) | Y |
| PA0253804 | Goulding SRSTP Weinman Road Pittsburgh, PA 15237 | Allegheny County Franklin Park Borough | East Branch Big Sewickley Creek (20-G) | Y |
| PA0253758 | Sirochman SRSTP Riddlemoser Road New Baltimore, PA 15553 | Somerset County Allegheny Township | Unnamed Tributary to Raystown Branch Juniata River (11-C) | Y |
| PA0093726 (Sewage) | Armstrong School District 410 Main Street Ford City, PA 16226 | Armstrong County Kittanning Township | Rupp Run (17-E) | Y |

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

| <i>NPDES No. (Type)</i> | <i>Facility Name & Address</i> | <i>County & Municipality</i> | <i>Stream Name (Watershed#)</i> | <i>EPA Waived Y/N?</i> |
|-----------------------------|---|--------------------------------------|---|----------------------------|
| PAS208302 (IW) | Keystone Powdered Metal Lewis Run, 8 Hanley Drive, Lewis Run, PA 16738 | McKean County Lewis Run Borough | Unnamed tributary to the East Branch Tunungwant Creek (16-C) | Y |
| PA0222801 (Sew) | Sarah Heinz House Camp Heinz Camp Road, Pittsburgh PA 15212 | Lawrence County Wayne Township | Slippery Rock Creek (20-C) | Y |

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

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

PA0095087, Sewage, **Chippewa Township Sanitary Authority**, 2811 Darlington Road, Beaver Falls, PA 15010-1027. Facility Name: Chippewa Township Sanitary Authority STP. This existing facility is located in Chippewa Township, **Beaver County**.

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

The receiving stream(s), Brady Run, is located in State Water Plan watershed 20-B and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 2.13 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 | 4.0 | XXX | XXX | XXX |
| Total Residual Chlorine | XXX | XXX | XXX | 0.5 | XXX | 1.6 |
| CBOD ₅ | 444 | 666 | XXX | 25 | 37.5 | 50 |
| | | Wkly Avg | | | Wkly Avg | |
| BOD ₅ | | | | | | |
| Raw Sewage Influent | Report | Report | XXX | Report | XXX | XXX |
| Total Suspended Solids | | | | | | |
| Raw Sewage Influent | Report | Report | XXX | Report | XXX | XXX |
| Total Suspended Solids | 533 | 799 | XXX | 30 | 45 | 60 |
| | | Wkly Avg | | | Wkly Avg | |
| Fecal Coliform (CFU/100 ml) | | | | | | |
| May 1 - Sep 30 | XXX | XXX | XXX | 200 Geo Mean | XXX | 1,000 |
| Oct 1 - Apr 30 | XXX | XXX | XXX | 2,000 Geo Mean | XXX | 10,000 |
| Total Nitrogen | XXX | XXX | XXX | XXX | Report | XXX |
| Ammonia-Nitrogen | XXX | XXX | XXX | XXX | Report | XXX |
| Total Phosphorus | XXX | XXX | XXX | XXX | Report | XXX |

The EPA Waiver is not in effect.

PA0027243, Sewage, **North Huntingdon Township Municipal Authority**, 11265 Center Highway, North Huntingdon, PA 15642. Facility Name: Youghiogheny STP. This existing facility is located in North Huntingdon Township, **Westmoreland County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 3.313 MGD.

| Parameters | Mass (lb/day) | | | Concentration (mg/l) | | Instant. Maximum |
|-----------------------------|-----------------|---------------|---------|----------------------|---------------------|------------------|
| | Average Monthly | Daily Maximum | Minimum | Average Monthly | Weekly Average | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | Report | XXX | XXX | XXX |
| Total Residual Chlorine | XXX | XXX | XXX | 0.5 | XXX | 1.6 |
| CBOD ₅ | 691.2 | 1,050.6 | XXX | 25 | 38 | 50 |
| | | Wkly Avg | | | | |
| BOD ₅ | | | | | | |
| Raw Sewage Influent | Report | Report | XXX | Report | XXX | XXX |
| Total Suspended Solids | | | | | | |
| Raw Sewage Influent | Report | Report | XXX | Report | XXX | XXX |
| Total Suspended Solids | 829.4 | 1,244.1 | XXX | 30 | 45 | 60 |
| | | Wkly Avg | | | | |
| Fecal Coliform (CFU/100 ml) | | | | | | |
| May 1 - Sep 30 | XXX | XXX | XXX | 200 Geo Mean | XXX | 1,000 |
| Oct 1 - Apr 30 | XXX | XXX | XXX | 2,000 Geo Mean | XXX | 10,000 |
| Total Nitrogen | XXX | XXX | XXX | XXX | Report Daily Max | XXX |
| Ammonia-Nitrogen | Report | XXX | XXX | Report | XXX | Report |
| Total Phosphorus | XXX | XXX | XXX | XXX | Report Daily Max | XXX |

The EPA Waiver is not in effect.

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

PA0013285, Industrial Waste, SIC Code 4941, **Aqua Pennsylvania, Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3489. Facility Name: Pickering Creek Water Treatment Plant. This existing facility is located in Schuylkill Township, **Chester County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge at Outfall 002 from residual lagoons that receive filter backwash, clarifier and sedimentation cleaning washwater, filter press filtrate, thickeners decant/overflow.

The receiving stream(s), Pickering Creek and Schuylkill River, is located in State Water Plan watershed 3-D 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 002 are based on a design flow of 2.1 MGD.

| <i>Parameters</i> | <i>Mass (lb/day)</i> | | | <i>Concentration (mg/l)</i> | | |
|--|----------------------|----------------|-----------------|-----------------------------|----------------|-----------------|
| | <i>Average</i> | <i>Daily</i> | <i>Instant.</i> | <i>Average</i> | <i>Daily</i> | <i>Instant.</i> |
| | <i>Monthly</i> | <i>Maximum</i> | <i>Minimum</i> | <i>Monthly</i> | <i>Maximum</i> | <i>Maximum</i> |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Total Residual Chlorine | XXX | XXX | XXX | 0.5 | XXX | 1.0 |
| CBOD ₅ | XXX | XXX | XXX | 25 | 40 | 50 |
| Total Suspended Solids | XXX | XXX | XXX | 30 | 60 | 75 |
| Total Aluminum | XXX | XXX | XXX | 4.0 | 8.0 | 10.0 |
| Total Iron | XXX | XXX | XXX | 2.0 | 4.0 | 5.0 |
| Total Manganese | XXX | XXX | XXX | 1.0 | 2.0 | 2.5 |
| Total Manganese (Sediment Basin Cleaning) | XXX | XXX | XXX | XXX | 4.0 | XXX |

The proposed effluent limits for Outfalls 003, 004, 005, and 006 (during emergency situation only), consisting of finished chlorinated water, are as follows:

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

The discharge from Outfalls 007, 008, and 009 consist solely of uncontaminated groundwater. There are no proposed effluent limits for these outfalls.

The discharge from Outfall 010 consists of the traveling intake screen washwater. There are no proposed effluent limits for these outfalls.

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

- Necessary property rights
- Proper sludge disposal
- NPDES conditions supersede previous permits
- BAT/BCT reopener clause
- Requirement for chlorinated water discharge
- Submit updated PPC Plan
- Sedimentation basin cleaning requirements

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

The EPA Waiver is in effect.

PA0054186, Sewage, SIC Code 9223, **PA Department of Corrections—Graterford**, PO Box 246, Collegeville, PA 19426-0246. Facility Name: SCI Graterford WWTP. This existing facility is located in Skippack Township, **Montgomery 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 Tributaries to Perkiomen Creek, is located in State Water Plan watershed 3-E and is classified for Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.5 MGD.

| <i>Parameters</i> | <i>Mass (lb/day)</i> | | | <i>Concentration (mg/l)</i> | | |
|-------------------|----------------------|----------------|----------------|-----------------------------|----------------|-----------------|
| | <i>Average</i> | <i>Weekly</i> | <i>Minimum</i> | <i>Average</i> | <i>Weekly</i> | <i>Instant.</i> |
| | <i>Monthly</i> | <i>Average</i> | <i>Minimum</i> | <i>Monthly</i> | <i>Average</i> | <i>Maximum</i> |
| Flow (MGD) | Report | XXX | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | 6.0 | XXX | XXX | XXX |
| | | | Inst Min | | | |

| Parameters | Mass (lb/day) | | | Concentration (mg/l) | | Instant. Maximum |
|---|-----------------|----------------|---------|----------------------|----------------|------------------|
| | Average Monthly | Weekly Average | Minimum | Average Monthly | Weekly Average | |
| Total Residual Chlorine | XXX | XXX | XXX | 0.01 | XXX | 0.03 |
| CBOD ₅ | | | | | | |
| Influent | Report | XXX | XXX | Report | XXX | XXX |
| CBOD ₅ | 313 | 500 | XXX | 25 | 40 | 50 |
| BOD ₅ | | | | | | |
| Influent | Report | XXX | XXX | Report | XXX | XXX |
| Total Suspended Solids | | | | | | |
| Influent | Report | XXX | XXX | Report | XXX | XXX |
| Total Suspended Solids | 375 | 563 | XXX | 30 | 45 | 60 |
| Total Dissolved Solids | XXX | XXX | XXX | Report | XXX | XXX |
| Fecal Coliform (CFU/100 ml) | XXX | XXX | XXX | 200 | XXX | 1,000 |
| | | | | Geo Mean | | |
| Ammonia-Nitrogen | | | | | | |
| May 1 - Oct 31 | 19 | XXX | XXX | 1.5 | XXX | 3.0 |
| Nov 1 - Apr 30 | 38 | XXX | XXX | 3.0 | XXX | 6.0 |
| Total Phosphorus | 12.5 | XXX | XXX | 1.0 | XXX | 2.0 |
| Total Copper | XXX | XXX | XXX | Report | XXX | XXX |
| Total Iron | | | | | | |
| (Interim) | XXX | XXX | XXX | Report | Report | XXX |
| (Daily Max) | | | | | Daily Max | |
| (Final) | XXX | XXX | XXX | 1.5 | 3.0 | 3.75 |
| | | | | | Daily Max | |
| Total Lead | XXX | XXX | XXX | Report | XXX | XXX |
| Total Zinc | XXX | XXX | XXX | Report | XXX | XXX |
| Hardness, Total (as CaCO ₃) | XXX | XXX | XXX | Report | XXX | XXX |
| Chronic Toxicity— | | | | | | |
| Ceriodaphnia Survival (TUc) | XXX | XXX | XXX | Report | XXX | XXX |
| (Daily Max) | | | | Daily Max | | |
| Ceriodaphnia Reproduction (TUc) | XXX | XXX | XXX | Report | XXX | XXX |
| (Daily Max) | | | | Daily Max | | |
| Pimephales Survival (TUc) | XXX | XXX | XXX | Report | XXX | XXX |
| (Daily Max) | | | | Daily Max | | |
| Pimephales Growth (TUc) | XXX | XXX | XXX | Report | XXX | XXX |
| (Daily Max) | | | | Daily Max | | |

The proposed effluent limits for Outfall 002 are based on stormwater discharge.

| Parameters | Mass (lb/day) | | | Concentration (mg/l) | | Instant. Maximum |
|------------------------|-----------------|----------------|---------|----------------------|---------------|------------------|
| | Average Monthly | Weekly Average | Minimum | Average Monthly | Daily Maximum | |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Total Suspended Solids | XXX | XXX | XXX | XXX | 50 | XXX |

The proposed effluent limits for Outfall 003 are based on stormwater discharge.

| Parameters | Mass (lb/day) | | | Concentration (mg/l) | | Instant. Maximum |
|-----------------------------|-----------------|----------------|---------|----------------------|---------------|------------------|
| | Average Monthly | Weekly Average | Minimum | Average Monthly | Daily Maximum | |
| Flow (MGD) | Report | XXX | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| CBOD ₅ | XXX | XXX | XXX | Report | Report | XXX |
| Chemical Oxygen Demand | XXX | XXX | XXX | Report | XXX | XXX |
| | | | | Annl Avg | | |
| Total Suspended Solids | XXX | XXX | XXX | Report | Report | XXX |
| Total Dissolved Solids | XXX | XXX | XXX | Report | Report | XXX |
| Oil and Grease | XXX | XXX | XXX | Report | XXX | XXX |
| | | | | Annl Avg | | |
| Fecal Coliform (CFU/100 ml) | XXX | XXX | XXX | Report | XXX | XXX |
| | | | | Annl Avg | | |
| Total Kjeldahl Nitrogen | XXX | XXX | XXX | Report | XXX | XXX |
| | | | | Annl Avg | | |
| Total Phosphorus | XXX | XXX | XXX | Report | XXX | XXX |
| | | | | Annl Avg | | |
| Dissolved Iron | XXX | XXX | XXX | Report | XXX | XXX |
| | | | | Annl Avg | | |
| Total Potassium | XXX | XXX | XXX | Report | Report | XXX |
| Total Sodium | XXX | XXX | XXX | Report | Report | XXX |

| Parameters | Mass (lb/day) | | | Concentration (mg/l) | | Instant. Maximum |
|---|--------------------|-----|---------|----------------------|------------------|---------------------|
| | Average Monthly | | Minimum | Average Monthly | Daily Maximum | |
| Chloride | XXX | XXX | XXX | Report | Report | XXX |
| Hardness, Total (as CaCO ₃) | XXX | XXX | XXX | Report | Report | XXX |

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

- No Stormwater to Sanitary Sewers
- Necessary Property Rights
- Proper Sludge Disposal
- Optimize TRC Usage
- Small Stream Discharge
- Notification of Responsible Operator
- Develop O&M Plan
- Outfall 001 Discharge
- Solids Management
- Whole Effluent Toxicity
- TRC Limits Below Detection Limits
- Stormwater Discharge Requirements

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

The EPA Waiver is not in effect.

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

PA0064297, Sewage, SIC Code 4952, **Borough of Portland**, 206 Division Street, Portland, PA 18351. Facility Name: Borough of Portland WWTP. This existing facility is located in the Borough of Portland, **Northampton 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, the Delaware River, is located in State Water Plan watershed 01F 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 0.105 MGD.

| Parameters | Mass (lb/day) | | | Concentration (mg/l) | | Instant. Maximum |
|------------------------------------|--------------------|---------------------|---------|----------------------|-------------------|---------------------|
| | Average Monthly | Weekly Average | Minimum | Average Monthly | Weekly Average | |
| Flow (MGD) | Report | Report Daily Max | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | 6.0 | XXX | XXX | XXX |
| CBOD ₅ | 8.8 | 13.1 | XXX | 10.0 | 15.0 | 20.0 |
| BOD ₅ Influent | Report | Report Daily Max | XXX | Report | XXX | XXX |
| Total Suspended Solids Influent | Report | Report Daily Max | XXX | Report | XXX | XXX |
| Total Suspended Solids | 8.8 | 13.1 | XXX | 10.0 | 15.0 | 20.0 |
| Total Dissolved Solids | XXX | XXX | XXX | Report | XXX | 1,000 |
| Fecal Coliform (CFU/100 ml) | XXX | XXX | XXX | 50 Geo Mean | XXX | 250 |
| Nitrite-Nitrate as N | Report | XXX | XXX | Report | XXX | XXX |
| Total Nitrogen | 8.8 | XXX | XXX | 10.0 | XXX | 20.0 |
| Ammonia-Nitrogen | 1.3 | XXX | XXX | 1.5 | XXX | 3.0 |
| Total Kjeldahl Nitrogen | Report | XXX | XXX | Report | XXX | XXX |
| Total Phosphorus | 1.8 | XXX | XXX | 2.0 | XXX | 4.0 |

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.

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

PA0084328, Sewage, SIC Code 3297, **Magnesita Refractories Company**, 425 South Salem Church Road, York, PA 17408. Facility Name: Magnesita Refractories. This existing facility is located in West Manchester Township, **York 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 Honey Run, is located in State Water Plan watershed 7-F and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.002 MGD.

| Parameters | Mass (lb/day) | | | Concentration (mg/l) | | |
|-----------------------------|-----------------|---------------|---------|----------------------|---------------|------------------|
| | Average Monthly | Daily Maximum | Minimum | Average Monthly | Daily Maximum | Instant. Maximum |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | 5.0 | XXX | XXX | XXX |
| Total Residual Chlorine | XXX | XXX | XXX | 1.0 | XXX | 2.5 |
| CBOD ₅ | 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 |

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.

PA0027171, Sewage, SIC Code 4952, **Municipal Authority of the Town of Bloomsburg**, 301 E 2nd Street, Bloomsburg, PA 17815-1963. Facility Name: Bloomsburg Municipal Authority Wastewater Treatment Plant. This existing facility is located in the Town of Bloomsburg, **Columbia 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), Susquehanna River, is located in State Water Plan watershed 5-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 4.29 MGD.

| Parameters | Mass (lb/day) | | | Concentration (mg/l) | | |
|-----------------------------|-----------------|-------------------|---------|----------------------|----------------|------------------|
| | Average Monthly | Daily Maximum | Minimum | Average Monthly | Daily Maximum | Instant. Maximum |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | 5.0 | XXX | XXX | XXX |
| Total Residual Chlorine | XXX | XXX | XXX | 0.24 | XXX | 0.78 |
| CBOD ₅ | 890 | 1,430 Wkly Avg | XXX | 25 | 40 Wkly Avg | 50 |
| BOD ₅ | | | | | | |
| Raw Sewage Influent | Report | Report | XXX | Report | XXX | XXX |
| Total Suspended Solids | 1,070 | 1,610 Wkly Avg | XXX | 30 | 45 Wkly Avg | 60 |
| 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 Geo Mean | XXX | 1,000 |
| Oct 1 - Apr 30 | XXX | XXX | XXX | 2,000 Geo Mean | XXX | 10,000 |
| Ammonia-Nitrogen | Report | XXX | XXX | Report | XXX | XXX |
| Total Antimony (µg/L) | Report | Report | XXX | Report | Report | XXX |
| Total Arsenic (µg/L) | Report | Report | XXX | Report | Report | XXX |
| Total Cadmium (µg/L) | 0.10 | 0.21 | XXX | 2.95 | 5.90 | 7.37 |
| Hexavalent Chromium (µg/L) | Report | Report | XXX | Report | Report | XXX |

| Parameters | Mass (lb/day) | | | Concentration (mg/l) | | |
|----------------------------------|-----------------|---------------|---------|----------------------|---------------|------------------|
| | Average Monthly | Daily Maximum | Minimum | Average Monthly | Daily Maximum | Instant. Maximum |
| Total Cobalt | 5.36 | 10.73 | XXX | 0.15 | 0.30 | 0.37 |
| Total Copper (µg/L) | 0.97 | 1.94 | XXX | 27.24 | 54.48 | 68.1 |
| Total Thallium (µg/L) | 0.10 | 0.20 | XXX | 2.93 | 5.86 | 7.32 |
| 3,3-Dichlorobenzidine (µg/L) | 0.07 | 0.15 | XXX | 2.15 | 4.30 | 5.37 |
| Pentachlorophenol (µg/L) | 0.52 | 1.40 | XXX | 14.65 | 39.30 | 36.62 |
| Acrolein (µg/L) | 0.3 | 0.6 | XXX | 8.40 | 16.80 | 21.00 |
| Acrylonitrile (µg/L) | 0.18 | 0.37 | XXX | 5.22 | 10.44 | 13.05 |
| Hexachlorobenzene (µg/L) | 0.0007 | 0.001 | XXX | 0.02 | 0.05 | 0.07 |
| Benzo(a)Anthracene (µg/L) | 0.01 | 0.02 | XXX | 0.39 | 0.78 | 0.97 |
| Benzo(a)Pyrene (µg/L) | 0.01 | 0.02 | XXX | 0.39 | 0.78 | 0.97 |
| Benzo(k)Fluoranthene (µg/L) | 0.01 | 0.02 | XXX | 0.39 | 0.78 | 0.97 |
| 3,4-Benzofluoranthene (µg/L) | 0.07 | 0.15 | XXX | 2.15 | 4.30 | 5.37 |
| Bis(2-Chloroethyl)Ether (µg/L) | 0.10 | 0.21 | XXX | 3.07 | 6.14 | 7.67 |
| Chrysene (µg/L) | 0.01 | 0.02 | XXX | 0.39 | 0.78 | 0.97 |
| Dibenzo(a,h)Anthracene (µg/L) | 0.01 | 0.02 | XXX | 0.39 | 0.78 | 0.97 |
| Hexachlorobutadiene (µg/L) | 0.60 | 1.20 | XXX | 16.80 | 33.6 | 42.00 |
| Hexachlorocyclopentadiene (µg/L) | 0.30 | 0.60 | XXX | 8.40 | 16.80 | 21.00 |
| Indeno(1,2,3-cd)Pyrene (µg/L) | 0.01 | 0.02 | XXX | 0.39 | 0.78 | 0.97 |
| N-Nitrosodimethylamine (µg/L) | 0.002 | 0.005 | XXX | 0.07 | 0.14 | 0.17 |
| N-Nitrosodi-N-Propylamine (µg/L) | 0.01 | 0.03 | XXX | 0.51 | 1.02 | 1.27 |
| Phenanthrene (µg/L) | 0.30 | 0.60 | XXX | 8.40 | 16.80 | 21.00 |
| Vinyl Chloride (µg/L) | Report | Report | XXX | Report | Report | XXX |

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

| Parameters | Mass (lbs) | | | Concentration (mg/l) | |
|----------------------|------------|--------|---------|----------------------|---------|
| | Monthly | Annual | Minimum | Monthly Average | Maximum |
| Ammonia—N | Report | Report | | Report | |
| Kjeldahl—N | Report | | | Report | |
| Nitrate-Nitrite as N | Report | | | Report | |
| Total Nitrogen | Report | Report | | Report | |
| Total Phosphorus | Report | Report | | Report | |
| Net Total Nitrogen | Report | 78355 | | | |
| Net Total Phosphorus | Report | 10447 | | | |

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

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

The EPA Waiver is not in effect.

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

PA0103632, Industrial Waste, SIC Code 4911, **Piney Creek, LP & Clarion Altela Environmental Services, LLC**, 428 Power Lane, Clarion, PA 16214-3128. Facility Name: Piney Creek Power Plant. This existing facility is located in Piney Township, **Clarion County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Industrial Waste and stormwater from a waste coal electricity generation plant. A new discharge of treated natural gas-related wastewaters is being added with this renewal.

The receiving streams, the Piney Creek and an Unnamed Tributary to the Piney Creek, are located in State Water Plan watershed 17-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 0.18 MGD.

| Parameters | Mass (lbs/day) | | | Concentration (mg/l) | | |
|-------------------------|-----------------|-----|---------|----------------------|---------------|------------------|
| | Average Monthly | | Minimum | Average Monthly | Daily Maximum | Instant. Maximum |
| Flow (MGD) | Report | XXX | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Total Residual Chlorine | XXX | XXX | XXX | 0.5 | XXX | 1.2 |

| <i>Parameters</i> | <i>Mass (lbs/day)</i> | | | <i>Concentration (mg/l)</i> | | <i>Instant. Maximum</i> |
|-------------------------|------------------------|-----|----------------|-----------------------------|----------------------|-------------------------|
| | <i>Average Monthly</i> | | <i>Minimum</i> | <i>Average Monthly</i> | <i>Daily Maximum</i> | |
| Free Available Chlorine | XXX | XXX | XXX | 0.2 | 0.5 | 0.5 |
| Total Suspended Solids | XXX | XXX | XXX | 30 | 100 | 100 |
| Oil and Grease | XXX | XXX | XXX | 15 | 20 | 20 |
| Total Aluminum | XXX | XXX | XXX | 1.0 | 2.0 | 2.5 |
| Total Iron | XXX | XXX | XXX | 0.5 | 1.0 | 1.25 |
| Total Manganese | XXX | XXX | XXX | 1.0 | 2.0 | 2.5 |

The proposed effluent limits for Outfall 002 are based on a design flow of 0.000000 MGD.

| <i>Parameters</i> | <i>Mass (lbs/day)</i> | | | <i>Concentration (mg/l)</i> | | <i>Instant. Maximum</i> |
|------------------------|------------------------|-----|----------------|-----------------------------|-----|-------------------------|
| | <i>Average Monthly</i> | | <i>Minimum</i> | <i>Average Monthly</i> | | |
| Flow (MGD) | Report | XXX | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Total Suspended Solids | XXX | XXX | XXX | XXX | XXX | 50 |

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

| <i>Parameters</i> | <i>Mass (lbs/day)</i> | | | <i>Concentration (mg/l)</i> | | <i>Instant. Maximum</i> |
|------------------------|------------------------|-----|----------------|-----------------------------|-----|-------------------------|
| | <i>Average Monthly</i> | | <i>Minimum</i> | <i>Average Monthly</i> | | |
| Flow (MGD) | Report | XXX | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Total Suspended Solids | XXX | XXX | XXX | XXX | XXX | 50 |

The proposed effluent limits for Outfall 004 are based on a design flow of 0.000000 MGD.

| <i>Parameters</i> | <i>Mass (lbs/day)</i> | | | <i>Concentration (mg/l)</i> | | <i>Instant. Maximum</i> |
|------------------------|------------------------|-----|----------------|-----------------------------|-----|-------------------------|
| | <i>Average Monthly</i> | | <i>Minimum</i> | <i>Average Monthly</i> | | |
| Flow (MGD) | Report | XXX | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Total Suspended Solids | XXX | XXX | XXX | XXX | XXX | 50 |

The proposed effluent limits for Outfall 005 are based on a design flow of 0.000000 MGD.

| <i>Parameters</i> | <i>Mass (lbs/day)</i> | | | <i>Concentration (mg/l)</i> | | <i>Instant. Maximum</i> |
|------------------------|------------------------|-----|----------------|-----------------------------|-----|-------------------------|
| | <i>Average Monthly</i> | | <i>Minimum</i> | <i>Average Monthly</i> | | |
| Flow (MGD) | Report | XXX | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Total Suspended Solids | XXX | XXX | XXX | XXX | XXX | 50 |

The proposed effluent limits for Outfall 006 are based on a design flow of 0.000000 MGD.

| <i>Parameters</i> | <i>Mass (lbs/day)</i> | | | <i>Concentration (mg/l)</i> | | <i>Instant. Maximum</i> |
|------------------------|------------------------|-----|----------------|-----------------------------|-----|-------------------------|
| | <i>Average Monthly</i> | | <i>Minimum</i> | <i>Average Monthly</i> | | |
| Flow (MGD) | Report | XXX | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Total Suspended Solids | XXX | XXX | XXX | XXX | XXX | 50 |

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

| <i>Parameters</i> | <i>Mass (lbs/day)</i> | | | <i>Concentration (mg/l)</i> | | <i>Instant. Maximum</i> |
|------------------------|------------------------|-----|----------------|-----------------------------|-----|-------------------------|
| | <i>Average Monthly</i> | | <i>Minimum</i> | <i>Average Monthly</i> | | |
| Flow (MGD) | Report | XXX | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Total Suspended Solids | XXX | XXX | XXX | XXX | XXX | 50 |

The proposed effluent limits for Outfall 101 are based on a design flow of 0.0015 MGD.

| <i>Parameters</i> | <i>Mass (lbs/day)</i> | | | <i>Concentration (mg/l)</i> | | <i>Instant. Maximum</i> |
|------------------------|------------------------|-----|----------------|-----------------------------|-----|-------------------------|
| | <i>Average Monthly</i> | | <i>Minimum</i> | <i>Average Monthly</i> | | |
| Flow (MGD) | Report | XXX | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| CBOD ₅ | XXX | XXX | XXX | 25 | XXX | 50 |
| Total Suspended Solids | XXX | XXX | XXX | 30 | XXX | 60 |

| Parameters | Mass (lbs/day) | | | Concentration (mg/l) | | Instant. Maximum |
|-----------------------------|-----------------|-----|---------|----------------------|-----|------------------|
| | Average Monthly | | Minimum | Average Monthly | | |
| 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 | | |

The proposed effluent limits for Outfall 201 are based on a design flow of 0.000000 MGD.

| Parameters | Mass (lbs/day) | | | Concentration (mg/l) | | Instant. Maximum |
|------------------------|-----------------|-----|---------|----------------------|---------------|------------------|
| | Average Monthly | | Minimum | Average Monthly | Daily Maximum | |
| Flow (MGD) | Report | XXX | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Total Suspended Solids | XXX | XXX | XXX | XXX | XXX | 50 |
| Bromide | XXX | XXX | Report | XXX | XXX | XXX |

The proposed effluent limits for Outfall 301 are based on a design flow of 0.0864 MGD.

| Parameters | Mass (lbs/day) | | | Concentration (mg/l) | | Instant. Maximum |
|-------------------------|-----------------|---------------|---------|----------------------|---------------|------------------|
| | Average Monthly | Daily Maximum | Minimum | Average Monthly | Daily Maximum | |
| Flow (MGD) | Report | XXX | XXX | XXX | XXX | XXX |
| pH | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Free Available Chlorine | XXX | XXX | XXX | 0.2 | 0.5 | 0.5 |
| Total Suspended Solids | 21.6 | 72.0 | XXX | 30.0 | 100.0 | 100.0 |
| Oil and Grease | 10.8 | 14.4 | XXX | 15.0 | 20.0 | 20.0 |
| Total Chromium | XXX | XXX | XXX | 0.2 | 0.2 | 0.5 |
| Total Zinc | XXX | XXX | XXX | 1.0 | 1.0 | 2.5 |

The proposed effluent limits for Outfall 401 are based on a design flow of 0.045 MGD.

| Parameters | Mass (lbs/day) | | | Concentration (mg/l) | | Instant. Maximum |
|-------------------------|-----------------|-----|---------|----------------------|---------------|------------------|
| | Average Monthly | | Minimum | Average Monthly | Daily Maximum | |
| Flow (MGD) | Report | XXX | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Free Available Chlorine | XXX | XXX | XXX | 0.2 | 0.5 | 0.5 |
| Total Suspended Solids | XXX | XXX | XXX | 30.0 | 60.0 | 75.0 |
| Total Aluminum | XXX | XXX | XXX | 4.0 | 8.0 | 10.0 |
| Total Chromium | XXX | XXX | XXX | 0.2 | 0.2 | 0.5 |
| Total Iron | XXX | XXX | XXX | 2.0 | 4.0 | 5.0 |
| Total Manganese | XXX | XXX | XXX | 1.0 | 2.0 | 2.5 |
| Total Zinc | XXX | XXX | XXX | 1.0 | 1.0 | 2.5 |

The proposed effluent limits for Outfall 501 are based on a design flow of 0.0625 MGD.

| Parameters | Mass (lbs/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 |
| BOD ₅ | 27.6 | 41.4 | XXX | 53 | 163 | 203 |
| Total Suspended Solids | 5.8 | 8.8 | XXX | 11.3 | 29.6 | 37.0 |
| Total Dissolved Solids | 260.6 | 390.9 | XXX | 500 | 1,000 | 1,250 |
| Osmotic Pressure (mOs/kg) | XXX | XXX | XXX | 3,571 | 7,142 | 8,927 |
| Oil and Grease | XXX | XXX | XXX | 15 | XXX | 30 |
| Ammonia-Nitrogen | Report | Report | XXX | Report | XXX | Report |
| Total Antimony | 0.0163 | 0.0244 | XXX | 0.0312 | 0.1110 | 0.1387 |
| Total Arsenic | 0.0104 | 0.0156 | XXX | 0.0199 | 0.0993 | 0.1241 |
| Total Barium | 5.2 | 7.8 | XXX | 10 | 20 | 25 |
| Total Cadmium | 0.0053 | 0.0080 | XXX | 0.0102 | 0.0172 | 0.0215 |
| Total Chromium | 0.0272 | 0.0408 | XXX | 0.0522 | 0.1670 | 0.2087 |
| Total Cobalt | 0.0366 | 0.0550 | XXX | 0.0703 | 0.1820 | 0.2275 |
| Total Copper | 0.112 | 0.168 | XXX | 0.216 | 0.659 | 0.823 |
| Total Lead | 0.083 | 0.125 | XXX | 0.16 | 0.35 | 0.43 |
| Total Mercury | 0.000128 | 0.000192 | XXX | 0.000246 | 0.000641 | 0.000801 |
| Total Nickel | 0.161 | 0.241 | XXX | 0.309 | 0.794 | 0.992 |
| Total Selenium | 0.0364 | 0.0546 | XXX | 0.0698 | 0.1760 | 0.2200 |
| Total Silver | 0.0064 | 0.0095 | XXX | 0.0122 | 0.0318 | 0.0397 |

| Parameters | Mass (lbs/day) | | | Concentration (mg/l) | | |
|-------------------------------|-----------------|---------------|---------|----------------------|---------------|------------------|
| | Average Monthly | Daily Maximum | Minimum | Average Monthly | Daily Maximum | Instant. Maximum |
| Total Strontium | 5.2 | 7.8 | XXX | 10 | 20 | 25 |
| Total Uranium (µg/L) | Report | Report | XXX | Report | Report | Report |
| Total Tin | 0.0191 | 0.0287 | XXX | 0.0367 | 0.0955 | 0.1193 |
| Total Titanium | 0.00319 | 0.00479 | XXX | 0.00612 | 0.01590 | 0.01987 |
| Total Vanadium | 0.0270 | 0.0405 | XXX | 0.0518 | 0.0628 | 0.0785 |
| Total Zinc | 0.131 | 0.197 | XXX | 0.252 | 0.657 | 0.821 |
| o-Cresol | 0.292 | 0.438 | XXX | 0.561 | 1.920 | 2.400 |
| 2,4,6-Trichlorophenol | 0.0009 | 0.0014 | XXX | 0.0018 | 0.1550 | 0.1937 |
| Phenol | 0.56 | 0.84 | XXX | 1.08 | 3.65 | 4.56 |
| Acetone | 4.15 | 6.23 | XXX | 7.97 | 30.20 | 37.75 |
| Acetophenone | 0.0293 | 0.0439 | XXX | 0.0562 | 0.1140 | 0.1425 |
| Butyl Benzyl Phthalate | 0.0462 | 0.0694 | XXX | 0.0887 | 0.1880 | 0.2350 |
| Chloride | 130.3 | 195.4 | XXX | 250 | 500 | 625 |
| Bromide | Report | Report | XXX | Report | Report | Report |
| 2-Butanone | 0.96 | 1.44 | XXX | 1.85 | 4.81 | 6.01 |
| Bis(2-Ethylhexyl)Phthalate | 0.052 | 0.079 | XXX | 0.101 | 0.215 | 0.268 |
| Fluoranthene | 0.0140 | 0.0210 | XXX | 0.0268 | 0.0537 | 0.0671 |
| Carbazole | 0.143 | 0.214 | XXX | 0.276 | 0.598 | 0.747 |
| n-Decane | 0.227 | 0.341 | XXX | 0.437 | 0.948 | 1.185 |
| n-Octadecane | 0.157 | 0.236 | XXX | 0.302 | 0.589 | 0.736 |
| p-Cresol | 0.106 | 0.160 | XXX | 0.205 | 0.698 | 0.872 |
| Pyridine | 0.094 | 0.141 | XXX | 0.182 | 0.370 | 0.462 |
| Gross Alpha (pCi/L) | XXX | XXX | XXX | Report | Report | Report |
| Radium 226/228, Total (pCi/L) | XXX | XXX | XXX | Report | Report | Report |

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

- Requirements Applicable to Stormwater Outfalls
- Chapter 95 Requirements
- Chemical Additives
- Requirement to Use eDMR System
- Sedimentation Basin Cleaning

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

The EPA Waiver is not in effect.

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

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

WQM Permit No. WQG02231401, Sewage, **Thornbury Township**, 6 Township Drive, Cheyney, PA 19319.

This proposed facility is located in Thornbury Township, **Delaware County**.

Description of Action/Activity: Construction of public sewers to serve existing properties fronting on Highpoint Drive.

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

WQM Permit No. 6713401, Amendment No. 1, Sewerage, **Samuel L. Shaffer, III**, 584 Bull Run Road, Wrightsville, PA 17368.

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

Description of Proposed Action/Activity: Seeking permit approval to change the treatment filter from an Advantex to an Ecoflo Peat Filter.

IV. NPDES Application for Stormwater Discharges from MS4

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

PAI136107, MS4, **Dunbar Township Fayette County**, 128 Township Drive, Dunbar, PA 15431. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Dunbar Township, **Fayette County**. The receiving stream(s), Dickerson Run, Gist Run, Opossum Run and Youghiogheny River, is located in State Water Plan watershed 19-D and is classified for Trout Stocking, Warm Water Fishes, HQ-WWF, aquatic life, water supply and recreation.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

The EPA waiver is in effect.

PAI136103, MS4, **Edgeworth Borough Allegheny County**, 301 Beaver Road, Edgeworth, PA 15143. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Edgeworth Borough, **Allegheny County**. The receiving streams, Little Sewickley Creek and Ohio River, are located in State Water Plan watershed 20-G and is classified for High Quality Waters—Trout Stocking and Warm Water Fishes, aquatic life, water supply and recreation.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

The EPA waiver is in effect.

V. Applications for NPDES Waiver Stormwater Discharges from MS4

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

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

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|---|---------------|-------------------------|---|
| PAI01 1514004 | E. Kahn Development Corp 55 Country Club Drive Downingtown, PA 19335 | Chester | East Whiteland Township | Unnamed Tributary to Valley Creek EV Valley Creek EV |
| PAI01 1514001 | South Valley Road Partners, LP 950 West Valley Forge Road King of Prussia, PA 19406 | Chester | Tredyffrin Township | Crum Creek HQ—CWF—MF |
| PAI01 4613012 | JERC Partners XIII, L.P. 171 Route 173, Suite 201 Asbury, NJ 08802 | Montgomery | Lower Moreland Township | Huntingdon Valley Creek TSF—MF |

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

| <i>Permit #</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-----------------|---|---------------|-----------------------------------|---|
| PAI030613012 | Shillington DPP VIII LLC 9010 Overlook Boulevard Brentwood, TN 37027 | Berks | Cumru Township | Wyomissing Creek, (HQ-CWF) |
| PAI030613015 | Berks County Parks and Recreation Department 2201 Tulpehocken Road Wyomissing, PA 19601 | Berks | Alsace and Lower Alsace Townships | UNT to Antietam Creek (CWF), Antietam Creek (CWF), Bingaman Run (CWF), Antietam Lake (CWF), Wetlands (EV) |
| PAI032114002 | Robert Derck Charter Homes at Walden, Inc. 1190 Dillerville Road Lancaster, PA 17601 | Cumberland | Silver Spring Township | Trindle Spring Run (HQ-CWF), Hogestown Run (CWF) |
| PAI032113008 | Christopher H. Hoffman 219 North Hanover Street Carlisle, PA 17013 | Cumberland | North Middleton Township | UNT to Letort Spring Run (Designated EV, MF; Existing HQ-EV, MF), Conodoguinet Creek (Designated CWF, MF; Existing HQ-CWF, MF) |
| PAI030613004 | PennDOT Engineering District 5-0 1002 Hamilton Street Allentown, PA 18102 | Berks | Greenwich Township | UNT to Maiden Creek (TSF, MF), UNT to Mill Creek (TSF, MF), EV Wetlands |

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

Cameron County Conservation District: 20 East Fifth Street, Room 105, Emporium, PA 15834 (814) 486-2244, X 5

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|---|---------------|---------------------|---|
| PAI041213001 | PA Dept of Conservation & Natural Resources PO Box 8451 Harrisburg PA 17105 | Cameron | Grove Township | First Fork of Sinnemahoning Creek HQ-TSF |

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

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|--|---------------|-----------------------|--|
| PAI041403017R(3) | PA State University Central Campus 113 Physical Plant Bldg University Park PA 16802 | Centre | State College Borough | Slab Cabin Run CWF Thompson Run HQ-CWF |

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

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|--|---------------|---------------------|------------------------------------|
| PAI041814001 | Triple D Truss Levi J Esh 64 W Dunkle Rd Mill Hall PA 17751 | Clinton | Lamar Township | UNT to Fishing Creek HQ-CWF, MF |

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

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|--|---------------|---------------------|---|
| PAI045314001 | PA Dept of Transportation District 2-0 PO Box 342 Clearfield PA 16830 | Potter | Wharton Township | E Fork Sinnemahoning Creek HQ-CWF |

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

PAG-12 CAFOs

CAFO Notices of Intent Received

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

PAG123775, CAFO, Linford Snyder, 831 Greble Road, Lebanon, PA 17046.

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

Description of Size and Scope of Proposed Operation/Activity: Existing layer operation of 124,000 birds with 416.6 AEUs, including an additional 20 cattle and 40 sheep /goats.

The receiving stream, Mill Creek, is in watershed 3-B, and classified for: TSF.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the state narrative water quality standards.

STATE CONSERVATION COMMISSION

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

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

Based upon preliminary reviews, the State Conservation Commission (SCC) or County Conservation Districts (CCD) working under a delegation agreement with the SCC have completed an administrative review of NMPs described. These NMPs are published as proposed plans for comment prior to taking final actions. The NMPs are available for review at

the CCD office for the county where the agricultural operation is located. A list of CCD office locations is available at <http://www.nacdnet.org/about/districts/directory/pa.phtml> or can be obtained from the SCC at the office address listed or by calling (717) 787-8821.

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

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

APPLICATIONS

NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET

| <i>Agricultural Operation Name and Address</i> | <i>County</i> | <i>Total Acres</i> | <i>Animal Equivalent Units</i> | <i>Animal Type</i> | <i>Special Protection Waters (HQ or EV or NA)</i> | <i>Renewal / New</i> |
|--|---------------|--------------------|--------------------------------|--------------------|---|----------------------|
| Ken Gebhart Blue Berry Hill Farm 2950 Centennial Road Hanover, PA 17331 | Adams | 619.9 | 556.73 | Swine | N/A | Renewal |
| Star Rock Dairy and Star Rock Farms LLC 13845 Ted Wallace Road Brogue, PA 17309 | York | 34.9 | 2,108.5 | Cattle | None | Approved |

PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

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

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

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

SAFE DRINKING WATER

Applications Received Under the Pennsylvania Safe Drinking Water Act

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

Permit No. 5113501 Public Water Supply

| | |
|---------------------------|---|
| Applicant | Philadelphia Water Department |
| City | Philadelphia |
| County | Philadelphia |
| Responsible Official | Philadelphia Water Department 1101 Market Street 2nd Floor Philadelphia, PA 19107-5568 |
| Type of Facility | PWS |
| Consulting Engineer | Arcadis U.S., Inc. 1128 Walnut Street 4th Floor Philadelphia, PA 19107 |
| Application Received Date | November 1, 2013 |
| Description of Action | Replacement of existing Baxter (WTP) clear well basin (CWB) with new 10 MG and construction of a Gate House to control flow into the new CWB. |

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

Application No. 5413510, Public Water Supply.

| | |
|-----------------------|--|
| Applicant | Aqua Pennsylvania Inc. 1 Aqua Way White Haven, PA 18661 |
| [Township or Borough] | Deer Lake Borough, Schuylkill Co. |

Responsible Official Patrick R. Burke
 Type of Facility Public Water System
 Consulting Engineer GHD Jonathan Morris, PE
 326 E. 2nd St.
 Bloomsburg, PA 17815
 Application Received Date December 19, 2013
 Description of Action The construction of a new source, well #2, well station building, and log 4 disinfection at Deer Lake in the Pines Water System.

Southcentral Region: Water Supply Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110

Permit No. 3614504, Public Water Supply.
 Applicant **Department of Environmental Protection**
 Municipality Leacock Township
 County **Lancaster**
 Responsible Official John F Krueger,
 Environmental Program Manager
 909 Elmerton Avenue
 Harrisburg, PA 17110
 Type of Facility Public Water Supply
 Consulting Engineer Steven D Glazier, P.E.
 Leidos Engineering LLC
 Suite 109
 Exton, PA 19341
 Application Received: 1/21/2014
 Description of Action New water treatment system for Leacock Township including 2 wells, a softening system, a nitrate treatment system, a disinfection system, an elevated storage tank and a distribution system.

Application No. 3614502 MA, Minor Amendment, Public Water Supply.
 Applicant **Manheim Borough Authority**
 Municipality Rapho Township
 County **Lancaster**
 Responsible Official David Fenicle,
 Operations Manager
 15 East High Street
 Manheim, PA 17545
 Type of Facility Public Water Supply
 Consulting Engineer Daniel S Hershey
 Rettew Associates Inc
 3020 Columbia Avenue
 Lancaster, PA 17603
 Application Received: 1/8/2014
 Description of Action Conversion from power to liquid fluoride and the relocation of the orthophosphate injection location to before the air stripping tower.

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

Permit No. 2614501, Public Water Supply.
 Applicant **North Fayette County Municipal Authority**
 1634 University Drive
 PO Box 368
 Dunbar, PA 15401
 [Township or Borough] Dunbar Township
 Responsible Official Robert S. Softcheck,
 General Manager
 North Fayette County
 Municipal Authority
 1634 University Drive
 PO Box 368
 Dunbar, PA 15401
 Type of Facility Water system
 Consulting Engineer
 Application Received Date January 28, 2014
 Description of Action Construction of a water booster station.

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

Application No. 3514501, Minor Amendment.
 Applicant **PA American Water Company**
 [Township or Borough] Archbald Borough
Lackawanna County
 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 Archbald 1.0 MG (White Oak) storage tank. Minor rehabilitation of the tank is also proposed.

Application No. 391450, Minor Amendment.
 Applicant **Upper Saucon Township**
 5500 Camp Meeting Road
 Center Valley, PA 18034
 [Township or Borough] Upper Saucon Township
Lehigh County
 Responsible Official Mr. Thomas Beil Township
 Manager

Type of Facility Public Water Supply
 Consulting Engineer Mr. Steven Henning, PE.
 The Pidcock Company
 2451 Parkwood Drive
 Allentown, PA 18103

Application Received Date December 26, 2013

Description of Action This project provides for the change in disinfection of the water supply from gas chlorination to sodium hypochlorite.

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

Application No. 1114501MA, Minor Amendment.

Applicant **The Municipal Authority of the Borough of Portage**
 606 Cambria Street
 Portage, PA 15946

[Township or Borough] Portage Township

Responsible Official Raymond Bowman, President
 The Municipal Authority of the Borough of Portage
 606 Cambria Street
 Portage, PA 15946

Type of Facility Water system

Consulting Engineer The EADS Group, Inc.
 450 Aberdeen Drive
 Somerset, PA 15501

Application Received Date January 24, 2014

Description of Action Installation of 6-inch diameter waterline along Plane Road and Front Avenue.

Application No. 2614502MA, Minor Amendment.

Applicant **Municipal Authority of Westmoreland County**
 124 Park & Pool Road
 New Stanton, PA 15672

[Township or Borough] Portage Township

Responsible Official John Ashton, Assistant Manager
 Municipal Authority of Westmoreland County
 124 Park & Pool Road
 New Stanton, PA 15672

Type of Facility Water system

Consulting Engineer Gibson Thomas Engineering Co., Inc.
 1004 Ligonier Street
 PO Box 853
 Latrobe, PA 15650

Application Received Date January 23, 2014

Description of Action Installation of 8-inch diameter waterline along SR 189 and township roads 812, 752 and 979.

Application No. 0214501MA, Minor Amendment.

Applicant **Hampton Shaler Water Authority**
 PO Box 66
 3101 McCully Road
 Allison Park, PA 15101

[Township or Borough] Shaler Township

Responsible Official Samuel Scarfone,
 Executive Director
 Hampton Shaler Water Authority
 PO Box 66
 3101 McCully Road
 Allison Park, PA 15101

Type of Facility Water system

Consulting Engineer KLH Engineers, Inc.
 5173 Campbells Run Road
 Pittsburgh, PA 15205

Application Received Date January 28, 2014

Description of Action Painting of the James Street water storage tank.

Application No. 0214502MA, Minor Amendment.

Applicant **Hampton Shaler Water Authority**
 PO Box 66 3101 McCully Road
 Allison Park, PA 15101

[Township or Borough] Shaler Township

Responsible Official Samuel Scarfone,
 Executive Director
 Hampton Shaler Water Authority
 PO Box 66
 3101 McCully Road
 Allison Park, PA 15101

Type of Facility Water system

Consulting Engineer KLH Engineers, Inc.
 5173 Campbells Run Road
 Pittsburgh, PA 15205

Application Received Date January 28, 2014

Description of Action Painting of the Mary Ann water storage tank.

WATER ALLOCATIONS

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

Southcentral Region: Water Supply Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200

WA 67-266 E, Water Allocations. Borough of Hanover, York County. The applicant is requesting the right to withdraw up to 10.1 million gallons per day (mgd) for public water supply purposes from an existing intake at Kitzmiller Dam on the South Branch of Conewago Creek, Union Township, Adams County and 4.8 mgd from an existing intake on an unnamed tributary (informally known as Slagle Run) to the South Branch of Conewago Creek, Oxford Township, Adams County for a maximum total daily withdraw from both intakes not to exceed 10.1 mgd. Consulting Engineer: Michael J Mehaffey, Gannett Fleming, Inc. Application Received: 9/17/2013.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 1

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

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

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

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

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

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

Rite Aid 2451, 5214-30 Baltimore Avenue, **City of Philadelphia, Philadelphia County**. Mike Beardsley, BL companies, 4242 Carlisle Pike, Suite 260, Camp Hill, PA 17011 on behalf of Loren Aloi, Rite Aid Corporation, 30 Hunter Lane, Camp Hill, PA 17011 has submitted a Notice of Intent to Remediate. Soil at the site and groundwater has been impacted with the release of leaded/unleaded gasoline, lubricating oil, new oil and used oil. The intended future use of the property will remain the same. The Notice of Intent to Remediate was published in the *Philadelphia Daily News* on November 22, 2013. PF687878

Pfeifer Estate Residence, Tincum Township, **Bucks County**. Amleto a. Pucci, Jr., Ph. D., P.E., B&B Diversified Enterprises, Inc., PO Box 188, Gwynedd, PA 19436, Scott A. Alderfer, P.G., B&B Diversified Enterprises, Inc., P.O. Box 188, Gwynedd, PA 19436 on behalf of D. Rodman Eastburn, Esq., Estate of Philip W. Pfeifer III, 60 East Court Street, P.O. Box 1389, Doylestown, PA 18901 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of no. 2 fuel oil. The site is a single-family, residential dwelling and will continue as such in the future. The Notice of Intent to Remediate was published in the *Bucks County Intelligencer* on November 5, 2013. PF763607

Flourtown Shopping Center, 1874 Bethlehem Pike, Springfield Township, **Montgomery County**. Christina M. Helms, P.G. Penn Environmental & Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Rich Woodie, Federal Realty Investment Trust, 1626 East Jefferson Street, Rockville, MD 20852 has submitted a Notice of Intent to Remediate. Soil and the site have been impacted with the release of PCE, TCE and cis-1, 2, dichloromethane. The intended future use of the site will be for non-residential purpose. The Notice of Intent to Remediate was published in the *Springfield Sun* on November 10, 2013. PF771232

(UPDATE) Sears Logistics Services Terminal Freight, 3820 North 2nd Street, City of Philadelphia, **Philadelphia County**. Heidi Gahnz, Resource Control Consultants, LLC, PO Box 180, Moorestown, NJ 08057 on behalf of Scott Taylor, Sears Holdings Management Corporation, Department 766X, 3333 Beverly Road, B5-335A, Hoffman Estates, IL 60179 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of no. 2 fuel oil. The anticipated future use of the site is non-residential. PF 619022

GE Static Power Site, Borough of Collingdale, **Delaware County**. Michael F. Bedard, ARCADIS U.S., 10 Friends Lane, Suite 200, Newtown, PA 18940, Ed Kolodziej, General Electric Company, 640 Freedom Business Center, King of Prussia, PA 19406 on behalf of Brian Zubatvch, 217 Realty LLC, 2320 Haverford Road, Suite 200, Ardmore, PA 19003 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of voc's. The proposed future use of the site will be non-residential for continued use as a commercial property. PF702666

715 State Road Property, 715 State Road, Penn Township, **Chester County**. Jamie Kleinle, Barry Isett & Associates, 85 South Route 100, Allentown, PA 18106 on

behalf of Mary Anne Suiter, 357 Little Egypt Road, Elkton, MD 21921 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The future uses of the property will remain residential. PF771472

(Modified) 1900 & 1820 West Allegheny Avenue, City of Philadelphia, Philadelphia County. William F. Schmidt, PE, Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104, Paul Martino, Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104 on behalf of R. Max Kent, New Courtland Elder Services, 6950 Germantown Avenue, Philadelphia, PA 19119 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of pahs, pp metals. The future use of the site will remain the same. PF765076

CVS/Wawa Grant & Academy, 3331 Grant Avenue, City of Philadelphia, Philadelphia County. Justin R. Lauterbach, RT Environmental Services, Inc., 591 East Maiden Street, Washington, PA 15301 on behalf of John Zaharchuk, Summit Realty Advisor, LLC 201 South Maple Avenue, Suite 100, Ambler, PA 19002 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of arsenic. The proposed future use of the property will be commercial, and a CVS Pharmacy and Wawa Convenience Store will be constructed at the property. PF770958

Jiffy Lube, 392 Doylestown Road, Montgomery Township, Montgomery County. Richard Cerbone, P.G., Sovereign Consulting, Inc., 111 A North Gold Drive, Robbinsville, NJ 08691, William Kramer, Sovereign Consulting, Inc., 111 A. North Gold Drive, Robbinsville, NJ 08691 on behalf of Rob Rule, Jiffy Lube Inc., 3139 Village Drive, Waynesboro, VA 22980 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of chlorinated solvents. The site is currently an active Jiffy Lube care service location consisting of a single station building with maintenance/repair bays. PF755286

Cipolline Residence, 11 Spring Lane, Lower Makefield Township, Bucks County. Greg Van Hook, INTEX Environmental Group, Inc., 6907A Easton Road, Pipersville, PA 18947 on behalf of Elizabeth Cipollini, 11 Spring Lane, Yardley, PA 19067 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of no.2 fuel oil. The future use of the site will remain the same. PF770459

DETERMINATION FOR APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

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

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. WMGR098D006. Frush Valley Holdings, LLC, 100 Cleveland Avenue, Reading, PA 19605, Berks County. The Department of Environmental Protection, Bureau of Waste Management has received an application for renewal of a determina-

tion of applicability under General Permit WMGR098. General Permit No. WMGR098 permits the beneficial use of waste foundry system sand and sand system dusts generated by ferrous metal foundries and steel foundries for use as a construction material, or as a soil additive or soil amendment. The determination of applicability application was determined administratively complete on January 21, 2014.

Persons interested in obtaining more information about the general permit application may contact Scott E. Walters, Chief, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

NEW SOURCES AND MODIFICATIONS

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

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

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

Persons wishing to receive a copy of a proposed Plan Approval or Operating Permit shall indicate interests to the Department regional office within 30 days of the date of this notice and shall file protests or comments on a proposed Plan Approval or Operating Permit within 30 days of the Department providing a copy of the proposed documents to persons or within 30 days of its publication in the *Pennsylvania Bulletin*, whichever comes first. Interested persons may also request that hearings be held concerning a proposed Plan Approval or Operating Permit. A comment or protest filed with the Department regional office shall include a concise statement of the objections to the issuance of the Plan Approval or Operating Permit and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior the date of the hearing.

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

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

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

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

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

05-05014B: WSI Sandy Run Landfill, Inc. (995 Landfill Road, Hopewell, PA 16650) for their municipal solid waste landfill located in Broad Top Township, **Bedford County**.

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

Plan Approval No. 05-05014B will establish Title V operating permit requirements pertinent to NSPS Subpart WWW and NESHAPS Subpart AAAA for the landfill expansion now in progress. The landfill expansion was previously authorized under Plan Approval No. 05-05014A issued November 30, 2010. The landfill has recently begun placing solid waste in the expansion area which triggered the Title V permit requirements. 40 CFR Part 60, Subpart WWW—Standards of Performance for Municipal Solid Waste Landfills and 40 CFR Part 63, Subpart AAAA—National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills impose emission restrictions, work practice standards, testing, monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Facility emissions are limited to 101 tons per year for particulate matter, 22 tons per year for volatile organic compounds and 36 tons per year for carbon monoxide.

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.

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

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

67-05016G: R. H. Sheppard Company, Inc. (P.O. Box 877, Hanover, PA 17331) for the construction of the following: a molding/pouring/cooling/shakeout line controlled by four fabric collectors in parallel; a shotblast machine controlled by a cartridge collector; and a cold box coremaking machine controlled by a packed bed gas scrubber, at its iron foundry in Hanover Borough, **York County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received an application and intends to issue a Plan Approval to the abovementioned company for the abovementioned project. This Plan Approval will be incorporated into the company's Title V Operating Permit via an administrative amendment at a later date.

Plan Approval No. 67-05016G authorizes the construction of the abovementioned sources. All of the abovementioned sources will be subject to the requirements of 40 CFR Part 63, Subpart ZZZZZ—National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries Area Sources (MACT Subpart ZZZZZ). The Plan Approval and Title V Operating Permit will contain emission restrictions, work practice standards, and testing, monitoring, record keeping, and reporting requirements to ensure the facility complies with the applicable air quality requirements. Estimated annual potential emissions are the following: 44.2 tons CO; 35.2 tons VOC; 2.1 tons SO_x; 1.4 ton PM₁₀; 1.4 ton PM_{2.5}; 0.3 ton NO_x; 3.9 tons benzene; 2.0 tons phenol; 0.4 ton toluene; and 6.3 tons total HAPs.

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

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

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

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

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

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

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

26-00500C: Alpha PA Coal Terminal, LLC (158 Portal Road, P.O. Box 1020, Waynesburg, PA 15370) to relocate the barge unloading point about 275 feet up-river and increase the allowable clean coal throughput from 3,500,000 tons per year to 10,000,000 tons per year at the LaBelle Dock in Luzerne Township, **Fayette County**. This is a minor facility Plan Approval application submittal.

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

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

43-366A: National Fuel Gas Supply Corporation (6363 Main Street, Williamsville, NY 14221) for authorization to construct and/or operate the following at their existing Mercer Compressor Station located in Jefferson Township, **Mercer County**:

- Two (2) lean burn four stroke natural gas Compressor Engines, Caterpillar model G3606LE, each rated 1,775 bhp at 1000 rpm,
 - o Each equipped with an oxidation catalyst
 - o Each equipped with an air fuel ratio controller
- One (1) lean burning emergency generator engine, Dresser-Rand engine model SFGLD 480, rated 1153 bhp at 1800 rpm o Equipped with an oxidation catalyst
- Eight (8) natural gas fired Catalytic Heaters, each rated 0.07 mmBtu/hr
- One (1) 1,000 gallon VOC containing waste fluid Storage Tank
- One (1) small emergency generator set rated 7 kw
- One (1) natural gas fired pipeline heater rated 3.85 mmBtu/hr
- One (1) odorant flare rated 1.0 mmBtu/h
- One (1) pressurized odorant tank (mercaptan)

The engine's emissions will be reduced by means of oxidative catalytic reduction technology which is consistent with current best available technology (BAT). Sources at this facility will be subject to requirements of 40 CFR Part 60 Subpart OOOO—Crude Oil and Natural Gas Production, Transmission and Distribution and 40 CFR Part 60 Subpart JJJJ—Stationary Spark Ignition Internal Combustion Engines. The plan approval will require compliance with these Federal regulations.

The Plan Approval will contain emission and fuel restrictions, along with, testing, monitoring, recordkeeping, reporting, work practice and additional requirements designed to keep the facility operating within all applicable air quality requirements.

Emissions from the facility will increase as a result of this project. Total estimated emissions for the facility as quantified in tons per year: 19.54 of NO_x, 12.20 of VOC, 30.74 of CO, 22,178 of CO₂E, and 1.32 of PM₁₀.

The Plan Approval will subsequently be incorporated into the facility Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public review during normal

business hours at the Department of Environmental Protection, Air Quality Program, 230 Chestnut Street, Meadville, PA 16335.

Any person(s) wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. The Department will consider any written comments received within 30 days of the publication of this notice.

Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 43-270I, CCL Container Corporation 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, 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 the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to the New Source Review Section, Air Quality Program, Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335, 814-332-6940.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should by calling 814-332-6940, or the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate their needs. For additional information contact Jacob G. Chemsak at (814) 332-6638.

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

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

AMS 13233: Northeast Water Pollution Control Plant—Philadelphia Water Depart. (3899 Richmond Street, Philadelphia, PA 19137) for installation of new covered Gavity Thickeners Tanks, new covered Thickened Sludge Wet Wells, Thickened Sludge electric pumps, sludge transfer electric pumps, and Odor Control facility consisting of two (2) cell Biofilter to reduce odorless emission from the primary sludge. The plan approval will contain operating and recordkeeping requirements to ensure operation within all applicable requirements.

OPERATING PERMITS

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

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

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

15-00043: Sunoco Partners Marketing & Terminals L.P.—Malvern Terminal (41 Malin Road, Malvern, PA 19355) This facility is a major source for VOC emissions as defined in the Clean Air Act, and an area source for HAP emissions in East Whiteland Township, **Chester County**. This facility is subject to 40 CFR Part 63 Subpart BBBBBB and Subpart JJJJJJ, 25 Pa. Code

§§ 129.56, 129.59 and 129.62. The renewal contains 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 Zaman, Environmental Program Manager—Telephone: 570-327-3648

49-00003: ACF Industries, LLC (417 North Arch Street, Milton, PA 17847-1320) for a Title V Operating Permit renewal for the ACF Industries, LLC facility in Milton Borough, **Northumberland County**.

In accordance with 25 Pa. Code § 127.521, 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 has the following potential emissions: 60.75 TPY of CO; 78.94 TPY of NO_x; 32.87 TPY of SO_x; 10.11 TPY of PM/PM₁₀; 201.27 TPY of VOCs; <25 TPY of total HAPs; <10 TPY of any individual HAP; and 95,582 TPY of CO_{2e}. The facility's sources include two (2) water heaters, one (1) boiler, forty-eight (48) direct fire heaters, four (4) railcar steel part heating furnaces, one (1) railcar surface coating operation, two (2) grit blast operations, one hundred (100) propane cutting torches, four (4) metal cutting operations, two (2) petroleum products storage tanks and various fugitive emissions which have the potential to emit major quantities of volatile organic compound (VOC) emissions. The facility has the potential to emit carbon monoxide (CO), nitrogen oxides (NO_x), sulfur oxides (SO_x), particulate matter (PM/PM₁₀), hazardous air pollutants (HAPs) and carbon dioxide equivalents (CO_{2e}) below the major emission thresholds. The Department has determined that the sources at the facility satisfy best available technology (BAT) requirements, pursuant to 25 Pa. Code §§ 127.1 and 127.12. The proposed Title V operating permit contains all applicable Federal and State regulatory requirements including monitoring, recordkeeping, and reporting conditions. 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 52, 60, 63, 64, 68, 72, 73, 74, 75, 76, 96, 97, 98 and 25 Pa. Code Chapters 121—145.

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 name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify Permit No. TVOP 49-00003) and 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 Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-3648.

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

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

24-00120: Dominion Transmission, Inc. (445 West Main Street, Clarksburg, WV 26301-2843) for re-issuance of a Title V Permit for their Ardell Natural Gas Compressor Station in Benetzette Township, **Elk County**. The facility's emission sources include a 15,140 hp gas turbine, a 10,320 hp gas turbine, two 1,775 hp natural gas compressor engines, one 275 hp natural gas fueled emergency generator, 1 natural gas microturbine, 2 natural gas fueled boilers, 1 natural gas furnace, 2 natural gas space heaters, a parts washer, and storage tanks. The facility is a major facility due to its potential to emit NO_x. Maximum Potential Emissions for the facility are calculated as follows: NO_x, 135.56 tpy; SO_x, 2.89 tpy; CO, 97.97 tpy; PM-10, 11.03 tpy; VOCs, 47.16 tpy; Any Single HAP, < 10 tpy; All Combined HAPs, 10.57 tpy; and CO_{2e}, 121,147.35 tpy. This facility is subject to 40 CFR Part 60 Subpart GG, Standards of Performance for Stationary Gas Turbines. It is also subject to 40 CFR Part 60 Subpart KKKK, Standards of Performance for Stationary Combustion Turbines. The 2 RICE compressor engines and the emergency generator are subject to 40 CFR Part 63 Subpart ZZZZ. The conditions of the previous plan approvals and operating permit are incorporated into the renewal permit.

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

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

V13-009: Naval Surface Warfare Center—Cardero Division (5001 S. Broad Street, Code 02, Philadelphia, PA 19112) for the operation of research, development, testing, evaluation, fleet support and in-service engineering for surface and undersea naval ships facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include one (1) 202.13 MMBTU/hr wall-fired ship boiler, three (3) boilers each with a heat input < 10 MMBTU/hr, ten (10) heaters each with a heat input < 3 MMBTU/hr, fifteen (15) small boilers/air handlers each less than 3 MMBTU/hr, five (5) emergency generators, three (3) fire pumps, three (3) engine test cells, five (5) diesel engines used for testing, eleven gas turbines, a paint spray booth, and wood working source. The facility's air emissions control devices include a baghouse and dry filters.

The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Ave., Philadelphia, PA 19104. For further information, contact Mr. Edward Wiener (215) 685-9426.

Persons wishing to file protest or comments on the above operating permit must submit the protest or comments within 30 days from the date of this notice. Any

protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

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

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

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

40-00104: Brdaric Excavating, Inc. (913 Miller Street, Luzerne, PA 18709) for operation of a rock crushing operation and associated air cleaning devices at their facility in Kingston Township, **Luzerne County**. This is a renewal State-Only Natural Minor operating permit. The State-Only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

Southcentral Region: Air Quality Program, 909 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

38-03014: Pennsy Supply Inc.—Millard Stone Plant (1001 Paxton Street, Harrisburg, PA 17105) for operation of a limestone crushing plant in North Londonderry Township, **Lebanon County**.

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

The plant is controlled by wet suppression and potential PM emissions are estimated at less than 10 tons per year. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. The facility is subject to 40 CFR Part 60, Subpart OOO—Standard of Performance for Nonmetallic Mineral Processing Plants.

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

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

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

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

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

38-05037: Zimmerman Chair Shop—Lebanon (1486 Colebrook Road, Lebanon, PA 17042) for their wood surface coating and manufacturing operation in North Cornwall Township, **Lebanon County**.

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

The 2012 emissions of the facility were 18.6 tons of VOC per year, 1.3 ton of HAPs per year. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

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

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

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

06-03055: Oley Valley Animal Clinic (900 Blandon Road, Oley, PA 19547) for its animal crematory incinerator in Ruscombmanor Township, **Berks County**.

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

The subject facility has actual emissions of less than a ton per year of criteria pollutants. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are

available for public review during normal business hours at the PA DEP Southcentral Regional Office, at 909 Elmerton Avenue, Harrisburg, PA 17110.

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

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

05-05028: Texas Eastern Transmission L.P. (P.O. Box 1642, Houston, TX 77251-1642) for a natural gas compressor facility at their Bedford Compressor Station in Bedford Township, **Bedford County**.

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

The 2012 actual facility emissions were: 70.9 tons per year of NO_x, 7.4 tons per year of carbon monoxide, 1.0 ton per year of particulate matter and particulate matter with an effective aerodynamic diameter of less than or equal to a nominal 10 micrometer body as measured by the applicable reference method or an equal method, 12.4 tons per year of volatile organic compounds and 5.36 tons per year of hazardous air pollutants. The Operating Permit will include monitoring, recordkeeping & work practice standards designed to keep the facility operating within all applicable air quality regulations. Source 050 is subject to the requirements of 40 CFR Part 60, Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines. Source 051 is subject to the requirements of 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

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

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

Mr. Gary Helsel, P.E., Acting Chief, New Source Review Section, 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, protests or requests for a public hearing.

36-03048: Hubbard Feeds, Inc. (3349 Hempland Road, Lancaster, PA 17601) for operation of an animal feed mill in East Hempfield Township, **Lancaster County**. This is a renewal of their State-Only Operating Permit issued in March of 2009.

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.

Hubbard Feeds 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 produces animal feed from corn, soy, beans, wheat, bakery scraps and other minor ingredients including minerals and vitamins. The facility primary emits particulate matter at an annual rate of approximately 11.0 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.

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

06-05116: Packaging Corp. of America (171 Tuckerton Road, Reading, PA 19605) for their corrugated paper manufacturing plant in Muhlenberg Township, **Berks County**.

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

In 2012 the subject facility had actual emissions of less than 2 tpy of nitrogen oxides (NO_x), less than 2 tpy of carbon monoxide (CO) and less than 1 tpy of VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 60 Subpart Dc (Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units) and 40 CFR 63 Subpart KK (National Emission Standard for the Printing and Publishing Industry).

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

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

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

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

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

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

17-00006: Mt. Savage Specialty Refractories, Co. (PO Box 60, Curwensville, PA, 16833-0060) to issue a state only operating permit for their facility in Pike Township, **Clearfield County**. The facility is currently operating under State Only Operating Permit 17-00006. The facility's sources include fourteen (less than 2.50 million Btu per hour) natural gas-fired space/water heaters, a refractory crushing and grinding operation, a refractory screening and conveying operation, two refractory blending lines and a refractory mixing line. The facility has potential emissions of 3.87 tons per year of nitrogen oxides, 3.24 tons per year of carbon monoxide, 0.21 ton per year of volatile organic compounds, 0.03 ton per year of sulfur oxides and 98.97 tons per year of particulate matter. No emission or equipment changes are being proposed by this action. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the NMOP have been derived from the applicable requirements of 40 CFR Parts 52, 60, 63, 64, 68, 72, 73, 74, 75, 76, 96, 97, 98 and 25 Pa. Code Chapters 121—145.

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

Any person(s) wishing to provide the Department of Environmental Protection with additional information, which they believe should be considered prior to the issuance of this operating 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 name, address and telephone number of the person submitting the comments, identification of the proposed operating permit (specify State Only Operating Permit No. 17-00006) and concise state-

ments regarding the relevancy of the information or objections to issuance of the operating 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 Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-3648.

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

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

04-00724: DCP Midstream, LP (370 17th Street, Suite 500, Denver, CO 80202) for a Natural Minor Operating Permit for the operation of a bulk propane terminal, known as the Midland Propane Terminal, located in Industry Borough, **Beaver County**.

The facility contains air contamination sources consisting of twenty-six, 90,000 gallon, pressurized storage tanks and three truck loading racks. Fuel throughput is limited by a maximum of 4,580 truck load-outs per year. Facility emissions are 11.0 tons per year of VOC, 2.2 tons per year of NO_x, and 1.8 ton per year of CO. The facility is limited to a maximum opacity from any processing equipment of 20 percent. The facility is subject to 25 Pa. Code Chapters 121—145. The permit includes emission limitations, and operational, monitoring, testing, reporting and record-keeping requirements for the facility.

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

Any person may submit comments, a request for the Department to hold a public hearing, or a protest to the operating permit or a proposed condition thereof, by filing such submissions in writing with the Department at the Southwest Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments.

All requests for a public hearing, and all protests to a proposed action, shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). A protest must include the name, address and telephone number of the person filing the protest; identification of the proposed permit issuance being opposed (State Only Operating Permit 04-00724); and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25

Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

Written comments, protests, and requests for a public hearing should be directed to Martin L. Hochhauser, P. E., Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. For additional information concerning the permit or the issuance procedure, contact Martin L. Hochhauser, P.E. at (412) 442-4057.

04-00714: Ashland, Inc. (3499 Blazer Parkway, Lexington, KY 40509) for a Natural Minor Operating Permit to operate a lubricant blending and packaging facility, known as the Rochester Facility, in Rochester Borough, **Beaver County**.

The facility contains air contamination sources consisting of sixty-eight above ground storage tanks ranging in capacity from 997 gallons to 1,052,685 gallons, packaging lines, and two (8 and 5.2 MMBtu/hr) natural gas-fired boilers. Oil throughput is limited to 134,600,000 gallons per year. Facility emissions are 7.3 tons per year of VOC, 4.7 tons per year of NO_x, and 3.9 tons per year of CO. The facility is limited to a maximum opacity from any processing equipment of 20 percent. The facility is subject to 25 Pa. Code Chapters 121—145. The permit includes emission limitations, and monitoring, testing, reporting, recordkeeping, and work practice requirements for the facility.

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

Any person may submit comments, a request for the Department to hold a public hearing, or a protest to the operating permit or a proposed condition thereof, by filing such submissions in writing with the Department at the Southwest Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments.

All requests for a public hearing, and all protests to a proposed action, shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). A protest must include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (State Only Operating Permit 04-00714) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the

newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

Written comments, protests, and requests for a public hearing should be directed to Martin L. Hochhauser, P.E., Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. For additional information concerning the permit or the issuance procedure, contact Martin L. Hochhauser, P.E. at (412) 442-4057.

04-00218: NF & M International, Inc. (1729 Pennsylvania Avenue, Monaca, PA 15061) to authorize the continued operation of their Titanium cleaning and machining operation at their Monaca located in the Monaca Borough, **Beaver County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) gives notice that they intend to issue a State Only Operating Permit (SOOP) renewal to NF & M International to authorize the continued operation of their Titanium cleaning and machining operation at their Monaca located in the Monaca Borough, Beaver County.

The facility consists of various abrasive grinders, saws, sanders, two 10 mmbtu/hr natural gas fired annealing furnaces, an acid pickling operation with a wet scrubber. There are three baghouses to control particulate emissions. This facility has the potential to emit 2.6 tons per year of NO_x, 0.01 ton per year of SO_x, 0.28 ton per year of PM₁₀, 0.03 ton per year of VOCs, 0.022 ton per year of Hydrofluoric acid and 0.044 ton per year of Nitric acid. The proposed SOOP renewal contains conditions relating to monitoring, recordkeeping and work practice standards.

Arrangements may be made to review the application at our offices. Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the Operating Permit renewal may written comments to Barbara Hatch, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222, 412-442-5226 (bhatch@pa.gov). 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 OP-04-00218) 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 at the location identified above.

04-00498: World Class Processing Corp. (21 Century Drive, Ambridge, PA 15003) to authorize the continued operation of hot-rolled steel coils cleaning and electrostatic coating operation at their facility in the Ambridge Borough, **Beaver County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) gives notice that they intend to issue a State Only Operating

Permit (SOOP) renewal to World Class Processing Corp to authorize the continued operation of hot-rolled steel coils cleaning and electrostatic coating operation at their facility located in the Ambridge Borough, Beaver County.

The facility consists of a steel pickling process line, two 8.4 mmbtu/hr natural gas fired boilers, acid storage tanks and other miscellaneous equipment associated with this type of operation. There is a scrubber to control emissions from the pickling line and acid storage tanks. This facility has the potential to emit 4 tons per year of Hydrochloric acid. The proposed SOOP renewal contains conditions relating to monitoring, recordkeeping and work practice standards.

Arrangements may be made to review the application at our offices. Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the Operating Permit renewal may written comments to Barbara Hatch, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222, 412-442-5226 (bhatch@pa.gov). 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 OP-04-00498) 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 at the location identified above.

32-00197: Purchase Line School District (16559 Route 286 Highway East, Commodore, PA, 15729) Synthetic Minor Operating Permit renewal for the Purchase Line Jr/Sr High School in Green Township, **Indiana County**. Equipment at this facility includes two coal-fired 12.0 mmbtu/hr boilers and a diesel-fired 320 kW emergency generator. Potential emissions from the combustion units at this facility are based on a total maximum allowable coal consumption of 2,150 tons per year and a 500 hours per year operating limit for the emergency generator. Emissions are estimated to be 10.2 tons per year NO_x, 1.4 ton per year VOCs, 11.8 tons per year CO, 76.6 tons per year SO₂, and 2.8 tons per year particulate matter. Actual emissions from the facility are much lower as the boilers do not generally operate from May through September and only one of the boilers operates at a time with the other serving as a backup unit. The facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. The proposed Operating Permit contains applicable emission limits, as well as testing, monitoring, recordkeeping, reporting and work practice requirements.

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

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

A protest to a proposed action shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). A protest shall include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (Operating Permit 32-00197) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

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

Written comments, protests and requests for a public hearing should be directed to Nick Waryanka, Air Quality Engineer, Department of Environmental Protection, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222. For additional information concerning the permit or the issuance procedure, contact Mr. Waryanka at (412) 442-4172.

65-00625: Gulf Oil, L.P. (100 Crossing Boulevard, Framingham, MA 01702-5401) for petroleum bulk stations and terminals at the Delmont Terminal in Salem Township, **Westmoreland County**. This is a State-Only Operating Permit renewal application submittal.

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

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

37-00162: Precision Plating Co., Inc. (407 Summit View Drive, New Castle, PA 16105) to renew a State Only Operating Permit for their facility in Neshannock Township, **Lawrence County**. The facility is a Natural Minor. The primary sources at the facility include 7 Chrome electroplating tanks, a sandblast cabinet, and natural gas combustion for building heat. The potential emissions from the facility are as follows: NO_x less than 1 tpy; CO less than 1 tpy; PM₁₀ less than 1 tpy; SO_x less than 1 tpy; VOC's 4.5 tpy. Potential HAP emissions are 3.65 tpy of Toluene and less than 1 tpy of Chromium Compounds. The facility is subject to 40 CFR Part 63 Subpart N, National Emission Standards for Chromium Emissions from Hard and Decorative Electroplating and Chromium Anodizing Tanks. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

37-00314: Natural Sand Company, Inc.—Plane Grove Road Plant (4783 Harlansburg Road, Slippery Rock, PA 16057) to re-issue the referenced permit for this specialty soil processing operation, in Plain Grove Township, **Lawrence County**. The primary emissions from this facility are from the 585 HP Diesel Generator and the Soil Drying Process.

This facility is in the process of having a new electric power supply line installed. Once completed, the 585 HP Diesel Generator (Source ID: 101) will no longer be the primary source of power for production equipment at this facility. In order to allow time for the installation of the pole power supply line, a compliance schedule has been added to this proposed operating permit. After the new power supply has been established, the existing Diesel Generator will be used for emergency power generation and will be subject to the requirements of 40 CFR 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

The potential emissions from this facility, which will decrease after the new power supply has been established, are as follows. All values are in tons/year. PM—3.27, SO_x—2.00, NO_x—7.63, VOC—0.14, CO—10.92.

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

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

V13-009: Naval Surface Warfare Center—Carderock Division (5001 S. Broad Street, Code 02, Philadelphia, PA 19112) for operation of research, development, testing, evaluation, fleet support and in-service engineering for surface and undersea naval ships facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include one (1) 202.13 MMBTU/hr wall-fired ship boiler, three (3) boilers each with a heat input < 10 MMBTU/hr, ten (10) heaters each with a heat input <3 MMBTU/hr, fifteen (15) small boilers/air handlers each less than 3 MMBTU/hr, five (5) emergency generators, three (3) fire pumps, three (3) engine test cells, five (5) diesel engines used for testing, eleven gas turbines, a paint spray booth, and wood working source. The facility's air emissions control devices include a baghouse and dry filters.

The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Ave., Philadelphia, PA 19104. For further information, contact Mr. Edward Wiener (215) 685-9426.

Persons wishing to file protest or comments on the above operating permit must submit the protest or comments within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

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*

66-00008C: Oxbow Creek Energy LLC (301 Oxford Valley Road, Suite 1603A, Yardley, PA 19067) for their facility to be in Nicholson Township, **Wyoming County**.

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 Oxbow Creek Energy LLC (301 Oxford Valley Road, Suite 1603A, Yardley, PA 19067) for their facility to be located in Nicholson Twp., Wyoming County. This Plan Approval No. 66-00008C will be incorporated into a Natural Minor Permit through an administrative amendment at a later date.

Plan Approval No. 66-00008C 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_x emissions from the facility will not equal or exceed 100 TPY, based on a 12-month rolling sum. Total PM, SO_x, 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.: 66-00008C 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.

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

17041301 and NPDES No. PA0235628. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To revise the permit for the Penfield Mine in Huston Township, **Clearfield County** to add 1,206.6 acres to the underground mine and subsidence control plan permit area. Subsidence Control Plan Acres

Proposed: 1,206.6, Underground Acres Proposed: 1,206.6. No additional discharges. The application was considered administratively complete on January 22, 2014. Application received November 14, 2013.

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

Permit No. 56110104, NPDES No. PA0263206 and General Permit GP-12-56110104, Wilson Creek Energy, LLC, 609 Georgian Place, Somerset, PA, 15501, revision of an existing surface bituminous coal site to obtain coverage for coal processing under air quality general permit GP-12 in Jenner Township, **Somerset County**, affecting 50.5 acres. Receiving stream: Unnamed Tributaries to/and Hoffman Run classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: January 6, 2014.

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

63080102 and NPDES Permit No. PA0251429. Neiswonger Construction, Inc. (17592 Route 322, Strattonville, PA 16258). Renewal application for reclamation only to an existing bituminous surface mine, located in Somerset Township, **Washington County**, affecting 187.8 acres. Receiving streams: unnamed tributaries to Center Branch Pigeon 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 22, 2014.

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

24030103. AMFIRE Mining Company, LLC (One Energy Place, Suite 2800, Latrobe, PA 15650) Renewal of an existing bituminous surface, auger and coal ash placement mine in Horton Township, **Elk County** affecting 581.1 acres. Receiving streams: Little Toby Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. This renewal is for reclamation only. Application received: January 21, 2014.

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

Permit No. 40880101R5. Silverbrook Anthracite, Inc., (1 Market Street, Laflin, PA 18702), renewal of an existing anthracite surface mine operation in Newport Township, **Luzerne County** affecting 144.2 acres, receiving stream: Black Creek, classified for the following use: cold water fishes. Application received: January 13, 2013.

Permit No. 40880101C. Silverbrook Anthracite, Inc., (1 Market Street, Laflin, PA 18702), correction of an existing anthracite surface mine operation to update the post-mining land use to unmanaged natural habitat in Newport Township, **Luzerne County** affecting 144.2 acres, receiving stream: Black Creek, classified for the following use: cold water fishes. Application received: January 13, 2013.

Permit No. 54830107R6 and NPDES Permit No. PA0613568. Selkirk Enterprises, LLC, (10 Gilberton Road, Gilberton, PA 17934), renewal of an existing anthracite surface mine and coal refuse reprocessing operation and NPDES Permit for discharge of treated mine drainage in Branch and Reilly Townships, **Schuylkill County** affecting 2062.0 acres, receiving stream: West Branch Schuylkill River, classified for the following uses: cold water and migratory fishes. Application received: January 15, 2014.

Permit No. 54870102R5. Joe Kuperavage Coal Company, (916 Park Avenue, Port Carbon, PA 17965), renewal of an existing anthracite surface mine operation in Blythe Township, **Schuylkill County** affecting 106.1 acres, receiving stream: Schuylkill River, classified for the following uses: cold water and migratory fishes. Application received: January 16, 2014.

Permit No. 54830207R6. Blaschak Coal Corp., (PO Box 12, Mahanoy City, PA 17948), renewal of an existing anthracite surface mine, coal refuse reprocessing, refuse disposal and preparation plant operation in Mahanoy Township, **Schuylkill County** affecting 280.0 acres, receiving stream: Mahanoy Creek, classified for the following uses: cold water and migratory fishes. Application received: January 17, 2014.

Permit No. 54-305-001GP12R2. Blaschak Coal Corp., (PO Box 12, Mahanoy City, PA 17948), renewal application to operate a coal preparation plant whose pollution control equipment is required to meet all applicable limitations, terms and conditions of General Permit, BAQ-GPA/GP-12 on Surface Mining Permit No. 54830207 in Mahanoy Township, **Schuylkill County**. Application received: January 17, 2014.

Noncoal Applications Received

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

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

* The parameter is applicable at all times.

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

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

Permit No. 21132801. N.L. Minich & Sons, Inc., 221 N. Middleton Rd., Carlisle, PA 17013, commencement, operation and restoration of a small noncoal (industrial minerals) operation in North Middleton Township, **Cumberland County**, affecting 1.8 acres, receiving streams: Meighinghouse Run. Permit received: November 14, 2013.

Permit No. 7574SM1 and NPDES No. PA0594300, Penny Supply, Inc., P.O. Box 3331, Harrisburg, PA 17105, renewal of NPDES Permit, Silver Spring Township, **Cumberland County**. Receiving stream: Conodoguin Creek classified for the following use: warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: December 24, 2013.

Permit No. 56920302 and NPDES No. PA0212326, New Enterprise Stone & Lime Co., Inc., P.O. Box 77, New Enterprise, PA 16664, renewal of NPDES Permit, Shade Township, **Somerset County**. Receiving stream: Laurel Run classified for the following use: cold water fishery. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Stonycreek SWI. Application received: January 15, 2014.

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

08120303. Insinger Excavating, Inc. (3046 DuShore-Overtown Road, Dushore, PA 18614). Transfer of an existing large industrial minerals mine from Keystone Rock & Excavation, LLC located in West Burlington Township, **Bradford County** affecting 83.9 acres. Receiving

streams: Unnamed Tributary 1 and 2 to Sugar Creek classified for the following use(s): TSF—MF. Application received: January 16, 2014.

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

Permit No. 64140801 and NPDES Permit No. PA0225428. Joshua Smith, (23 Forester Boulevard, Hancock, NY 13783), commencement, operation and restoration of a sandstone quarry and NPDES Permit for discharge of treated mine drainage in Scott Township, **Wayne County** affecting 5.25 acres, receiving streams: Star Creek and Winterdale Creek, classified for the following uses: HQ-cold water and migratory fishes. Application received: December 30, 2013.

Permit No. 58140801 and NPDES Permit No. PA0225410. EC Stone, LLC, (411 5th Street, Blakely, PA 18447), commencement, operation and restoration of a bluestone quarry and NPDES Permit for discharge of treated mine drainage in New Milford Township, **Susquehanna County** affecting 5.2 acres, receiving stream: unnamed tributary to Meylert Creek, classified for the following uses: HQ-cold water and migratory fishes. Application received: January 6, 2014.

Permit No. 52022802. Donna J. Kehr, (54 Innsbruck Boulevard, Hopewell Junction, NY 12533), Stage I & II bond release on a quarry operation in Blooming Grove Township, **Pike County** affecting 5.0 acres on property owned by Donna and Bruce Kehr. Application received: January 15, 2014. Permit No. 58100804. Scott Rosenkrans Flagstone, LLC, (688 Hawk Road, Montrose, PA 18801), Stage I & II bond release on a quarry operation in Franklin Township, **Susquehanna County** affecting 1.0 acre on property owned by James Ross and Sandy Lewis. Application received: January 17, 2014.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Depart-

ment. 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

Southeast Region: Waterways and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900

E15-846. Columbia Gas Transmission, LLC, 5151 San Felipe, Suite 2400, Houston, TX 77056, West Vincent Township, Upper Uwchlan Township, Uwchlan Township, East Brandywine Township, Caln Township West Bradford Township, **Chester County**, ACOE Philadelphia District.

To construct and maintain 9.5 miles of 26-inch diameter pipeline as a part of Eastside Expansion Project “AKA Line 1278 Loop” for Columbia Gas Transmission; crossing 24 streams in and along an Unnamed tributary to Marsh Creek, an Unnamed Tributary to Pickering Creek, Shamona Creek, an unnamed Tributary to East Branch of Brandywine Creek, East Branch of Brandywine Creek, and Beaver Creek, impacting 5.05 acres of temporary wetland impacts, and 0.09 acre of permanent impacts.

The construction will begin at Eagle Compressor Station and terminate at Downingtown Compressor Station (Downingtown and Unionville Quadrangle maps, Lat. 40.097; Long. -75.6824).

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

E39-525. North Whitehall Township, 3256 Levans Road, Coplay, PA 18037, in North Whitehall Township, **Lehigh County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain the following water obstructions and encroachments associated with the Ironton Rail Trail Phase 2 project:

1. To construct and maintain a 7-foot wide single-span pedestrian bridge with a wood deck and concrete abutments, having a 45-foot span and a 2.5-foot underclearance, across Coplay Creek (CWF, MF).

2. To construct and maintain a 7-foot wide wood boardwalk on posts across approximately 95 linear feet of wetlands.

3. To construct and maintain approximately 190 linear feet of gabion walls in the floodway of Coplay Creek (CWF, MF).

4. To construct and maintain a 28-foot wide single-span pedestrian bridge with a wood deck and abutments, having a 36-foot span and a 5.6-foot underclearance, across Coplay Creek (CWF, MF).

5. To excavate or place varying amounts of fill within the floodway of Coplay Creek (CWF, MF) in order to construct a 10-foot wide trail.

The project begins at 3,256 Levans Road in North Whitehall Township and follows the Coplay Creek (CWF, MF) north to the intersection of Portland Street and Quarry Street (Cementon, PA Quadrangle, Latitude: 40° 40'4.31"; Longitude: -75°33'1.32").

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

E36-925: Rock Lititz Properties, PO Box 396, Lititz, PA, 19543 in Warwick Township, **Lancaster County**, ACOE Baltimore District

To 1) relocate and maintain 3,136.0 feet of Santo Domingo Creek (CWF, MF); 2) remove 55,371.0 cubic yards of fill from the floodway of Santo Domingo Creek (CWF, MF); 3) install and maintain five 30.0-foot long, 48.0-inch tall by 76.0-inch wide elliptical concrete pipes with endwalls, and rock riprap aprons in Santo Domingo Creek (CWF-MF); 4) install and maintain a 30.0-foot long, 38.0-inch high by 60.0-inch wide elliptical concrete pipe with associated endwalls, and rock riprap apron in Santo Domingo Creek (CWF, MF); 5) install and maintain a 113.0-foot long, 8.0-inch diameter PVC water pipe encased in concrete across Santo Domingo Creek (CWF, MF); 6) install and maintain a 113.0-foot long 4.0-inch diameter HDPE gas pipe across Santo Domingo Creek (CWF, MF); 7) install and maintain a 113.0-foot long 2.0-inch diameter electrical conduit pipe across Santo Domingo Creek (CWF, MF); and 8) install and maintain a 113.0-foot long 2.0-inch diameter communications conduit pipe across Santo Domingo Creek (CWF, MF); all for the purpose of constructing a proposed commercial development. The project is located approximately 0.2 mile west of the intersection of Furnace Hills Pike and Newport Road (Latitude 40°10'45.65", Longitude -76°18'52") in Warwick Township, Lancaster County. No wetlands will be impacted by this project.

E67-906: Pennsylvania Turnpike Commission, PO Box 67676, Harrisburg, Pennsylvania, 17106-7676 in Fairview Township, **York County**, ACOE Baltimore District The applicant proposes:

1. to remove the existing structure and install and maintain a 130.0-foot long, 24.0-inch reinforced concrete pipe (RCP) culvert and to fill and relocate and maintain 540.3 feet of an unnamed tributary to Yellow Breeches Creek (CWF, MF);
2. to remove the existing structure and construct and maintain a 280.0 foot long and a 70 foot long 8.0-foot X 16.0-foot reinforced concrete box culvert in an unnamed tributary to Yellow Breeches Creek (CWF, MF) with a 56.3 foot channel relocation;
3. to construct and maintain a stormwater basin impacting 577.0 feet of an unnamed tributary to Yellow Breeches Creek (CWF, MF);
4. to extend and maintain an existing 397.0-foot long 48.0-inch RCP culvert in kind by 76.0 feet at the upstream end and to relocate and maintain 297.9.0 feet of an unnamed tributary to Marsh Run (WWF, MF);
5. to extend and maintain an existing 112.0-foot long 48.0-inch RCP culvert in kind by 12.0 feet at the upstream end and 26.0 feet at the downstream end and to relocate and maintain 66.0 feet of an unnamed tributary to Marsh Run (WWF, MF), permanently impacting 0.03 acre of PEM/PSS wetland;
6. to extend and maintain an existing 164.0-foot long 36.0-inch corrugated metal pipe (CMP) culvert in kind by 19.0 feet at the upstream end and by 42.0 feet at the downstream end and to relocate and maintain 66.0 feet of an unnamed tributary to Marsh Run (WWF, MF), temporarily impacting 0.1 acre of PEM/PSS wetland and permanently impacting 0.07 acre of PEM/PSS wetland;
7. to remove the existing structures and install and maintain a 166.0-foot, 48.0-inch RCP culvert, a 36.0-foot, 48-inch RCP culvert, and relocate and maintain 18.0 linear feet of channel in an unnamed tributary to Marsh Run (WWF, MF);
8. to extend and maintain an existing 158.0-foot long, 48-inch RCP culvert in kind by 74.0 feet at the upstream end and by 84.0 feet at the downstream end and to relocate and maintain 25.7 foot and 30.0 foot stretches of stream in an unnamed tributary to Marsh Run (WWF, MF);
9. to extend and maintain an existing 109.0-foot long 5.0-foot X 10.0-foot box culvert in kind by 16.0 feet at the upstream end and by 17.0 feet at the downstream end in an unnamed tributary to Marsh Run (WWF, MF);
10. to extend and maintain an existing 100.0-foot long, 54.0-inch RCP culvert in kind by 41.0 feet at the upstream end and by 33.0 feet at the downstream end and to relocate 33.9 linear feet of stream channel in an unnamed tributary to Marsh Run (WWF, MF);
11. to extend and maintain an existing 150.0-foot long, 42.0-inch RCP culvert in kind by 35.0 feet at the upstream end and by 13.0 feet at the downstream end, and to relocate 13.4 foot and 100.6 foot sections of stream channel in an unnamed tributary to Marsh Run (WWF, MF);
12. to extend and maintain an existing 196.0-foot long, 30.0-inch RCP culvert in kind by 25.0 feet at the upstream end and by 20.0 feet at the downstream end and to relocate 98.1 and 30.0 foot sections of stream channel in an unnamed tributary to Marsh Run (WWF, MF);
13. to remove the existing structure and to install and maintain a 144.0-foot long, 24.0-inch RCP culvert in an unnamed tributary to Marsh Run (WWF, MF), temporarily impacting 0.01 acre of PFO wetland;
14. to remove a portion of the existing structure and to install and maintain a 102.0-foot long, 24-inch RCP culvert in an unnamed tributary to Marsh Run (WWF, MF);
15. to remove the existing culvert and install and maintain a 40.0-foot long, 54.0-inch RCP culvert and relocate a 44.5 foot section of stream in an unnamed tributary to Marsh Run (WWF, MF);
16. to install and maintain a 40.0-foot long, 18.0-inch RCP culvert in an unnamed tributary to Marsh Run (WWF, MF);
17. to install and maintain a 26.0-foot long, 30.0-inch RCP culvert in an unnamed tributary to Marsh Run (WWF, MF);
18. to install and maintain a 28.0-foot long, 42.0-inch RCP culvert in an unnamed tributary to Marsh Run (WWF, MF);
19. to install and maintain a 20.0-foot long, 18.0-inch RCP culvert in an unnamed tributary to Marsh Run (WWF, MF);
20. to install and maintain a 29.0-foot long, 18.0-inch RCP culvert in an unnamed tributary to Marsh Run (WWF, MF);
21. to install and maintain rock deflectors, coir fiber rolls and rock stabilization in a 365.0 foot stream realignment in an unnamed tributary to Marsh Run (WWF, MF);
22. to install and maintain a 26.0-foot long, 18.0-inch RCP culvert and a 29.0-foot long, 18.0-inch RCP culvert in an unnamed tributary to Marsh Run (WWF, MF);
23. to install and maintain a 28.0-foot long, 54.0-inch RCP culvert in an unnamed tributary to Marsh Run (WWF, MF);
24. to place and maintain fill in 0.01 acre PEM wetland in the watershed of an unnamed tributary to Yellow Breeches Creek (CWF, MF);
25. to place and maintain fill in 0.02 acre PEM wetland in the watershed of an unnamed tributary to Yellow Breeches Creek (CWF, MF);
26. to place and maintain fill in 0.06 acre PEM wetland in the watershed of an unnamed tributary to Marsh Run (WWF, MF) and temporarily impact 0.04 acre of PEM wetland;
27. to place and maintain fill in 0.12 acre of PEM wetland and 0.18 acre of PSS wetland in the watershed of an unnamed tributary to Marsh Run (WWF, MF);
28. to place and maintain fill in 0.01 acre PEM wetland in the watershed of an unnamed tributary to Marsh Run (WWF, MF) and temporarily impact 0.01 acre of PEM wetland;
29. to place and maintain fill in 0.04 acre PSS wetland in the watershed of an unnamed tributary to Marsh Run (WWF, MF) and temporarily impact 0.01 acre of PSS wetland;
30. to place and maintain fill in 0.08 acre PEM wetland in the watershed of an unnamed tributary to Marsh Run (WWF, MF) and temporarily impact 0.08 acre of PEM wetland;
31. to place and maintain fill in 0.03 acre PEM wetland in the watershed of an unnamed tributary to Marsh Run (WWF, MF);

32. to place and maintain fill in 0.05 acre PEM wetland in the watershed of an unnamed tributary to Marsh Run (WWF, MF) and temporarily impact 0.04 acre of PEM wetland

33. to place and maintain fill in 0.01 acre PEM wetland in the watershed of an unnamed tributary to Marsh Run (WWF, MF);

34. to place and maintain fill in 0.01 acre PSS wetland in the watershed of an unnamed tributary to Marsh Run (WWF, MF) and temporarily impact 0.02 acre PSS wetland;

35. to place and maintain fill in 0.02 acre PFO wetland in the watershed of an unnamed tributary to Marsh Run (WWF, MF) and temporarily impact 0.20 acre PFO wetland;

36. to place and maintain fill in 0.01 acre PFO wetland in the watershed of an unnamed tributary to Marsh Run (WWF, MF) and temporarily impact 0.01 acre PFO wetland;

37. to temporarily place fill in 0.01 acre of PFO wetland in the watershed of an unnamed tributary to Marsh Run (WWF, MF);

38. to place and maintain fill in 0.01 acre of PFO wetland in the watershed of an unnamed tributary to Marsh Run (WWF, MF) temporarily impacting 0.01 acre PFO wetland all for the purpose of improving road safety. The project is located between milepost 241.98 and 245.51 of the Pennsylvania Turnpike (Lemoyne and Steelton, PA Quadrangle, beginning at Latitude 40° 12' 44"; Longitude -76° 52' 28" and ending at Latitude: 40° 11' 52"; Longitude: -76 48' 47") in Fairview Township, York County. Mitigation for the project includes creation of a minimum of 1.45 acres of wetland and the restoration/enhancement of 2,815.0 linear feet of stream channel to compensate for unavoidable impacts. Wetland restoration will occur along the floodplain of Yellow Breeches Creek in Fairview Township, York County (Latitude: 40° 11' 53"; Longitude: -76° 55' 49") and stream mitigation will occur along an unnamed tributary to Yellow Breeches Creek in Fairview Township, York County (from upstream limit Latitude 40° 11' 41"; Longitude: -76° 54' 35" to downstream limit Latitude 40° 12' 11"; Longitude: -76° 54' 54").

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

E11-345. Forest Hills School District, 549 Locust Street, Sidman, PA 15955. Adams Township, **Cambria County**; ACOE Pittsburgh District.

Applicant is proposing to place and maintain fill in approximately 34,200 square feet of the 100-year floodplain of the South Fork of the Little Conemaugh River (CWF) in association with the demolition of the high school, and the construction of a new, 124,812—square foot, three-story middle/high school building. The project is located at 549 Locust Street, Sidman, PA 15955 (Geistown, PA USGS Quadrangle; N: 14.56 inches; W: 0.69 inch Latitude: 40° 19' 48"; Longitude: 78° 45' 17"), in Adams Township, Cambria County.

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

E0829-089: Appalachia Midstream, LLC, 100 IST Center, Horseheads, NY 14845, Terry and Wilmot Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 6 inch diameter natural gas line and a temporary timber mat bridge impacting 1,336 square feet of a Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°35'22", Longitude: -76°20'14");

2. a 6 inch diameter natural gas line and a timber mat bridge impacting 125 linear feet of an unnamed tributary to Foster Branch Sugar Run (CWF, MF) (Colley, PA Quadrangle, Latitude: 41°35'22", Longitude: -76°20'15");

3. a 6 inch diameter natural gas line and a temporary timber mat bridge impacting 222 square feet of a Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°35'24", Longitude: -76°20'34");

4. a 6 inch diameter natural gas line and a timber mat bridge impacting 120 linear feet of an unnamed tributary to Foster Branch Sugar Run (CWF, MF) (Colley, PA Quadrangle, Latitude: 41°35'30", Longitude: -76°20'34");

5. a 6 inch diameter natural gas line and a temporary timber mat bridge impacting 3,077 square feet of a Palustrine Emergent and Palustrine Forested Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°35'30", Longitude: -76°20'35");

6. a 6 inch diameter natural gas line and a temporary timber mat bridge impacting 9,221 square feet of a Palustrine Emergent and Palustrine Forested Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°35'34", Longitude: -76°20'40");

7. a temporary timber mat bridge impacting 5,371 square feet of a Palustrine Emergent and Palustrine Forested Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°35'36", Longitude: -76°20'43");

The project will result in 245 linear feet or 2,095 square feet of temporary stream impacts and impacts 9,262 square feet (0.21 acre) of temporary PEM and 9,965 square feet (0.23 acre) of permanent PFO wetland impacts all for the purpose of installing a natural gas pipeline with associated access roadways for Marcellus shale development in Terry and Wilmot Township, Bradford County. The permittee will provide 0.40 acre of wetland enhancement mitigation at the Wilmot Mitigation Site (Colley, PA Quadrangle, Latitude: 41°36'45", Longitude: -76°17'28").

E0829-088: PVR Marcellus Gas Gathering, LLC, 101 West Third Street, Williamsport, PA 17701, Canton Township, **Bradford County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) one 12-inch water pipeline, one 24-inch natural gas pipeline, and a timber mat bridge impacting 1106 square feet of palustrine emergent (PEM) wetland (Grover, PA Quadrangle 41°36'06"N 76°50'49"W);

2) one 12-inch water pipeline, one 24-inch natural gas pipeline, and a timber mat bridge impacting 165 linear feet of unnamed tributaries to Towanda Creek (CWF, MF) and 708 square feet of adjacent palustrine emergent (PEM) wetlands (Grover, PA Quadrangle 41°35'44"N 76°50'33"W);

3) one 12-inch water pipeline, one 24-inch natural gas pipeline, and a timber mat bridge impacting 12 linear feet of an unnamed tributary to Towanda Creek (CWF, MF) and 237 square feet of an adjacent palustrine emergent (PEM) wetland (Grover, PA Quadrangle 41°35'38"N 76°50'34"W).

The project will result in a total of 177 linear feet of stream impacts and 0.05 acre of wetland impacts all for

the purpose of installing a natural gas gathering line, water line, and temporary access roadways for Marcellus well development. These impacts are associated with the impacts of E4129-084 and E5729-072.

E4129-084: PVR Marcellus Gas Gathering, LLC, 101 West Third Street, Williamsport, PA 17701, McNett Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) one 12-inch water pipeline, one 24-inch natural gas pipeline, and a timber mat bridge impacting 86 linear feet of an unnamed tributary to Towanda Creek (CWF, MF) (Grover, PA Quadrangle 41°35'27"N 76°50'28"W);

2) one 12-inch water pipeline, one 24-inch natural gas pipeline, and a timber mat bridge impacting 76 linear feet of an unnamed tributary to North Branch Rock Run (EV, MF) (Grover, PA Quadrangle 41°35'00"N 76°50'07"W);

3) one 12-inch water pipeline, one 24-inch natural gas pipeline, and a timber mat bridge impacting 206 square feet of a palustrine emergent (PEM) wetland (Grover, PA Quadrangle 41°35'01"N 76°50'00"W);

4) one 12-inch water pipeline, one 8-inch natural gas pipeline, and a 16-foot-long 18-inch culvert with associated fill impacting 51 linear feet of an unnamed tributary to Schrader Creek (EV, MF) (Grover, PA Quadrangle 41°35'13"N 76°49'25"W);

5) one 12-inch water pipeline, one 8-inch natural gas pipeline, and a 16-foot-long 18-inch culvert with associated fill impacting 58 linear feet of an unnamed tributary to Schrader Creek (EV, MF) and 481 square feet of adjacent palustrine emergent (PEM) wetlands (Grover, PA Quadrangle 41°35'17"N 76°49'26"W);

6) one 12-inch water pipeline, one 24-inch natural gas pipeline, and a timber mat bridge impacting 779 square feet of a palustrine emergent (PEM) wetland (Grover, PA Quadrangle 41°34'58"N 76°49'12"W);

7) one 12-inch water pipeline, one 24-inch natural gas pipeline, and a timber mat bridge impacting 77 linear feet of Schrader Creek (EV, MF) and 727 square feet of adjacent palustrine emergent (PEM) wetlands (Grover, PA Quadrangle 41°35'01"N 76°48'50"W);

8) timber mat bridges impacting 172 linear feet of an unnamed tributary to Rock Run (EV, MF) (Grover, PA Quadrangle 41°33'11"N 76°48'19"W);

9) a timber mat bridge impacting 188 linear feet of unnamed tributaries to Rock Run (EV, MF) and 1200 square feet of adjacent palustrine forested (PFO), scrub-shrub (PSS), and emergent (PEM) wetlands (Grover, PA Quadrangle 41°33'21"N 76°48'19"W);

10) one 12-inch water pipeline, one 16-inch natural gas pipeline, and a timber mat bridge impacting 3760 square feet of a palustrine emergent (PEM) wetland (Grover, PA Quadrangle 41°32'43"N 76°48'30"W);

11) one 12-inch water pipeline, one 16-inch natural gas pipeline, and a timber mat bridge impacting 117 linear feet of Rock Run (EV, MF), 307 linear feet of unnamed tributaries to Rock Run (EV, MF), and 8071 square feet of adjacent palustrine emergent (PEM) and forested (PFO) wetlands (Grover, PA Quadrangle 41°32'41"N 76°48'31"W);

12) one 12-inch water pipeline, one 16-inch natural gas pipeline, and a timber mat bridge impacting 332 square feet of a palustrine emergent (PEM) wetland (Grover, PA Quadrangle 41°32'38"N 76°48'30"W);

13) one 12-inch water pipeline, one 16-inch natural gas pipeline, and a timber mat bridge impacting 78 linear feet of an unnamed tributary to Rock Run (EV, MF) (Grover, PA Quadrangle 41°32'35"N 76°48'31"W).

The project will result in a total of 1,210 linear feet of stream impacts and 0.36 acre of wetland impacts all for the purpose of installing a natural gas gathering line, water line, and temporary access roadways for Marcellus well development. These impacts are associated with the impacts of E0829-088 and E5729-072.

E5729-072: PVR Marcellus Gas Gathering, LLC, 101 West Third Street, Williamsport, PA 17701, Fox Township, **Sullivan County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) timber mat bridges impacting 93 linear feet of unnamed tributaries to Schrader Creek (EV, MF) and 406 square feet of adjacent palustrine emergent (PEM) wetlands (Grover, PA Quadrangle 41°35'08"N 76°48'08"W);

2) a timber mat bridge impacting 99 linear feet of unnamed tributaries to Schrader Creek (EV, MF) and 945 square feet of adjacent palustrine forested (PFO) and emergent (PEM) wetlands (Grover, PA Quadrangle 41°35'12.6"N 76°47'42"W);

3) one 12-inch water pipeline, one 24-inch natural gas pipeline, and a timber mat bridge impacting 353 square feet of a palustrine forested (PEM) wetland (Grover, PA Quadrangle 41°34'59"N 76°48'36"W);

4) one 12-inch water pipeline, one 24-inch natural gas pipeline, and a timber mat bridge impacting 1745 square feet of a palustrine forested (PFO) wetland (Grover, PA Quadrangle 41°34'59"N 76°48'34"W);

5) one 12-inch water pipeline, one 24-inch natural gas pipeline, and a timber mat bridge impacting 312 square feet of palustrine scrub-shrub (PSS) wetland (Grover, PA Quadrangle 41°34'58"N 76°48'33"W);

6) one 12-inch water pipeline, one 24-inch natural gas pipeline, and a timber mat bridge impacting 683 square feet of a palustrine emergent (PEM) wetland (Grover, PA Quadrangle 41°34'55"N 76°48'29"W);

7) one 12-inch water pipeline, one 24-inch natural gas pipeline, and a timber mat bridge impacting 60 linear feet of an unnamed tributary to Schrader Creek (EV, MF) (Grover, PA Quadrangle 41°34'54"N 76°48'28"W);

8) one 12-inch water pipeline, one 24-inch natural gas pipeline, and a timber mat bridge impacting 54 linear feet of an unnamed tributary to Schrader Creek (EV, MF) and 78 square feet of an adjacent palustrine emergent (PEM) wetland (Grover, PA Quadrangle 41°34'47"N 76°48'24"W);

9) one 12-inch water pipeline, one 24-inch natural gas pipeline, and a timber mat bridge impacting 78 linear feet of an unnamed tributary to Schrader Creek (EV, MF) (Grover, PA Quadrangle 41°34'39"N 76°48'21"W);

10) one 12-inch water pipeline, one 24-inch natural gas pipeline, and a timber mat bridge impacting 52 linear feet of an unnamed tributary to Schrader Creek (EV) (Grover, PA Quadrangle 41°34'34"N 76°48'22"W);

11) timber mat bridges impacting 32 linear feet of an unnamed tributary to Schrader Creek (EV, MF) and 722 square feet of a palustrine emergent (PEM) wetland (Grover, PA Quadrangle 41°34'24"N 76°48'17"W);

12) 6-inch cross culverts and associated fill impacting 3,217 square feet of a palustrine emergent (PEM) wetland (Grover, PA Quadrangle 41°34'21"N 76°48'11"W);

13) 6-inch cross culverts and associated fill impacting 3,921 square feet of a palustrine emergent (PEM) wetland (Grover, PA Quadrangle 41°34'24"N 76°47'52"W);

14) one 12-inch water pipeline, one 16-inch natural gas pipeline, and a timber mat bridge impacting 2401 square feet of a palustrine emergent (PEM) wetland (Grover, PA Quadrangle 41°34'24"N 76°48'25"W);

15) one 12-inch water pipeline, one 16-inch natural gas pipeline, and a timber mat bridge impacting 41 linear feet of unnamed tributaries to Rock Run (EV, MF) and 2,111 square feet of adjacent palustrine forested (PFO) and emergent (PEM) wetlands (Grover, PA Quadrangle 41°33'42"N 76°48'12"W).

The project will result in a total of 509 linear feet of stream impacts and 0.39 acre of wetland impacts all for the purpose of installing a natural gas gathering line, water line, and temporary access roadways for Marcellus well development. These impacts are associated with the impacts of E0829-088 and E4129-084.

E4129-083: Seneca Resources Corporation, 51 Zents Boulevard, Brookville, PA 15825, Gamble & Lewis Townships, **Lycoming County**, ACOE Baltimore District. To construct, operate, and maintain:

1) one 12-inch water line and a timber mat bridge impacting 2,868 square feet of palustrine emergent (PEM) wetland (Trout Run, PA Quadrangle 41°24'48"N, 77°03'17"W);

2) one 12-inch water line and a timber mat bridge impacting 520 square feet of palustrine emergent (PEM) wetland (Trout Run, PA Quadrangle 41°24'38"N, 77°03'11"W);

3) one 12-inch water line and a timber mat bridge impacting 354 square feet of palustrine emergent (PEM) wetland (Trout Run, PA Quadrangle 41°24'21"N, 77°03'18"W);

4) one 8-inch water line impacting 15 linear feet of an unnamed tributary to Lycoming Creek (HQ-CWF, MF) and 444 square feet of adjacent palustrine scrub-shrub (PSS) wetland (Trout Run, PA Quadrangle 41°23'26"N, 77°03'02"W);

5) one 8-inch water line impacting 153 linear feet of Lycoming Creek (EV, MF) (Trout Run, PA Quadrangle 41°23'19"N 77°02'57"W);

6) one 12-inch water line and a timber mat impacting 434 square feet of palustrine scrub-shrub (PSS) wetland (Trout Run, PA Quadrangle 41°23'10"N 77°02'57"W);

7) one 8-inch water line impacting 10 linear feet of an unnamed tributary to Lycoming Creek (HQ-CWF, MF) and 193 square feet of palustrine forested (PFO) wetland adjacent to Ringler Road (Trout Run, PA Quadrangle 41°22'56"N 77°03'03"W);

8) one 8-inch water line impacting 1,007 square feet of palustrine emergent (PEM) wetland adjacent to Trout Run Mountain Road (Cogan Station, PA Quadrangle 41°22'26"N 77°01'52"W);

9) one 12-inch water line and a timber mat bridge impacting 39 linear feet of an unnamed tributary to Mill Creek (EV, MF) adjacent to Trout Run Mountain Road (Cogan Station, PA Quadrangle 41°22'24"N 77°01'42"W);

10) one 12-inch water line and a timber mat bridge impacting 75 linear feet of an unnamed tributary to Mill Creek (EV, MF) and 1956 square feet of adjacent palustrine emergent (PEM) wetland (Trout Run, PA Quadrangle 41°22'30"N 77°01'45"W);

11) one 12-inch water line and a timber mat bridge impacting 777 square feet of palustrine emergent (PEM) wetland (Trout Run, PA Quadrangle 41°22'31"N 77°01'43"W);

12) one 12-inch water line and a timber mat bridge impacting 440 square feet of palustrine emergent (PEM) wetland (Trout Run, PA Quadrangle 41°22'32"N 77°01'41"W);

13) one 12-inch water line and a timber mat bridge impacting 1,169 square feet of palustrine emergent (PEM) wetland (Trout Run, PA Quadrangle 41°22'35"N 77°01'34"W);

14) one 12-inch water line and a timber mat bridge impacting 39 linear feet of an unnamed tributary to Mill Creek (EV, MF) (Trout Run, PA Quadrangle 41°22'42"N, 77°01'31"W).

The project will result in a total of 331 linear feet of stream impacts and 0.23 acre of wetland impacts all for the purpose of installing a water line and temporary access roadways for Marcellus well development.

E0829-090: Appalachia Midstream, LLC, 100 IST Center, Horseheads, NY 14845, Wilmot Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 6 inch diameter natural gas line and a temporary timber mat bridge impacting 206 linear feet of an unnamed tributary to Foster Branch Sugar Run (CWF, MF) and impacting 118 square feet of an adjacent Palustrine Forested Wetland (Colley, PA Quadrangle, Latitude: 41°35'33", Longitude: -76°19'14");

The project will result in 206 linear feet or 4,761 square feet of temporary stream impacts and impacts 118 square feet (0.01 acre) of permanent PFO wetland impacts all for the purpose of installing a natural gas pipeline with associated access roadways for Marcellus shale development in Wilmot Township, Bradford County. The permittee will provide 0.18 acre of wetland enhancement mitigation at the Wilmot Mitigation Site (Colley, PA Quadrangle, Latitude: 41°36'45", Longitude: -76°17'28").

E0829-091: Appalachia Midstream, LLC, 100 IST Center, Horseheads, NY 14845, Wilmot Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 12 inch diameter natural gas line and a temporary timber mat bridge impacting 12 square feet of a Palustrine Emergent Wetland (Jenningsville, PA Quadrangle, Latitude: 41°35'03", Longitude: -76°12'56");

2. a 12 inch diameter natural gas line and a temporary timber mat bridge impacting 783 square feet of a Palustrine Emergent Wetland (Jenningsville, PA Quadrangle, Latitude: 41°35'01", Longitude: -76°13'05");

3. a 12 inch diameter natural gas line impacting 32 linear feet of Sugar Run Creek (CWF, MF) and impacting 702 square feet of an adjacent Palustrine Emergent and Palustrine Scrub-Shrub Wetland (EV) (Jenningsville, PA Quadrangle, Latitude: 41°34'58", Longitude: -76°13'43");

4. a 12 inch diameter natural gas line impacting 16 linear feet of an unnamed tributary to Sugar Run Creek (CWF, MF) (Jenningsville, PA Quadrangle, Latitude: 41°34'59", Longitude: -76°13'51");

5. a 12 inch diameter natural gas line impacting 1 linear feet of an unnamed tributary to Sugar Run Creek (CWF, MF) and impacting 57 square feet of an adjacent

Palustrine Emergent Wetland (EV) (Jenningsville, PA Quadrangle, Latitude: 41°34'58", Longitude: -76°13'48");

6. a 12 inch diameter natural gas line and a temporary timber mat bridge impacting 718 square feet of a Palustrine Emergent Wetland (Jenningsville, PA Quadrangle, Latitude: 41°35'08", Longitude: -76°14'15");

7. a 12 inch diameter natural gas line and a temporary timber mat bridge impacting 4,295 square feet of a Palustrine Emergent Wetland (Jenningsville, PA Quadrangle, Latitude: 41°35'23", Longitude: -76°14'18");

8. a 12 inch diameter natural gas line and a timber mat bridge impacting 198 linear feet of Rock Cabin Run (CWF, MF) (Jenningsville, PA Quadrangle, Latitude: 41°35'24", Longitude: -76°14'21");

9. a 12 inch diameter natural gas line and a temporary timber mat bridge impacting 2,255 square feet of a Palustrine Emergent (EV) (Colley, PA Quadrangle, Latitude: 41°35'29", Longitude: -76°14'59");

10. a 12 inch diameter natural gas line and a timber mat bridge impacting 198 linear feet of an unnamed tributary to Panther Lick Creek (CWF, MF) (Colley, PA Quadrangle, Latitude: 41°35'30", Longitude: -76°15'00");

11. a 12 inch diameter natural gas line and a temporary timber mat bridge impacting 1,381 square feet of a Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°35'32", Longitude: -76°15'11");

12. a 12 inch diameter natural gas line impacting 48 linear feet of Panther Lick Creek (CWF, MF) and impacting 185 square feet of an adjacent Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°35'32", Longitude: -76°15'13");

13. a 12 inch diameter natural gas line impacting 14 linear feet of an unnamed tributary to Panther Lick Creek (CWF, MF) (Colley, PA Quadrangle, Latitude: 41°35'32", Longitude: -76°15'17");

14. a 12 inch diameter natural gas line and a temporary timber mat bridge impacting 860 square feet of a Palustrine Emergent Wetland (Colley, PA Quadrangle, Latitude: 41°35'29", Longitude: -76°15'30");

15. a 12 inch diameter natural gas line and a timber mat bridge impacting 131 linear feet of an unnamed tributary to Panther Lick Creek (CWF, MF) (Colley, PA Quadrangle, Latitude: 41°35'28", Longitude: -76°15'32");

16. a 12 inch diameter natural gas line and a temporary timber mat bridge impacting 2,722 square feet of a Palustrine Emergent and Palustrine Forested Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°35'27", Longitude: -76°15'34");

17. a 12 inch diameter natural gas line and a temporary timber mat bridge impacting 4,742 square feet of a Palustrine Forested Wetland (Colley, PA Quadrangle, Latitude: 41°35'20", Longitude: -76°15'51");

18. a 12 inch diameter natural gas line and a temporary timber mat bridge impacting 1,032 square feet of a Palustrine Forested Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°35'25", Longitude: -76°16'20");

19. a 12 inch diameter natural gas line and a timber mat bridge impacting 202 linear feet of an unnamed tributary to Panther Lick Creek (CWF, MF) (Colley, PA Quadrangle, Latitude: 41°35'26", Longitude: -76°16'19");

20. a 12 inch diameter natural gas line and a temporary timber mat bridge impacting 8,579 square feet of a

Palustrine Emergent and Palustrine Forested Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°35'36", Longitude: -76°16'35");

21. a 12 inch diameter natural gas line and a temporary timber mat bridge impacting 960 square feet of a Palustrine Emergent Wetland (Colley, PA Quadrangle, Latitude: 41°35'36", Longitude: -76°16'50");

22. a 12 inch diameter natural gas line and a temporary timber mat bridge impacting 4,075 square feet of a Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°35'22", Longitude: -76°17'23");

23. a 12 inch diameter natural gas line and a temporary timber mat bridge impacting 3,565 square feet of a Palustrine Emergent and Palustrine Forested Wetland (Colley, PA Quadrangle, Latitude: 41°35'20", Longitude: -76°17'27");

24. a 12 inch diameter natural gas line and a temporary timber mat bridge impacting 1,680 square feet of a Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°35'13", Longitude: -76°17'31");

25. a 12 inch diameter natural gas line and a timber mat bridge impacting 162 linear feet of an unnamed tributary to Foster Branch Sugar Run (CWF, MF) (Colley, PA Quadrangle, Latitude: 41°35'12", Longitude: -76°17'33");

26. a 12 inch diameter natural gas line and a timber mat bridge impacting 201 linear feet of an unnamed tributary to Foster Branch Sugar Run (CWF, MF) (Colley, PA Quadrangle, Latitude: 41°35'08", Longitude: -76°17'41");

27. a 12 inch diameter natural gas line and a timber mat bridge impacting 122 linear feet of an unnamed tributary to Foster Branch Sugar Run (CWF, MF) (Colley, PA Quadrangle, Latitude: 41°35'02", Longitude: -76°18'12");

28. a 12 inch diameter natural gas line and a temporary timber mat bridge impacting 11,178 square feet of a Palustrine Emergent Wetland (Colley, PA Quadrangle, Latitude: 41°35'13", Longitude: -76°17'31");

29. a 12 inch diameter natural gas line impacting 141 linear feet of an unnamed tributary to Foster Branch Sugar Run (CWF, MF) and impacting 13,049 square feet of an adjacent Palustrine Emergent and Palustrine Scrub-Shrub Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°35'06", Longitude: -76°18'40");

30. a 12 inch diameter natural gas line and a temporary timber mat bridge impacting 4,352 square feet of a Palustrine Forested Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°34'57", Longitude: -76°19'09");

31. a 12 inch diameter natural gas line and a timber mat bridge impacting 233 linear feet of an unnamed tributary to Foster Branch Sugar Run (CWF, MF) (Colley, PA Quadrangle, Latitude: 41°34'56", Longitude: -76°19'10");

32. a 6 inch diameter natural gas line and a timber mat bridge impacting 122 linear feet of an unnamed tributary to Foster Branch Sugar Run (CWF, MF) (Colley, PA Quadrangle, Latitude: 41°35'13", Longitude: -76°18'13");

33. a 6 inch diameter natural gas line and a temporary timber mat bridge impacting 10,758 square feet of a Palustrine Scrub-Shrub Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°35'18", Longitude: -76°18'14");

34. a 6 inch diameter natural gas line and a timber mat bridge impacting 202 linear feet of an unnamed tributary to Foster Branch Sugar Run (CWF, MF) (Colley, PA Quadrangle, Latitude: 41°35'28", Longitude: -76°18'15");

The project will result in 2,092 linear feet or 20,619 square feet of temporary stream impacts and impacts 43,161 square feet (0.99 acre) of temporary PEM, 15,172 square feet (0.35 acre) of PSS wetland impacts and 20,472 square feet (0.47 acre) of PFO wetland impacts all for the purpose of installing a natural gas pipeline with associated access roadways for Marcellus shale development in Wilmot Township, Bradford County. The permittee will provide 0.85 acre of wetland enhancement mitigation at the Wilmot Mitigation Site (Colley, PA Quadrangle, Latitude: 41°36'45", Longitude: -76°17'28"). This project is associated with permit application number E6629-020

E6629-020: Appalachia Midstream, LLC, 100 IST Center, Horseheads, NY 14845, Windham Township, **Wyoming County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 16 inch diameter natural gas line and a temporary timber mat bridge impacting 1,535 square feet of a Palustrine Emergent and Palustrine Scrub-Shrub Wetland (Jenningsville, PA Quadrangle, Latitude: 41°35'33", Longitude: -76°12'27");

2. a 16 inch diameter natural gas line and a temporary timber mat bridge impacting 34 linear feet of an unnamed tributary to Sugar Run Creek (CWF, MF) and impacting 1,183 square feet of an adjacent Palustrine Emergent Wetland (EV) (Jenningsville, PA Quadrangle, Latitude: 41°35'22", Longitude: -76°12'24");

3. a 16 inch diameter natural gas line and a timber mat bridge impacting 96 linear feet of an unnamed tributary to Sugar Run Creek (CWF, MF) (Jenningsville, PA Quadrangle, Latitude: 41°35'20", Longitude: -76°12'24");

The project will result in 130 linear feet or 879 square feet of temporary stream impacts and impacts 1,495 square feet (0.21 acre) of temporary PEM and 1,223 square feet (0.03 acre) of PSS wetland impacts all for the purpose of installing a natural gas pipeline with associated access roadways for Marcellus shale development in Windham Township, Wyoming County. The permittee will provide 0.85 acre of wetland enhancement mitigation at the Wilmot Mitigation Site (Colley, PA Quadrangle, Latitude: 41°36'45", Longitude: -76°17'28"). This project is associated with permit application number E0829-091

E5829-064. Talisman Energy USA, Inc.; 337 Daniel Zenker Drive, Horseheads, NY 14845; Apolaccon and Choconut Townships, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1. One 20 inch diameter and one 16 inch diameter gas pipeline, one 6 inch diameter waterline, and a timber mat bridge crossing impacting 65 linear feet of an unnamed tributary to Apalachin Creek (CWF, MF) (Friendsville, PA Quadrangle: 41° 58' 49" N; -76° 04' 21" W),

2. One 20 inch diameter and one 16 inch diameter gas pipeline, one 6 inch diameter waterline, and a timber mat bridge crossing impacting 93 linear feet of an unnamed tributary to Apalachin Creek (CWF, MF) (Friendsville, PA Quadrangle: 41° 58' 33" N; -76° 04' 51" W),

3. One 20 inch diameter and one 16 inch diameter gas pipeline, one 6 inch diameter waterline, and a timber mat

bridge crossing impacting 3,080 square feet (0.07 acre) of a palustrine forested wetland (PFO) (Friendsville, PA Quadrangle: 41° 58' 49" N; -76° 04' 21" W),

4. One 20 inch diameter and one 16 inch diameter gas pipeline, one 6 inch diameter waterline, and a timber mat bridge crossing impacting 633 square feet (0.01 acre) of a palustrine forested wetland (PFO) (Friendsville, PA Quadrangle: 41° 58' 24" N; -76° 05' 00" W),

5. One 20 inch diameter and one 16 inch diameter gas pipeline, one 6 inch diameter waterline, and a timber mat bridge crossing impacting 1,147 square feet (0.03 acre) of a palustrine forested wetland (PFO) (Friendsville, PA Quadrangle: 41° 58' 24" N; -76° 05' 01" W),

6. One 20 inch diameter and one 16 inch diameter gas pipeline, one 6 inch diameter waterline, and a timber mat bridge crossing impacting 51 linear feet of an unnamed tributary to Apalachin Creek (CWF, MF) (Friendsville, PA Quadrangle: 41° 58' 24" N; -76° 05' 00" W),

7. a timber mat bridge temporary crossing impacting 510 square feet (0.03 acre) of a palustrine forested wetland (PFO) (Friendsville, PA Quadrangle: 41° 58' 21" N; -76° 05' 07" W),

8. One 20 inch diameter and one 16 inch diameter gas pipeline, one 6 inch diameter waterline, and a timber mat bridge crossing impacting 1,680 square feet (0.04 acre) of a palustrine emergent wetland (PEM) (Friendsville, PA Quadrangle: 41° 58' 21" N; -76° 05' 10" W),

The project consists of constructing approximately 1.68 miles of 20" and 16" steel natural gas gathering line and a 6" waterline connecting a well site located in Apolaccon Township, Susquehanna County. The project will result in 209 linear feet of temporary stream impacts, 5,369 square feet (0.12 acre) of wetland conversion impacts, and 1,680 square feet (0.04 acre) of temporary wetland impacts, all for the purpose of conveyance of Marcellus Shale natural gas to market.

ENVIRONMENTAL ASSESSMENTS

Southwest Region: Watershed Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

EA32-011. Fluid Recovery Services, LLC, 5035 US Route 10, Creekside, PA 15732; Burrell Township, **Indiana County**; ACOE Pittsburgh District

Applicant is proposing to remove radiation impacted sediment from a 1' deep by 20' wide by 600' long portion of Blacklick Creek immediately downstream from an existing facility outfall. Excavated substrate will be treated, in part, by removing radiation impacted fine sediment, and Blacklick Creek will be restored by replacing the larger, treated substrate material into the excavated area. The site is located at the Fluid Recovery Services, LLC—Josephine facility, at 931 Bells Mills Road, Josephine, PA 15750 (Bolivar, PA USGS Quadrangle; N: 19.22 inches; W: 5.88 inches; Latitude: 40°28'51.08"; Longitude: -79°10'02.23") in Burrell Township, Indiana County.

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

EA27-050, USDA Forest Service—Allegheny National Forest, 4 Farm Colony Drive, Warren PA 16365. The Branch Stream Restoration Project, in Kingsley Township, **Forest County**, ACOE Pittsburgh District (Mayburg, PA Quadrangle N: 41°, 32', 26.9"; W: 79°, 14', 40.9").

To restore a 170 LF section of The Branch (EV—CWF) by installing 3 engineered log complexes and excavating a total of 388 square feet of stream bed in 3 locations. The goal of the project is to improve water quality and ecology by stabilizing the severely eroded bank, restoring natural stream flow patterns, and introducing improved habitat for aquatic life.

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

D39-125EA, John Mikowychok, Director, Department of Parks and Recreation, City of Allentown, 3000 Parkway Boulevard, Allentown, PA 18104. Allentown, **Lehigh County**, USACOE Philadelphia District.

Project proposes to remove Keck's Dam for the purpose of eliminating a threat to public safety and restoring the stream to a free-flowing condition. The project is located across the Little Lehigh Creek (HQ-CWF), 250 feet upstream from Keck's Bridge (Allentown West, PA Quadrangle; Latitude: 40.5526; Longitude: -75.5023).

D39-126EA, Bruce Fosselman, Township Manager, Lower Macungie Township, 3400 Brookside Road, Macungie, PA 18062. Lower Macungie Township, **Lehigh County**, USACOE Philadelphia District.

Project proposes to remove Wild Cherry Lane Dam for the purpose of eliminating a threat to public safety and restoring the stream to a free-flowing condition. The project is located across the Little Lehigh Creek (HQ-CWF) (Allentown West, PA Quadrangle; Latitude: 40.5404; Longitude: -75.5422).

D46-105, Barbara Lynch, Chairperson, Salford Township, 139 Ridge Road, P.O. Box 54, Tylersport, PA 18971. Salford Township, **Montgomery County**, USACOE Philadelphia District.

Project proposes to rehabilitate White's Mill Dam across Ridge Valley Creek (HQ-TSF, MF). Modifications will increase spillway capacity, level the top of the dam and reinforce the dam and bolster erosion protection. Project will impact a de minimus area of wetland equal to 0.04 acre (PEM). The dam is located immediately north of White's Mill Road as it crosses Ridge Valley Creek (Perkiomenville, PA Quadrangle, Latitude: 40.356, Longitude: -75.406).

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.

| NPDES No. (Type) | Facility Name & Address | County & Municipality | Stream Name (Watershed #) | EPA Waived Y/N ? |
|-----------------------------------|---|-------------------------------------|--|---------------------|
| PA0032964— Sew | Mr. James Ross PA DCNR State Parks Bureau— Cowans Gap State Park 6235 Aughwick Road Fort Loudon, PA 17224 | Fulton County / Todd Township | South Branch Little Aughwick Creek / 12-C | Y |
| PA0248088— Sew (w/transfer) | Steven J. Tambini PA American Water Company 800 West Hersheypark Drive Hershey, PA 17033 | Adams County / Franklin Township | UNT Marsh Creek / 13-D | Y |
| PA0248478— CAFO | Michael Burkholder Whispering Pines Farms CAFO 339 Dekka Road Fleetwood, PA 19522 | Berks County / Richmond Township | 3-B | Y |

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

| NPDES No. (Type) | Facility Name & Address | County & Municipality | Stream Name (Watershed No.) | EPA Waived Y/N? |
|-----------------------|--|--|--|--------------------|
| PA0030287 (Sewage) | Allegheny Country Club Country Club Road Sewickley, PA 15143 | Allegheny County Sewickley Heights Borough | Unnamed Tributary to Little Sewickley Creek 20-G | Y |
| PA0034258 (Sewage) | Independence Elementary School STP 103 School Road Aliquippa, PA 15001 | Beaver County Independence Township | Raccoon Creek 20-D | Y |
| PA0252522 (Sewage) | Lavansville STP SR 31 Somerset, PA 15501 | Somerset County Somerset Township | West Branch Coxes Creek 19-F | N |
| PA0033405 (Sewage) | Sewickley Pines Manor STP West Newton, PA 15089 | Westmoreland County, Sewickley Township | Unnamed Tributary of Sewickley Creek 19-D | N |
| PA0021407 (Sewage) | Point Marion STP PO Box 236 Point Marion, PA 15474 | Fayette County Point Marion Borough | Monongahela River 19-G | N |
| PA0217913 (Sewage) | Urling Mine 1 & 2 Main Portal STP Anthony Run Road Shelocta, PA 15774 | Indiana County Armstrong Township | Anthony Run (17-E) | Y |

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

| NPDES No. (Type) | Facility Name & Address | County & Municipality | Stream Name (Watershed #) | EPA Waived Y/N ? |
|-----------------------|---|---|--|---------------------|
| PA0040878 (Sewage) | Keystone Adolescent Center 270 Sharon Road, Greenville, PA 16125 | Mercer County West Salem Township | Unnamed Tributary to the Shenango River (20-A) | Y |
| PA0210714 (Sewage) | Mark D. & Wendy J. Watt SFTF 3383 Church Street Reynoldsville, PA 15851 | Jefferson County Winslow Township | Unnamed Tributary to the Fehley Run (17-C) | Y |

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

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

NPDES Permit No. PA0052787, Sewage, **Quakertown United Mennonite Church**, 180 West Thatcher Road, Quakertown, PA 18951.

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

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge treated sewage from a facility known as Quakertown United Mennonite Church STP to a Dry Swale Tributary to Tohickon Creek in Watershed 2-D.

NPDES Permit No. PA0050474, Sewage, **Warwick Drainage Company, c/o Piazza Management Company**, 401 S. Schuylkill Avenue, Norristown, PA 19403.

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

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge treated sewage from a facility known as St. Peters Village STP to French Creek in Watershed 3-D.

NPDES Permit No. PA0026786 A-1, Sewage, **Pottstown Borough Authority**, 100 East High Street, Pottstown, PA 19464.

This proposed facility is located in Pottstown Borough, **Montgomery County**.

Description of Proposed Action/Activity: Approval for the amendment of an NPDES permit to discharge treated sewage from a facility known as Pottstown Borough STP to Schuylkill River in Watershed 3-D.

NPDES Permit No. PA0244074 A-1, Sewage, **Aqua Pennsylvania Wastewater, Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3489.

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

Description of Proposed Action/Activity: Approval for the amendment of an NPDES permit to discharge treated sewage from a facility known as Stony Creek Farms WWTF to Stony Creek in Watershed 3F-Lower Schuylkill.

NPDES Permit No. PA0058602, Stormwater, **Delaware Valley Concrete Co. Inc.**, 248 E. County Line Road, Hatboro, PA 19040-2116.

This proposed facility is located in Hatboro Borough, **Montgomery County**.

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge stormwater from a facility known as Delaware Valley Concrete Hatboro Plant to Unnamed Tributary of Pennypack Creek in Watershed 3-J.

NPDES Permit No. PA0244244, Stormwater, **Flint Ink North America Corporation**, 210 Phillips Road, Lionville, PA 19341.

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

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge treated stormwater from a facility known as Flint Group North America Lionville Plant to Pine Creek in Watershed 3-D.

NPDES Permit No. PA0053651 A-1, Industrial, **Johnson Matthey Inc.**, 1401 King Road, West Chester, PA 19380-1467.

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

Description of Proposed Action/Activity: Approval for the amendment of an NPDES permit to discharge from a facility known as Johnson Matthey GWCU to Valley Creek in Watershed 3-H.

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

NPDES Permit No. PA0065528, SIC Code 8811, **Herbert Glenn & Joy**, 3033 Teakwood Drive, Coopersburg, PA 18036.

This proposed facility is located in Upper Saucon Township, **Lehigh County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated Sewage for an existing single family home of treated sewage.

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

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

QM Permit No. 3913405, Sewage, SIC Code 8811, **Herbert Glenn & Joy**, 3033 Teakwood Drive, Coopersburg, PA 18036.

This proposed facility is located in Upper Saucon Township, **Lehigh County**.

Description of Proposed Action/Activity: Installation of a single family wastewater treatment facility for an existing three bedroom home. This installation will refurbish an existing failed on-lot system. The discharge sewage system will consist of a 1,250 gallon dual chambered septic tank, Zabel filter, dosing tank and pump to three Puraflo peat filters, UV disinfection, 500 gallon lift pump station, and a 2" PVC discharge pipe to a drainage swale.

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

QM Permit No. 0503202, Amendment #1, Industrial Waste, **Michelle Jacoby**, PA Fish & Boat Commission, 450 Robinson Road, Bellefonte, PA 16823.

This proposed facility is located in East St. Clair Township, **Bedford County**.

Description of Proposed Action/Activity: Permit approval for the construction / operation of industrial waste facilities consisting of: ACTIFLOW treatment plant, aerated manure storage tank, influent pump station, sludge pump station, coagulant and polymer chemical feed systems and emergency generator at Reynoldsdale Fish Culture Station.

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

QM Permit No. 5613403, Sewage, **Indian Lake Borough**, 1301 Causeway Drive, Central City, PA 15926.

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

Description of Proposed Action/Activity: construction of an SR Sewage Treatment Plant to serve the residences of Choctaw Lot # 15.

WQM Permit No. WQG016196, Wilson Creek Energy LLC, 609 Georgian Place, Somerset, PA 15501.

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

Description of Proposed Action/Activity: Construction and operation of a small flow treatment facility.

WQM Permit No. 463S028-A3, Sewage, SIC Code 4952, **Westmoreland Fayette Municipal Sewer Authority**, PO Box 126, Scottdale, PA 15683-0126.

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

Description of Proposed Action/Activity: Construction/installation of an Interceptor Sewer, force main and New SBR sewage treatment plant for Scottdale. Also rehabilitation of the Swedetown pump station.

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

WQM Permit No. WQG01101302, Sewage, **Michael R. Kelley**, 862 Holly Hills Drive, Auburn, CA 95603.

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

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

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 & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water / Use</i> |
|-------------------------|---|---------------|-------------------------|--|
| PAI132231 | Alburtis Borough Lehigh County, 260 Franklin Street, Alburtis, PA 18011 | Lehigh | Alburtis Borough | Swabia Creek / HQ-CWF and MF |
| PAI132209 | Salisbury Township Lehigh County, 2900 S Pike Avenue, Allentown, PA 18103-7611 | Lehigh | Salisbury Township | Little Lehigh Creek, Black River, and Trout Creek / HQ-CWF, MF and CWF, MF |
| PAI132236 | Weisenberg Township Lehigh County, 2175 Seipstown Road, Fogelsville, PA 18051-2022 | Lehigh | Weisenberg Township | Haasen Creek / HQ-CWF and MF, Aquatic Life, Water Supply, Recreation |
| PAI132222 | Lower Macungie Township Lehigh County, 3400 Brookside Road, Macungie, PA 18062 | Lehigh | Lower Macungie Township | Little Lehigh Creek and Swabia Creek / HQ-CWF and MF |
| PAI132261 | Fairview Township Luzerne County, 65 Shady Tree Drive, Mountain Top, PA 18707 | Luzerne | Fairview Township | Big Wapwallopen Creek, Solomon Creek and Bow Creek / HQ-CWF and MF, CWF and MF |

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

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

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water / Use</i> |
|-------------------------|---|---------------|------------------------|------------------------------|
| PAI01 1514002-R | The Hankin Group 707 Eagleview Boulevard Exton, PA 19341 | Chester | Upper Uwchlan Township | Marsh Creek HQ—TSF—MF |
| PAI01 1513028 | Brandywine Grande B, L.P. 555 East Lancaster Avenue Suite 100 Radnor, PA 19087 | Chester | Tredyffrin Township | Little Valley Creek EV |

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

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|--|---------------|---|-------------------------------------|
| PAI023912031 | Posocco Properties 2610 Walbert Avenue Allentown, PA 18104 | Lehigh | Upper Macungie Twp. & South Whitehall Twp. | UNT to Jordan Creek (HQ-CWF, MF) |
| PAI024813004 | Prologis 60 State Street Suite 1200 Boston, MA 02109 | Northampton | Lower Nazareth Township | Monocacy Creek (HQ-CWF, MF) |

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

| <i>Permit #</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|--------------------------|--|---------------|------------------------|-------------------------------|
| PAI033613008 (Issued) | Lamar Weaver 255 Hickory Road Denver, PA 17517 | Lancaster | West Cocalico Township | Cocalico Creek (HQ-WWF) |
| PAI032113003 (Issued) | Rostan Associates 415 Fallowfield Road Camp Hill, PA 17011 | Cumberland | Middlesex Township | Letort Spring Run (HQ-CWF) |

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

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

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|--|---------------|---------------------|---|
| PAI044112006(1) | Kent Morton Moxie Patriot LLC 612 Center St S Ste 200 Vienna VA 22180 | Lycoming | Clinton Township | UNT to W.B. Susquehanna River WWF, MF |

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

McKean County Conservation District, 17137 Route 6, Smethport PA 16749

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|---|---------------|---------------------|---|
| PAI064213002 | Verizon Wireless 18 Abele Road Bridgeville PA 15017 | McKean | Hamlin Township | Five Mile Run HQ-CWF; Unt Marvin Creek CWF |

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

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

List of NPDES and/or Other General Permit Types

| | |
|-------------|---|
| PAG-1 | General Permit for Discharges From Stripper Oil Well Facilities |
| PAG-2 | General Permit for Discharges of Stormwater Associated With Construction Activities |
| PAG-3 | General Permit for Discharges of Stormwater From Industrial Activities |
| PAG-4 | General Permit for Discharges From Small Flow Treatment Facilities |
| PAG-5 | General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems |
| PAG-6 | General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO) |
| PAG-7 | General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application |
| PAG-8 | General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site |
| PAG-8 (SSN) | Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage |
| PAG-9 | General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site |
| PAG-9 (SSN) | Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage |
| PAG-10 | General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines |
| PAG-11 | (To Be Announced) |

| | |
|--------|---|
| PAG-12 | Concentrated Animal Feeding Operations (CAFOs) |
| PAG-13 | Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4) |
| PAG-14 | (To Be Announced) |
| PAG-15 | General Permit for Discharges From the Application of Pesticides |

General Permit Type—PAG-02

Facility Location:

| <i>Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office & Phone No.</i> |
|--|---------------------|--|--|--|
| Tinicum Township Delaware County | PAG0200 2313020 | Express Park, Inc. 900 E. Second Street Essington, PA 19029 | Darby Creek WWF—MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| Haverford Township Delaware County | PAG0200 2306055R | Haverford Township 2325 Darby Road Haverford, PA 19083 | Darby Creek CWF—MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| Pottstown Borough Montgomery County | PAG0200 4613025 | PennDOT District 6-0 7000 Geerdes Blvd King of Prussia, PA 19406 | Schuylkill River WWF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| Upper Providence Montgomery County | PAG0200 4606047R | Toll Brothers, Inc. 4 Hillman Drive, Suite 120 Chadds Ford, PA 19317 | Unnamed Tributary to Schuylkill River | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| Lower Salford Township Montgomery County | PAG0200 4613069 | Branch Creek Real Estate 266 Covenant Lane Harleysville, PA 19438 | West Brank Skipack Creek TSF—MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |
| City of Philadelphia Philadelphia County | PAG0201 511336 | HEPACO REACT, LLC 716 Jersey Avenue Gloucester City, NJ 08030 | Delaware River WWF—MF | Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900 |

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

Facility Location:

| <i>Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office & Phone No.</i> |
|---|-------------------|---|--|--|
| City of Allentown Lehigh County | PAG02003911009R | Sara Hailstone Allentown Neighborhood Improvement Zone Development Authority (ANIZDA) 435 W. Hamilton St. Allentown, PA 18101 | Jordan Creek (TSF, MF) | Lehigh County Conservation District 610-391-9583 |
| Hegins Township Schuylkill County | PAG02005413016 | Tri-Valley School District 110 W. Main St. Valley View, PA 17983 | Pine Creek (CWF, MF) Deep Creek (CWF, MF) | Schuylkill County Conservation District 570-622-3742 |
| West Penn Township Schuylkill County | PAG02005406021RR | GSP Management Co. PO Box 677 Morgantown, PA 19543 | Lizard Creek (TSF, MF) | Schuylkill County Conservation District 570-622-3742 |
| Springville Township Susquehanna County | PAG02005813002 | Somerset Regional Water Resources, LLC 60 Teel Road Springville, PA 18844 | Meshoppen Creek (CWF, MF) | Susquehanna County Conservation District 570-278-4600 |

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

Facility Location:

| <i>Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water / Use</i> | <i>Contact Office & Phone No.</i> |
|---|-----------------------------|--|--|--|
| City of Altoona, Blair County | PAG02000713017 (Issued) | Sheetz, Inc. 5700 Sixth Avenue Altoona, PA 16602 | Spring Run (WWF) | Blair Co Conservation District 1407 Blair St Hollidaysburg, PA 16648 814.696.0877 |
| Londonderry Township, Dauphin County | PAG02002212020R (Issued) | Molinari & Greenberg, LLC 4083 Wimbledon Drive Harrisburg, PA 17112 | Swatara Creek (WWF) | Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100 |
| Lower Swatara Township & Middletown Borough, Dauphin County | PAG02002207042R (Issued) | Susquehanna Area Regional Airport Authority 1 Terminal Drive Suite 300 Middletown, PA 17057 | Susquehanna River (WWF) | Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100 |
| Lower Swatara Township, Dauphin County | PAG02002213039 (Issued) | Matt Genesio Campus Heights Association LP PO Box 222 Southeastern, PA 19399 | Swatara Creek (WWF) | Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100 |
| Derry Township, Dauphin County | PAG02002211027R (Issued) | Jon Sheppard PO Box 944 Hershey, PA 17033 | Spring Creek East (WWF) | Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100 |
| Derry Township, Dauphin County | PAG02002209024R (Issued) | Milton Hershey School PO Box 830 Hershey, PA 17033 | Spring Creek East (WWF) | Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100 |
| South Annville Township, Lebanon County | PAG02003809005R (Issued) | Lee Bothell 1737 West Main Street Ephrata, PA 17522 | Quittapahilla via Bachman Run (TSF) | Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4 |
| York Township & Windsor Township York County | PAG02006713054 (Issued) | Columbia Gas of Pennsylvania 4000 Energy Drive Bridgeville, PA 15017 | Mill Creek (WWF), Kreutz Creek (WWF) | York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430 |

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

*Facility Location:
Municipality &
County*

| <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office & Phone No.</i> |
|---|---|---|--|
| Harris Township Centre County | PAG02001409013R Rockey Ridge Partnership 196 Potters Ln Port Matilda PA 16870 | UNT to Spring Creek & Cedar Run CWF | Centre County Conservation District 414 Holmes Avenue, Suite 4 Bellefonte, PA 16823 (814) 355-6817 |
| Gulich & Woodward Townships Clearfield County | PAG02001711014(2) Woodward Twp Sewage & Water Authority PO Box 6 Houtzdale PA 16651 | Beaver Run CWF Whiteside Run CWF | Clearfield County Conservation District 650 Leonard Street Clearfield, PA 16830 (814) 765-2629 |
| Lawrence Township Clearfield County | PAG02001713012 Lawrence Twp Supervisors 45 George St Clearfield PA 16830 | Montgomery Creek CWF UNT to W B Susquehanna River CWF | Clearfield County Conservation District 650 Leonard Street Clearfield, PA 16830 (814) 765-2629 |
| Castanea Township Clinton County | PAG02001814001 First Quality Tissue Matt Hiller 904 Woods Ave Lock Haven PA 17745 | Bald Eagle Creek WWF, MF | Clinton County Conservation District 45 Cooperation Lane Mill Hall, PA 17751 (570) 726-3798 |

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

*Facility Location:
Municipality &
County*

| <i>Permit No.</i> | <i>Applicant Name and Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office and Phone No.</i> |
|--|--|--|--|
| Town of McCandless Allegheny County | PAG02000210023-1R AsVenture Phase IV, LP 11 East Oak Street Selma, NC 27576 | UNT to Pine Creek (TSF) | Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645 |
| Forward Township Allegheny County | PAG02000212003R Giant Eagle, Inc. | Fallen Timber Run (WWF) | Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645 |
| White Oak Borough Allegheny County | PAG02000212009R PennDOT Dist 11-0 45 Thoms Run Road Bridgeville, PA 15107 | Long Run (TSF) and Crooked Run (WWF) | Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645 |
| Ross Township Allegheny County | PAG02000212075-2 R&B Contracting & Excavation, Inc. 4821 Buttermilk Hollow Road West Mifflin, PA 15122 | Lowries Run (TSF) | Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645 |

NOTICES

| <i>Facility Location: Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name and Address</i> | <i>Receiving Water / Use</i> | <i>Contact Office and Phone No.</i> |
|---|-------------------|---|--|--|
| Pine Township Allegheny County | PAG02000212129 | Village of Pine, LP 11279 Perry Hwy Suite 509 Wexford, PA 15090 | Pine Creek (CWF) | Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645 |
| Findlay Township Allegheny County | PAG02000213038-3 | 100 Industry Drive Partners, LP 150 Holiday Drive Suite 570 Pittsburgh, PA 15220 | UNT to McClaren Run (TSF) and Montour Run (TSF) | Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645 |
| Wilkins Township Allegheny County | PAG02000213097 | Wilkins Township 110 Peffer Road Turtle Creek, PA 15145 | Thompson Run (WWF) | Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645 |
| West Mifflin Borough Allegheny County | PAG02000213100 | Community College of Allegheny County 800 Allegheny Ave Pittsburgh, PA 15223 | UNT to Monongahela River (WWF) | Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645 |
| Robinson Township Allegheny County | PAG02000213107 | Rugby Realty Company 145 Huguenot Street Suite 300A New Rochelle, NY 10801 | UNT to Campbells Run (WWF) | Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645 |
| Robinson Township Allegheny County | PAG02000213111 | Rugby Realty Company 145 Huguenot Street Suite 300A New Rochelle, NY 10801 | UNT to Campbells Run (WWF) | Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645 |
| Franklin Park Borough Allegheny County | PAG02000213117 | Ashesh Patel 451 Washington Ave Bridgeville, PA 15017 | UNT to Pine Creek (CWF) | Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645 |
| Moon Township Allegheny County | PAG02000213119 | Chevron Corporation Chevron Office Bldg Cherrington Park 600 Corporate Center Dr Coraopolis, PA 15108 | UNT to Montour Run (WWF) | Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645 |

| <i>Facility Location: Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name and Address</i> | <i>Receiving Water / Use</i> | <i>Contact Office and Phone No.</i> |
|---|-------------------|---|---|---|
| East Franklin Township Washington Township Armstrong County | PAG02000311005R | Steven W. Shaffer 671 Reesedale Road PO Box 32 Adrian, PA 16210 | Limestone Run (WWF) and UNT to Limestone Run (WWF) | Armstrong County CD Armsdale Admin Bldg 124 Armsdale Road Kittanning, PA 16201 (724) 548-3425 |
| Gallitzin Township Cambria County | PAG02001113016 | Gallitzin Borough Sewer & Disposal Authority Degol Plaza 411 Convent Street Suite 10 Gallitzin, PA 16641 | UNT to Bradley Run (CWF) | Cambria County CD 401 Candlelight Drive Suite 229 Ebensburg, PA 15931 (814) 472-2120 |
| Nanty Glo Borough Cambria County | PAG02001113017 | Blacklick Valley School District 555 Birch Street Nanty Glo, PA 15943 | UNT to South Branch of Blacklick Creek (CWF) | Cambria County CD 401 Candlelight Drive Suite 229 Ebensburg, PA 15931 (814) 472-2120 |
| Franklin Township Greene County | PAG02003012006-1 | Donald Chappel 300 Evergreen Drive Waynesburg, PA 15370 | South Fork Ten Mile Creek (WWF) | Greene County CD 19 South Washington Street Waynesburg, PA 15456 (724) 852-5278 |
| East Wheatfield Township Indiana County | PAG02003207007R | Armagh Meadows 2534 North 3rd St Harrisburg, PA 17110 | Marsh Run (CWF) | Indiana County CD 625 Kolter Drive Suite 8 Indiana, PA 15701 (724) 471-4751 |
| Somerset Township Somerset County | PAG02005613001 | Guy Chemical Company, Inc. 150 Dominion Drive Somerset, PA 15501 | UNT to Kimberly Run (CWF) | Somerset County CD 6024 Glades Pike Suite 103 Somerset, PA 15501 |

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

| <i>Facility Location: Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water / Use</i> | <i>Contact Office & Phone No.</i> |
|---|-------------------|--|----------------------------------|---|
| Cranberry Township Butler County | PAG02001012004R | Shadow Creek Development Associates 215 Executive Drive Cranberry Township PA 16066 | Unt Wolfe Run WWF | Butler County Conservation District 724-284-5270 |
| West Mead Township Crawford County | PAG02002011003R | Meadville Rehab and Nursing 14714 Park Avenue Ext Meadville PA 16335 | Bennyhoof Creek CWF; MF | Crawford County Conservation District 814-763-5269 |
| Union Township Lawrence County | PAG02003713010 | Columbia Gas of PA Attn: Anya Shrier 4000 Energy Drive Bridgeville PA 15017 | Unt Shenango River WWF | Lawrence County Conservation District 724-652-4512 |
| Eldred Township McKean County | PAG02004213004 | Verizon Wireless 18 Abele Road Bridgeville PA 15017 | Mix Creek | McKean County Conservation District 814-887-4001 |

| <i>Facility Location: Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office & Phone No.</i> |
|---|-------------------|---|--------------------------------|---|
| Foster Township McKean County | PAG02004213005 | Bradford Economic Development Corporation 20 Russell Blvd PO Box 490 Bradford Pa 16701 | Kendall Creek WWF | McKean County Conservation District 814-887-4001 |
| Youngsville Borough Warren County | PAG02006213007 | Youngsville FDS 10961, LLC And Durban Development 3735 Beam Road, Suite B Charlotte NC 28217 | Unt Brokenstraw Creek CWF | Warren County Conservation District 814-726-1441 |

General Permit Type—PAG-03

| <i>Facility Location: Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office & Phone No.</i> |
|---|-------------------|--|--|---|
| East Coventry Township Chester County | PAG030002 | QuarryCut, Inc. 77 Wells Road Parker Ford, PA 19457 | Schuylkill River—3D | Southeast Region Clean Water Program 484.250.5970 |
| West Rockhill Township Bucks County | PAR130003 | Fres Co. System USA Inc. 3005 State Road Telford, PA 18969 | Unnamed Tributary of Mill Creek—3E | Southeast Region Clean Water Program 484.250.5970 |
| West Rockhill Township Bucks County | PAR230085 | TEVA Pharmaceuticals USA 650 Cathill Road Sellersville, PA 18960 | East Branch Perkiomen Creek—3E | Southeast Region Clean Water Program 484.250.5970 |
| East Rockhill Township Bucks County | PAR800116 | Pennridge School District 1506 N. 5th Street Perkasie, PA 18944 | East Branch Perkiomen Creek 3E | Southeast Region Clean Water Program 484.250.5970 |
| East Greenville Borough Montgomery County | PAR110056 | FIBA Technologies, Inc. 1645 State Street East Greenville, PA 18041 | Unnamed Tributary To Perkiomen Creek—3E | Southeast Region Clean Water Program 484.250.5970 |
| Falls Township Bucks County | PAR800090 | Norfolk Southern Railway Co. 1200 Peachtree Street, N E Box 13 Atlanta, GA 30309 | Unnamed Tributary to Martins Creek—2-E | Southeast Region Clean Water Program 484.250.5970 |
| Towamencin Township Montgomery County | PAR230084 | Accupac Inc. PO Box 51200 Mainland, PA 19451-0200 | Unnamed Tributary to Skippack Creek—3-E | Southeast Region Clean Water Program 484.250.5970 |
| Towamencin Township Montgomery County | PAR230016 | Greene Tweed & Co. Inc. PO Box 305 2075 Detwiler Road Kulpsville, PA 19443-305 | Unnamed Tributary to Skippack Creek—3-E | Southeast Region Clean Water Program 484.250.5970 |
| Falls Township Bucks County | PAR200051 | Abington Reldan Metals LLC 550 Old Bordentown Road Fairless Hills, PA 19030 | Unnamed Tributary to Biles Creek—2-E | Southeast Region Clean Water Program 484.250.5970 |
| Bristol Township Bucks County | PAG030003 | Riverside Construction Materials, Inc. 355 Newbold Road Fairless Hills, PA 19030 | Delaware River & Unnamed Tributary to Delaware River—2E | Southeast Region Clean Water Program 484.250.5970 |
| Montgomery Township Montgomery County | PAR230021 A-1 | Illinois Tool Works dba Philadelphia Resins Corp 130 Commerce Drive Montgomeryville, PA 18936 | Park Creek—2-F | Southeast Region Clean Water Program 484.250.5970 |
| Archbald Borough Lackawanna County | PAR112215 | Lockheed Martin 459 Kennedy Drive Archbald, PA 18403-1598 | Unnamed Tributary to Lackawanna River and Unnamed Tributary to Wildcat Creek—5-A | DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511 |

| <i>Facility Location: Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water / Use</i> | <i>Contact Office & Phone No.</i> |
|---|-------------------|--|----------------------------------|--|
| Berks County Kutztown Borough | PAR803567 | Carl R. Bieber Inc. PO Box 180 Kutztown, PA 19530-0180 <hr/> Carl R. Bieber Inc. 320 Fair Street Kutztown, PA 19530-0180 | Sacony Creek / TSF | DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707 |
| Lancaster County Mount Joy Township | PAR123532 | Wenger's Feed Mill, Inc. 101 West Harrisburg Avenue PO Box 26 Rheems, PA 17570-0026 <hr/> 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 |
| Lawrence Township Tioga County | PAG034802 | Nuverra Environmental Solutions Inc. 300 Cherrington Parkway Suite 200 Coraopolis, PA 15108 | Mutton Lane Creek—4-A | DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.0530 |
| Saint Marys City Elk County | PAR118340 | Amphenol Thermometrics Inc. 967 Windfall Road, Saint Marys, PA 15857 | Elk Creek (17-A) | DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942 |

General Permit Type—SFTF PAG-04

| <i>Facility Location: Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water / Use</i> | <i>Contact Office & Phone No.</i> |
|---|-------------------|--|--|--|
| Jenner Township Somerset County | PAG046443 | Wilson Creek Energy, LLC 609 Georgian Place Somerset, PA 15501 | Unnamed Tributary to Quemahoning Creek 18-E | DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000 |

General Permit Type—PAG-4

| <i>Facility Location: Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water / Use</i> | <i>Contact Office & Phone No.</i> |
|---|-------------------|---|---|--|
| Penn Township Butler County | PAG041136 | Michael R. Kelley 862 Holly Hills Drive, Auburn, CA 95603 | Unnamed Tributary to the Thorn Creek 20-C | DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942 |

General Permit Type—PAG-07

| <i>Facility Location: Municipality & County</i> | <i>Permit No.</i> | <i>Applicant's Name & Address</i> | <i>Contact Office & Phone No.</i> |
|---|-------------------|--|---|
| Valley Forge Sewer Authority Wastewater Treatment Plant Schuylkill Township Chester County | PAG070005 | Valley Forge Sewer Authority 333 Pawling Road Phoenixville, PA 19460 | Southeast Region Clean Water Program 484.250.5970 |

| <i>Facility Location: Municipality & County</i> | <i>Permit No.</i> | <i>Applicant's Name & Address</i> | <i>Contact Office & Phone No.</i> |
|--|-------------------|--|---|
| Pennridge Authority Wastewater Treatment Plant Sellersville Bucks County | PAG070003 | Pennridge Wastewater Treatment Authority 180 Maple Avenue Sellersville, PA 18960 | Southeast Region Clean Water Program 484.250.5970 |

General Permit Type—PAG-8

| <i>Facility Location: Municipality & County</i> | <i>Permit No.</i> | <i>Applicant's Name & Address</i> | <i>Contact Office & Telephone No.</i> |
|--|-------------------|--|---|
| Naval Air Warfare Center WWTP Bucks County Warminster Township | PAG080020 | Warminster Township Municipal Authority 1050 Log College Drive Warminster, PA 18974 | Southeast Region Clean Water 484.250.5970 |
| Chalfont-New Britain Joint Sewage Authority Wastewater Treatment Plant Doylestown Township Bucks County | PAG070006 | Chalfont-New Britain Joint Sewage Authority 1645 Upper State Road Doylestown, PA 18901 | Southeast Region Clean Water 484.250.5970 |

| <i>Facility Location: Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Site Name & Location</i> | <i>Contact Office & Phone No.</i> |
|---|-------------------|--|--|--|
| Lancaster County / Manor Township | PAG083533 | Millersville Borough 100 Municipal Drive Millersville, PA 17551 | Millersville Borough Wastewater Treatment Plant 500 Murrycross Way Millersville, PA 17551 | DEP-SCRO-Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707 |
| Blair County / North Woodbury Township | PAG083534 | Martinsburg Municipal Authority 110 South Walnut Street Martinsburg, PA 16662 | Martinsburg Wastewater Treatment Plant 393 S. Nicodemus Street Martinsburg, PA 16662 | DEP-SCRO-Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707 |
| Cumberland / South Middleton Township | PAG083532 | Peck's Septic Service 68 Pine School Road Gardners, PA 17324 | Same | DEP-SCRO-Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707 |

General Permit Type—PAG-10

Southwest Regional Office: Regional Manager, Water Management, 400 Waterfront Drive, Pittsburgh, PA 15222-4745; 412-442-4000

| <i>Facility Location: Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water / Use</i> | <i>Contact Office & Phone No.</i> |
|---|-------------------|--|----------------------------------|--|
| Franklin Township Greene County | PAG106174 | Texas Eastern Trans LP 890 Winter Street Suite 300 Waltham, MA 02451 | Purman Run—19-B WWF | DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000 |

General Permit Type—PAG-12

| <i>Facility Location: Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water / Use</i> | <i>Contact Office & Phone No.</i> |
|---|-------------------|---|--------------------------------|--|
| Berks County Heidelberg Township | PAG123735 | Edward B. Horst Edward Horst Farm 251 West Bunker Hill Road Womelsdorf, PA 19567 | UNT Tulpehocken Creek / TSF | DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707 |

| <i>Facility Location: Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water / Use</i> | <i>Contact Office & Phone No.</i> |
|---|-------------------|--|-------------------------------|--|
| Lebanon County Swatara Township | PAG123655 | Leslie Burkholder Leslie Burkholder Poultry Farm 18 Strawberry Lane Lititz, PA 1543 | UNT Elizabeth Run / WWF | DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707 |
| Juniata County Turbett Township | PAG123612 | John Nolt Hickory Hill Turkey Farm 10190 Mountain Road Port Royal, PA 17082 | UNT to Hunters Creek / CWF | DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707 |
| Huntingdon County Shirley Township | PAG123547 | Lawrence Mummau Tuscarora Swine Farm 1348 Flint Hollow Road Honey Grove, PA 17035 | UNT Fort Run / CWF | DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707 |

General Permit Type—PAG-13

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

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water / Use</i> | <i>DEP Protocol (Y/N)</i> |
|-----------------------------|--|------------------|----------------------|---|-----------------------------------|
| PAG133569 | Earl Township 517 North Railroad Avenue New Holland, PA 17557 | Lancaster County | Earl Township | Mill Creek / WWF & CWF Six UNTs of Mill Creek / WWF Groff Run / WWF UNT to Groff Run / WWF UNT to Conestoga River / CWF | Y |
| PAG133610 | Adamstown Borough PO Box 546 3000 North Reading Road Adamstown, PA 19501-0546 | Lancaster County | Adamstown Borough | Little Muddy Creek / TSF | Y |
| PAG133617 | Columbia Borough 308 Locust Street Columbia, PA 17512-1121 | Lancaster County | Columbia Borough | Shawnee Run, Strickler Run, Susquehanna River, UNT to Shawnee Run and UNT to Susquehanna River / WWF & MF | Y |
| PAG133710 | Clay Township 870 Durlach Road Stevens, PA 17578-9761 | Lancaster County | Clay Township | Indian Run, Middle Creek / TSF & MF | Y |
| PAG133627 | Ephrata Borough 124 S State Street Ephrata, PA 17522-2411 | Lancaster County | Ephrata Borough | Cocalico Creek, UNT to Cocalico Creek and Gross Run / WWF & MF | Y |

General Permit Type—MS4 PAG13

| <i>Facility Location: Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water / Use</i> | <i>Contact Office & Phone No.</i> |
|---|-------------------|---|---|--|
| Dunbar Township Fayette County | PAI136107 | Dunbar Township 128 Township Drive Dunbar, PA 15431 | Dickerson Run, Gist Run, Opossum Run and Youghiogheny River—19-D | DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000 |

NOTICES

841

| <i>Facility Location: Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water / Use</i> | <i>Contact Office & Phone No.</i> |
|---|-------------------|--|--|---|
| Industry Borough Beaver County | PAG136325 | Industry Borough PO Box 249 Industry, PA 15052 | Six Mile Run 20-B | DEP Southwest Regional Office, Clean Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000 |
| Rochester Township Beaver County | PAG136298 | Rochester Township 1013 Elm Street Rochester, PA 15074 | Marquis Run, Whistler Run, Dutchman Run, Lacock Run, McKinley Run 20-B and 20-G | DEP Southwest Regional Office, Clean Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000 |
| Conway Borough Beaver County | PAG136209 | Conway Borough 1208 Third Avenue Conway, PA 15027-1598 | Ohio River Crows Run 20-G | DEP Southwest Regional Office, Clean Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000 |
| New Sewickley Township Beaver County | PAG136280 | New Sewickley Township 233 Miller Road Rochester, PA 15074 | Crows Run, Dutchman Run and Unnamed Tributary to Crows Run 20-G | DEP Southwest Regional Office, Clean Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000 |
| Hopewell Township Beaver County | PAG136178 | Hopewell Township 1700 Clark Boulevard Aliquippa, PA 15001 | Unnamed Tributary to Boggs Run, Unnamed Tributary to Ohio River and Unnamed Tributary to Raccoon Creek 20-D and 20-G | DEP Southwest Regional Office, Clean Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000 |
| New Brighton Borough Beaver County | PAG136124 | New Brighton Borough 610 Third Avenue New Brighton, PA 15066 | Beaver River and Blockhouse Run 20-B | DEP Southwest Regional Office, Clean Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000 |
| West Mayfield Borough Beaver County | PAG136260 | West Mayfield Borough 4609 W 8th Avenue Beaver Falls, PA 15010 | Wallace Run and Walnut Bottom Run 20-B | DEP Southwest Regional Office, Clean Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000 |

| <i>Facility Location: Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water / Use</i> | <i>Contact Office & Phone No.</i> |
|---|-------------------|---|--|---|
| Monaca Borough Beaver County | PAG136120 | Monaca Borough 928 Pennsylvania Avenue Monaca, PA 15061 | Moon Run, Ohio River and Unnamed Tributary to Ohio River 20-G | DEP Southwest Regional Office, Clean Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000 |
| White Township Beaver County | PAG136296 | White Township 2511 13th Avenue Beaver Falls, PA 15010 | Beaver River Walnut Bottom Run 20-B | DEP Southwest Regional Office, Clean Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000 |
| Beaver Borough Beaver County | PAG136356 | Beaver County 810 Third Street Beaver, PA 15009 | Brady Run, Ohio River, South Branch Brady Run, Unnamed Tributary to Ohio River and Unnamed Tributary to Twomile Run 20-B and 20-G | DEP Southwest Regional Office, Clean Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000 |

General Permit Type—MS4 PAG13 (Waiver)

| <i>Facility Location: Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water / Use</i> | <i>Contact Office & Phone No.</i> |
|---|-------------------|---|---|---|
| Monaca Borough Beaver County | PAG136371 | Penn State Beaver Campus 100 University Drive Monaca, PA 15061 | Unnamed Tributary to Moon Run, and Unnamed Tributary to Ohio River 20-G | DEP Southwest Regional Office, Clean Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000 |
| Patterson Heights Borough Beaver County | PAG136335 | Patterson Heights Borough 600 7th Avenue Beaver Falls, PA 15010 | Beaver River Walnut Bottom Run 20-B | DEP Southwest Regional Office, Clean Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000 |
| South Heights Borough Beaver County | PAG136367 | South Heights Borough PO Box 302 South Heights, PA 15081 | Ohio River 20-G | DEP Southwest Regional Office, Clean Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000 |

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 sec-

tion 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 appropri-

ate 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

Southcentral Region: Water Supply Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110

Permit No. 6714501 MA, Minor Amendment, Public Water Supply.

| | |
|-----------------------------|---|
| Applicant | Shrewsbury Borough |
| Municipality | Shrewsbury Borough |
| County | York |
| Responsible Official | Brian L. Sweitzer, Superintendent of Pulic Works 35 W Railroad Avenue Shrewsbury, PA 17361 |
| Type of Facility | Installation of a new submersible well pump for the Luthern Home Well. |
| Consulting Engineer | Charles A Kehew II, P.E. James R. Holley & Associates, Inc. 18 South George Street York, PA 17401 |
| Permit to Construct Issued: | 1/15/2014 |

Operations Permit issued to: **Borough of Boyertown**, 3060081, Earl Township, **Berks County** on 1/14/2014 for the operation of facilities submitted under Application No. 0613511 MA.

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

Permit No. 4913503-MA—Construction Public Water Supply.

| | |
|----------------------|--|
| Applicant | Cherokee Pharmaceuticals, LLC |
| Township/Borough | Riverside Borough |
| County | Northumberland |
| Responsible Official | Brian Killen, Plant Manager Cherokee Pharmaceuticals, LLC, a Subsidiary of Merck Sharp & Dohme Corp. 100 Avenue C Riverside, PA 17868 |

| | |
|-----------------------|--|
| Type of Facility | Public Water Supply |
| Consulting Engineer | Karen Gresh, P.E. Cherokee Pharmaceuticals, LLC 100 Avenue C Riverside, PA 17868 |
| Permit Issued | 1/27/14 |
| Description of Action | Coating of interior of Sand Filter #1 with CIM 1000/1061. You are reminded that other DEP permits may be needed prior to construction. |

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

Wilkinsburg-Penn Joint Water Authority (Public Water Supply), Allegheny County: On January 28, 2014, the Safe Drinking Water Program approved the Source Water Protection (SWP) Plan for Wilkinsburg-Penn Joint Water Authority. The personnel involved with the development of this SWP Plan are to be commended for taking these proactive steps to protect this water source for their community. Development of the SWP Plan was completed with assistance from PA DEP's Source Water Protection Technical Assistance Program.

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

| | |
|----------------------------|--|
| Permit No. 1013506 | Public Water Supply |
| Applicant | Robert H. Young d/b/a Young's Mobile Home Park |
| Township or Borough | Concord Township |
| County | Butler |
| Type of Facility | Public Water Supply |
| Consulting Engineer | Norman P. Straub, P.E. 404 Elliott Road Grove City, PA 16127 |
| Permit to Construct Issued | January 21, 2014 |

Operation Permit issued to **Stephen McElhaney and Deborah L. McElhaney d/b/a D&S Estates**, PWSID #6610033, Jackson Township, **Venango County**. Permit Number 6113503 issued January 22, 2014 for the operation of the D&S Estates Public Water Supply. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on January 15, 2014.

Operation Permit issued to **Forest Green Estates Associates, LP**, PWSID #6200067, West Mead Township, **Crawford County**. Permit Number 2013503 issued January 28, 2014 for the operation of the Forest Green Estates Public Water Supply. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on January 14, 2014.

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 59-342B, Water Allocations. **Blossburg Municipal Authority**, 245 Main Street, Blossburg, PA 16912, Blossburg, **Tioga County**. This Water Allocation Permit Modification Order orders that Blossburg Municipal Authority's Water Allocation Permit be modified to remove Taylor Run as a source of water approved under the allocation permit issued on February 2, 1990. This source is no longer used for public water supply purposes and is not connected in any way to the public water system.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

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

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

Plan Location:

| Borough or Township | Borough or Township Address | County |
|---------------------|---|--------|
| Maxatawny Township | 127 Quarry Rd, Ste 1, Kutztown PA 19530 | Berks |

Plan Description: The planning module amendment for the Arrowhead Business and Industrial Park, DEP Code No. A3-06944-153-2A, APS Id 546436, providing for an increase in the gallons per day that each of the undeveloped lots in the previously approved 24 lot subdivision can generate based on the area available to provide recharge for the individual on lot sewage disposal systems is disapproved. The proposed development is located on the east side of Long Lane, north of Route 222 in Maxatawny Township. This plan is disapproved because the proposed plan fails to demonstrate that the existing and proposed drinking water wells for this subdivision will be protected from the nitrate dispersion plumes emanating from the on lot sewage disposal systems as required by Chapter 71, Section 71.62(c)(4) and the Clean Streams Law.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 2

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

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

tration 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:

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

XTO Energy Inc.—John Waschok #3 Site, 1843 Rhine Road, Brush Valley Township, **Indiana County**. Groundwater and Environmental Services, Inc., 301 Commerce Park Drive, Cranberry, PA 16066 has submitted a Final Report on behalf of XTO Energy, Inc. 395 Airport Road, Indiana PA 15701 concerning remediation of site soils contaminated with aluminum, antimony, arsenic, barium, beryllium, boron, cadmium, chromium, cobalt, copper, iron, lead, manganese, mercury, nickel, selenium, silver, thallium, vanadium, zinc and chloride. The notification of the Final Report was published on January 8, 2014 in the *Indiana Gazette*.

Former Carnegie Tar & Asphalt Property, 107 Dark Hollow Road, Borough of Oakmont, **Allegheny County**. KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110 on behalf of Kacin Companies/Edgewater Properties, L.P., Inc., 3875 Old William Penn Highway, Murrysville, PA 15668 has submitted a Final Report concerning the remediation of site soils and groundwater contaminated with arsenic, iron, benzene, trichloroethylene, and cis-1,2-dichloroethene. Notice of the final report was published in the *Pittsburgh Tribune-Review* on January 23, 2014.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

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

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of

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

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

The Department has received the following plans and reports:

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

Rosemore Shopping Center, 977-1069 West County Line Road, Warminster Township, **Bucks County**. Matt Kelly, AMC Delancey Rosemore Partners, 718 Arch Street, Philadelphia, PA 19106, Andrew Levine, Davisville Center Inc. Liquidating Trust, 564 Walter Road, Warminster, PA 18974 on behalf of Charlene Drake, REPSG, Inc., 6901 Kingessing Avenue, Suite 201, Philadelphia, PA 19142 has submitted a Remedial Investigation Report and Cleanup Plan concerning the remediation of site groundwater and soil contaminated with chlorinated solvents. The Remedial Investigation Report and Cleanup Plan were disapproved by the Department on November 7, 2013. PF734240

East Central Incinerator Site, City of Philadelphia, **Philadelphia County**. William F. Schmidt, Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104, Paul Martino, Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104 on behalf of Joe Forkin, Delaware River Waterfront Corporation, 211 North Columbus Blvd., Philadelphia, PA 19106 has submitted a Remedial Investigation Report and Cleanup Plan soil concerning the remediation of site soil contaminated with metals, pcbs and benzoapyrene. The Remedial Investigation Report and Cleanup Plan were approved by the Department on October 7, 2013. PF760986

MNM Group Inc., 2421-A Wyandotte Road, Upper Moreland Township **Montgomery County**. Scott Smith,

EnviroSure, Inc., 103 South High Street, Sueil, West Chester, PA 19382 on behalf of Greg Carson, MNM Group, Inc. 2421-A Wyandotte Road, Willow Grove, PA 19090 has submitted a Final Report concerning the remediation of site soil contaminated with inorganics. The Final report did not demonstrate attainment of the Statewide Health Standard and was disapproved by the Department on November 13, 2013. PF769585

RESIDUAL WASTE GENERAL PERMITS

Permit Issued Under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.

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

General Permit Application No. WMGR011R008. Hi-Tech Antifreeze Recycling & Recovery, 63 Deer Path Drive, Berwick, PA 18603. This permit authorizes the processing of spent glycol base antifreeze in mobile processing units to be beneficially used as reconditioned antifreeze. The approved processing is limited to precipitation, pH adjustment, solids removal (including filtration or reverse osmosis) and the addition of chemical additives. The permit was issued by Central Office on January 20, 2014.

Persons interested in reviewing the general permit may contact Scott E. Walters, Chief, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

General Permit Application No. WMGR011R004. Tri-State Fluids, 1517 Steeple Drive, P. O. Box 86, Sciota, PA 18354. This permit authorizes the processing of spent glycol base antifreeze in mobile processing units to be beneficially used as reconditioned antifreeze. The approved processing is limited to precipitation, pH adjustment, solids removal (including filtration or reverse osmosis) and the addition of chemical additives. The permit was issued by Central Office on January 20, 2014.

Persons interested in reviewing the general permit may contact Scott E. Walters, Chief, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

General Permit Application No. WMGR011R005. B-Environmental, Inc., 5528 Hayloft Court, Frederick, MD 21703-6988. This permit authorizes the processing of spent glycol base antifreeze in mobile processing units to be beneficially used as reconditioned antifreeze. The approved processing is limited to precipitation, pH adjustment, solids removal (including filtration or reverse osmosis) and the addition of chemical additives. The permit was issued by Central Office on January 20, 2014.

Persons interested in reviewing the general permit may contact Scott E. Walters, Chief, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box

69170, Harrisburg, PA 17106-9170, 717-787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Permit(s) issued Under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

Northcentral Region: Regional Solid Waste Manager, 208 West Third Street, Williamsport, PA 17701

Permit No. 100963. Lycoming County Resource Management Services, PO Box 187, Montgomery, PA 17752, Brady Township, Lycoming County. The permit modification for the Lycoming County Landfill is for the addition of 9 new gas collection wells with laterals to help make the collection of landfill gas more efficient and reduce power consumption at the gas skid. The permit was issued by Northcentral Regional Office on January 23, 2014.

Persons interested in reviewing the permit may contact Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3740. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

Permits renewed 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.

Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200

Waste Management of Pennsylvania. Permit No. 101620 Waste Management of Central Pennsylvania Transfer Station 4300 Industrial park Road, Camp Hill, PA 17011. The permit for the transfer station located in Hampden Township, **Cumberland County**, which expires on June 13, 2014, was renewed until June 13, 2024. The permit renewal was issued on January 27, 2014. The permit renewal also approved modifications to the Radiation Protection plan at the facility. This permit is issued in accordance with Article V of the Solid Waste Management Act, 35 P. S. Sections 6018.101, et seq. Compliance with the terms and conditions set forth in the permit is mandatory. You have the right to file an appeal as to these terms and conditions.

Applications deemed administratively complete 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.

Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200

Permit No. 100345 Delaware County Solid Waste Authority (Rolling Hills Landfill) 583 Longview Road Boyertown, PA 19512-7955. The application submitted is to renew the permit for Rolling Hills Landfill, located in Earl Township, **Berks County**. The current permit expires January 6, 2015. This application was deemed administratively complete by the Southcentral Regional Office on January 22, 2014. The Department will accept

comments from the general public recommending revisions to, and approval or denial of the application during the entire time the Department is reviewing the permit application.

Comments concerning the application should be directed to Mr. John Oren, Permits Chief, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200. Persons interested in obtaining more information about this permit application may contact the Southcentral Regional Office at (717) 705-4706. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

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

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

GP3-46-0111: Highway Materials, Inc. (1750 Walton Road, Blue Bell, PA 19422) on January 17, 2014, was authorized to operate a portable nonmetallic mineral processing plant in Whitemarsh Township, **Montgomery County**.

GP9-46-0069: Highway Materials, Inc. (1750 Walton Road, Blue Bell, PA 19422) on January 17, 2014, was authorized to operate two (2) diesel/# 2 fuel-fired internal combustion engines in Whitemarsh Township, **Montgomery 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

GP2-63-00985: Multi-Chem Group, LLC (200 Detroit Street, Washington, PA 15301) on January 21, 2014, to allow the storage and distribution of multiple chemicals including methanol in twelve aboveground storage tanks at its facility located in Washington City, **Washington County**.

GP3-26-00565A: Steve Patterson Excavating (170 Yasenosky Road, Smithfield, PA 15478) on January 22, 2014, to authorize the construction and operation of new sources that include one (1) Crusher rated at 250 tph; one (1) Grinder rated at 250 tph; one (1) Non-Vibratory Screen rated at 250 tph; one (1) Vibratory Screen rated at 250 tph; and nine (9) Conveyors at their Non-Metallic Mineral Crushing Plant located at Rose Surface Mine in Dunbar Township, **Fayette County**.

GP5-03-00230B: Peoples Natural Gas Company, LLC (1201 Pitt Street, Pittsburgh, PA 15221) on January 24, 2014, to re-authorization the operation of one Caterpillar natural gas-fired engine rated at 630 bhp and a dehydration unit rated at 5.2 MMSCD controlled by a thermal oxidizer, at the Belknap Compressor Station in Wayne Township, **Armstrong 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

09-0223: International Salt Co., LLC (12 Roebling Road, Morrisville, PA 19067) on January 24, 2014, to install a vibrating fluidized bed dryer and associated cyclone, as well as additional salt processing equipment (i.e., hoppers, screens, belt conveyors, and truck loadout chute), at their existing salt processing and packaging facility, which is located in Falls Township, **Bucks County**.

The current operations at the facility consist of two bulk salt storage areas, one crusher; multiple hoppers, screens, belt conveyors, and salt packaging machines; and a truck loadout chute. All of these operations are located within International Salt Co., LLC's ("ISCO's") existing production building except for one of the bulk salt storage areas and the truck loadout chute (all located outdoors, though the outdoor portion of the belt conveyor that feeds the chute is covered). Fugitive salt dust from the indoor operations are captured and controlled by a dust collection system that exhausts indoors. Since none of the current salt processing equipment exhausts into the outdoor atmosphere, no permitting has been required.

The proposed operations will accommodate the processing of solar salt (not currently processed at the facility), and will include the aforementioned equipment to be installed as well as an additional bulk salt storage area. All of these operations will be located in an adjacent existing building that also will be equipped with a dust collection system that exhausts indoors, except for the new screens (which will be located within ISCO's existing production building), one of the new belt conveyors (which will transport dried salt to ISCO's existing production building and be covered), and the new truck loadout chute (though the outdoor portion of the belt conveyor that feeds the chute also will be covered). The cyclone will control salt dust (particulate matter ["PM"]) emissions from the fluidized bed dryer, and will exhaust into the outdoor atmosphere.

The (pre-control) potential emission rate of PM from the fluidized bed dryer is approximately 106 tons/yr. Based on a minimum filterable PM removal efficiency for the cyclone of 99.944% (vendor's guarantee), the post-control PM emissions from the fluidized bed dryer figure to be approximately 0.06 ton/yr. The Plan Approval will include a PM emission concentration restriction for the fluidized bed dryer of 0.009 gr/dscf, and a requirement to perform stack testing to demonstrate compliance with this restriction.

The crusher, screens, belt conveyors, and salt packaging machines are subject to the provisions of 40 C.F.R. Part 60, Subpart OOO (for nonmetallic mineral processing plants), and 25 Pa. Code § 123.1 (relating to prohibition of certain fugitive emissions). To satisfy the fugitive PM emission requirements for both regulations, the Plan Approval will include a requirement to perform testing using United States Environmental Protection Agency Method 9 to demonstrate that no fugitive emissions are visible at any building openings.

The Plan Approval will include monitoring, recordkeeping, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

54-00066A: Silberline Manufacturing Co., Inc. (130 Lincoln Drive, Tamaqua, PA 18252) on January 17, 2014, to modify their existing aluminum pigment manufacturing process to add additional equipment with controls at their facility in Rush Township, **Schuylkill 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

36-05001J: Armstrong World Industries, Inc. (1507 River Road, Marietta, PA 17547) on January 22, 2014, for replacement of the PIF line's (Source ID 250) existing prime dryer with a 24.0 mmBtu/hr four-zone dryer, at their ceiling tile plant in East Donegal Township, **Lancaster County**. The dryer will be fired on natural gas and will have the ability to combust propane as backup. The dryer will utilize Mazon Ovenpak LE low-NO_x burners.

22-05005A: NRG Energy Center Paxton LLC (101 N 10th Street, Harrisburg, PA 17101) on January 15, 2014, to install Carbon Monoxide (CO) Oxidation Catalysts on their facility's two existing non-emergency Stationary RICE in Harrisburg City, **Dauphin County**.

36-05160A: Morgan Truck Body LLC (1656 Dry Tavern Road, Denver, PA 17517) on January 22, 2014, to construct a new drive-thru paint booth and to increase production of an existing spray paint booth at the Denver Plant in Brecknock Township, **Lancaster 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.

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

36-05146B: PPL Renewable Energy, LLC (2 North 9th Street, Allentown, PA 18101) on January 23, 2014, for replacement of two (2) existing landfill gas-fired engine generator sets at the Creswell/Frey Farm Landfill in Manor Township, **Lancaster County**. The plan approval was extended.

28-05012A: Volvo Construction Equipment, LLC—North America (312 Volvo Way, Shippensburg, PA 17257) on January 23, 2014, for construction and subsequent temporary operation of five (5) spray paint booths with dry panel filters, a shotblast booth and cartridge collector, a natural gas-fired emergency generator, and paint line natural gas-fired processes, at the road machinery manufacturing facility in Shippensburg Borough, **Franklin County**. The plan approval was extended.

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

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

57-00004A: Sullivan County School District (777 South Street, Laporte, PA 19626) on January 22, 2014, to extend the authorization to operate a biomass-fired boiler at their facility in Laporte Borough, **Sullivan County** on a temporary basis to July 21, 2014. The plan approval has been extended.

08-00031B: Appalachia Midstream Services, LLC (PO Box 54382, Oklahoma City, OK 73154-1382) on January 14, 2014, to extend the authorization an additional 180 days from January 27, 2014 to July 26, 2014 in order to continue the compliance evaluation and permit operation pending issuance of an operating permit for the facility. 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

04-00227B: IPSCO Koppel Tubulars LLC (PO Box 410, Ambridge, PA 15003) on January 22, 2014, to extend the period of temporary operation after modifications to the Rotary Hearth Furnace at the Ambridge Plant located in Harmony Township, **Beaver County**. The new expiration date is July 24, 2014.

30-00055A: Shannopin Materials, LLC (308 Dents Run Rd., Morgantown, WV, 26501) on January 22, 2014, for a plan approval extension application to extend the plan approval until construction of the final component of the facility is complete in Monongahela Township, **Greene County**. Extension of the plan approval has been approved until July 25, 2014. The plan approval has been extended.

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

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

61-219A: GOC Property Holdings, LLC (175 Main Street, Oil City, PA 16301) on January 24, 2014, effective February 28, 2014, to issue a plan approval extension for the construction of a new metal heat treating facility along Route 8, in Rouseville Borough, **Venango County**. New sources at the site will include a natural gas fueled boiler, two (2) natural gas fueled furnaces, a quench system and a cooling tower.

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

Southcentral Region: Air Quality Program, 909 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

36-05046: Columbia Gas Transmission, LLC, (1700 McCorkle Avenue Southeast, PO Box 1273, Charleston, WV 25314-1518) on January 24, 2014, for the Marietta

Compressor Station in East Donegal Township, **Lancaster County**. The Title V permit was renewed.

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

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

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

46-00114: Profiners, Inc. (2299 Amber Drive, Hatfield, PA 19440) on January 17, 2014, for operation of three (3) melting furnaces, two (2) incinerators and three (3) kettles in Hatfield Township, **Montgomery County**. This action is a renewal of the State Only Operating Permit (Natural Minor). The original State Only Operating Permit was issued on January 7, 2004. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting designed to keep the facility operating within all applicable air quality requirements.

09-00082: Quakertown Veterinary Clinic, P.C. (2250 North Old Bethlehem Pike, Quakertown, PA 18951) on January 17, 2014, for operation of a propane or natural gas-fired animal crematorium in Milford Township, **Bucks County**. This action is a renewal of a State Only Operating Permit (Natural Minor), which was originally issued on July 30, 2004. The renewal contains monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

46-00052: Pottstown Hospital Co., LLC (1600 E. High St., Pottstown, PA 19464) on January 17, 2014, for renewal of a State-Only Operating Permit to operate boilers and emergency engines in Pottstown Borough, **Montgomery County**. This Operating Permit contains all applicable state and federal regulations applicable to the facility including emission limitations, operating restrictions, work practice, monitoring, and recordkeeping requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

28-05033: Leidy's Custom Woodworking, Inc. (11427 Church Hill Road, Mercersburg, PA 17236-9664) on January 24, 2014, for their wood cabinet manufacturing facility in Mercersburg Borough, **Franklin County**. The State-only permit was renewed.

06-05106: SFS Intec, Inc. (41 Dennis Drive, Reading, PA 19606-3778) on January 24, 2014, for their metal fastening manufacturing facility in Exeter Township, **Berks County**. The State-only permit was renewed.

36-05003: Armstrong World Industries, Inc. (2500 Columbia Avenue, P. O. Box 3001, Lancaster, PA 17604-3001) on January 27, 2014, for their flooring manufacturing research and development campus in Manor Township, **Lancaster County**. The State-only permit was renewed.

28-05047: Johnson Controls, Inc. (100 Cumberland Valley Avenue, Waynesboro, PA 17268) on January 24, 2014, for their refrigeration equipment manufacturing facility in Waynesboro Borough, **Franklin County**.

06-03028: Berks Can Co. (326 June Avenue, Blandon, PA 19510) on January 24, 2014, for their metal can manufacturing facility in Muhlenberg Township, **Berks County**. The State-only permit was renewed.

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

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

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

46-00005: Merck Sharp & Dohme Corp. (770 Sumneytown Pike, West Point, PA 19486) on January 17, 2014, for an amendment to incorporate plan approval 45-0005AI, change Source 744 from peak shaving generator to a non-peak generator, clarify a monitoring and recording condition in Source 150, clarify catalyst temperature requirements required under 40 CFR 63, Subpart ZZZZ, correct the averaging time for both HMIWIs (Sources 002 and 005) and correct typographical errors in Upper Gwynedd Township, **Montgomery County**. Administrative Amendment of the General Permit issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

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

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

67-03069: H & H Castings, Inc. (4300 Lincoln Highway, York, PA 17406). Pursuant to 25 Pa. Code § 127.449(i), this *PA Bulletin* Notice is for the following de minimis emissions increases resulting from the construction of a 400,000 BTU/hr natural gas-fired shell core machine at its aluminum foundry located in Hallam Borough, **York County**: 0.1 TPY CO and 0.1 TPY NO_x. This is the second de minimis emissions increase at the facility during the term of the current operating permit.

Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act and 25 Pa. Code §§ 127.431 and 127.461.

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

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

09-00212: Allied Tube and Conduit Corp. (600 Dean Sievers Place, Morrisville, PA 19067) on January 17, 2014, for the operation of a steel tube/conduit manufacturing facility in Falls Township, Bucks County. This operating permit was revoked due to the permanent shutdown of operations at the facility.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

Coal Permits Issued

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

30071301. Freeport Mining, LLC, (158 Portal Road, PO Box 1020, Waynesburg, PA 15370). To operate the Freeport Mine in Jefferson and Morgan Townships, **Greene County** to operate a new underground mine. Surface Acres Proposed 146.0, Underground Acres Proposed 5286.0, Subsidence Control Plan Acres Proposed 5286.0. No discharges. The application was considered administratively complete on September 4, 2009. Application received November 30, 2007. Permit issued January 23, 2014.

30841317. Consol Pennsylvania Coal Company, (1525 Pleasant Grove Rd., PO Box J, Claysville, PA 15323). To revise the permit for the Enlow Fork Mine in Buffalo, East Finley and Franklin Townships, **Washington County** to add acreage for development mining. Underground Acres Proposed 3,704.0 Subsidence Control Plan Acres Proposed: 3,704.0. No additional discharges. The application was considered administratively complete on June 19, 2013. Application received May 2, 2013. Permit issued January 22, 2014.

30841312 and NPDES No. PA0013790. Consolidation Coal Company, (1 Bridge Street, Monongah, WV 26554). To renew the permit for the Blacksville Mine No. 2 in Wayne, Jackson, and Gilmore Townships, **Greene County** and related NPDES permit. No additional discharges. The application was considered administratively complete on April 27, 2011. Application received July 27, 2010. Permit issued January 23, 2014.

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

33990102 and NPDES Permit No. PA0227978. McKay Coal Company, Inc. (P. O. Box 343, Punxsutawney, PA 15767) Renewal of an existing bituminous surface, limestone and sandstone removal mine in Perry Township, **Jefferson County** affecting 81.7 acres. Receiving streams: Two unnamed tributaries to Foundry

Run and Perryville Run. Application received: November 15, 2013. Permit Issued: January 21, 2014.

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

NPDES No. PAG-02-2317-14-001 (Former Permit No. 17813143). Clearfield County Conservation District (511 Spruce Street, Suite 6, Clearfield, PA 16830). Authorization for coverage under a General NPDES Permit (PAG-2) as part of an earth disturbance during construction of lined earth embankment ponds designed to act as a passive Abandoned Mine Drainage treatment system in Boggs Township, **Clearfield County**, affecting 2.83 acres. Receiving stream: UNT to Morgan Run classified for the following use(s): Cold Water Fishes. Application received: December 5, 2013. Permit issued: January 16, 2014.

Noncoal Permits Issued

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

Permit No. 21132801. N.L. Minich & Sons, Inc., 221 N. Middleton Rd., Carlisle, PA 17013, commencement, operation and restoration of a small noncoal (industrial minerals) operation in North Middleton Township, **Cumberland County**, affecting 1.8 acres, receiving streams: Meetinghouse Run. Permit received: November 14, 2013.

Permit No. 7574SM1 and NPDES No. PA0594300, Pennsy Supply, Inc., P. O. Box 3331, Harrisburg, PA 17105, renewal of NPDES Permit, Silver Spring Township, **Cumberland County**. Receiving stream: Conodoguinet Creek classified for the following use: warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: December 24, 2013.

Permit No. 56920302 and NPDES No. PA0212326, New Enterprise Stone & Lime Co., Inc., P. O. Box 77, New Enterprise, PA 16664, renewal of NPDES Permit, Shade Township, **Somerset County**. Receiving stream: Laurel Run classified for the following use: cold water fishery. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Stonycreek SWI. Application received: January 15, 2014.

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

42100802. Joe Maljovec (401 West Hemlock Avenue, Kane, PA 16735). Final bond release for a small industrial minerals surface mine in Hamlin Township, **McKean County**. Restoration of 5.0 acres completed. Receiving streams: Marvin Creek. Application Received: November 22, 2013. Final bond release approved: January 21, 2014.

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

53960805. Gordnier Excavating (4034 State Route 872, Coudersport, PA 16915). Final bond release for a small industrial minerals surface mine, located in Keating Township, **Potter County**. Restoration of 1.0 acre completed. Receiving streams: East Branch Freeman Run to Freeman Run. Application received: December 9, 2013. Final bond release approved: January 24, 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

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

06414101. Maine Drilling & Blasting, Inc., (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Reading Hospital in West Reading Borough, **Berks County** with an expiration date of January 16, 2015. Permit issued: January 27, 2014.

09144101. Brubacher Excavating, Inc., (P. O. Box 528, Bowmansville, PA 17507), construction blasting for Doylestown Green in Doylestown Township, **Bucks County** with an expiration date of January 2, 2015. Permit issued: January 27, 2014.

22144101. Maine Drilling & Blasting, Inc., (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Verde Apartment in Hummelstown Borough, **Dauphin County** with an expiration date of January 16, 2015. Permit issued: January 27, 2014.

35144102. DW Drilling & Blasting, (9990 Coconut Road, Bonita Springs, FL 34135), construction blasting for Dobrinski Glenburn Job in South Abington Township, **Lackawanna County** with an expiration date of January 20, 2015. Permit issued: January 27, 2014.

48144101. Maine Drilling & Blasting, Inc., (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Chrin Lot 30 in Palmer Township, **Northampton County** with an expiration date of January 15, 2015. Permit issued: January 27, 2014.

58144103. MD Drilling & Blasting, Inc., (88 Goldledge Avenue, Suite 2, Auburn, NH 03032), construction blasting for Hickory Ridge Hartley Pipeline in Lathrop and Lenox Townships, **Susquehanna County** with an expiration date of January 16, 2015. Permit issued: January 27, 2014.

66144102. DW Drilling & Blasting, (9990 Coconut Road, Bonita Springs, FL 34135), construction blasting for Alvarez Gas Pad in Windham Township, **Wayne County** with an expiration date of December 20, 2014. Permit issued: January 27, 2014.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

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

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

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

Southeast Region: Waterway and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900.

E46-1094. County of Montgomery, P. O. Box 311, Norristown, PA 19404, Upper Providence and Lower Providence Townships, **Montgomery County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities associated the proposed replacement of Montgomery County Bridge No. 135 which carries Arcola Road over Perkiomen Creek (WWF, MF):

1. To replace and maintain a three-span Composite Prestressed Concrete Bridge with 265 feet three span bridge with width of approximately 43 feet over the Perkiomen Creek (WWF, MF):

2. To construct a temporary causeway to facilitate the construction of the left abutment and a pier.

3. To construct and maintain grading associated in the floodway to accommodate roadway approach widening for a new 11 feet wide travel and left turn lane

4. To remove an existing culvert and restore the stream for the Beedle Property driveway at Parcel No. 9 that will be relocated near the proposed bridge.

The project site is located approximately 182 feet east of the intersection of Arcola Road and Cider Mill Roads on the Upper Providence Township side spanning over the

Perkiomen Creek into Lower Providence Township, Montgomery County, (Latitude N 40° 09' 11" and Longitude W 75° 27' 21").

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act [33 U.S.C.A. 1341(a)].

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

E07-450, PA Department of Transportation Engineering District 9-0, 1620 North Juniata Street, Hollidaysburg, PA 16648-108 in Allegheny Township, **Blair County**, U.S. Army Corps of Engineers, Baltimore District

To remove the existing structure and to install and maintain a single span prestressed concrete splayed box beam bridge with a normal span of 55.66 feet, underclearance of 6.38 feet and a length varying from 44.85 feet to 65.32 feet with approximately 1,000 cubic yards of fill in the floodway, all associated with Sugar Run (CWF-MF) for the purpose of improving roadway safety. Construction will include a two-phase temporary cofferdam. The project is located along S.R. 4002, in Allegheny Township, Blair County (USGS Quadrangle: Hollidaysburg, PA; Latitude: 40° 28' 4.6"; Longitude: -78° 26' 22.8").

E22-601: Hershey Entertainment & Resorts Company, 300 Park Boulevard, Hershey, Pennsylvania 17033, in Derry Township, **Dauphin County**, ACOE Baltimore District

To 1.) install and maintain three kiddie rides and one small games venue, 2.) demolish and remove one large games building and one storage shed, and 3.) relocate and maintain an existing games venue, in the floodway of Spring Creek (WWF) (40° 17' 12", -76° 39' 17"), as part of the proposed continuous improvement project at Hersheypark. The project is located near the intersection of Park Avenue and Park Boulevard in Derry Township, Dauphin County. No wetlands will be disturbed.

E36-921: Lancaster Liederkrantz, 722 South Chiques Road, Manheim, PA, 19545 in Rapho Township, **Lancaster County**, ACOE Baltimore District

To install and maintain: 1) a 6.0-foot high, 150.0 foot long imbricated rock wall along the right bank of Chiques Creek (WWF, MF); 2) one rock vane in Chiques Creek (WWF, MF); and 3) 26 boulder clusters in Chiques Creek (WWF, MF); and to remove 1,050 cubic yards of from floodway of Chiques Creek (WWF, MF), all for the purposes of stabilizing the channel, improving in-stream aquatic habitat, and improving storm water management. The project is located immediately downstream of the South Chiques Road Bridge (Latitude 40°6'31", Longitude -76°26'44") in Rapho Township, Lancaster County. No wetlands will be impacted by this project.

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

E41-647. Pennsylvania Department of Transportation, Engineering District 3-0, PO Box 218 Montoursville, PA 17754-0218. S.R. 0042 Section 066, SR 0118 Intersection Improvement, Jordan Township, **Lycoming County**, ACOE Baltimore District (Lairds-ville, PA Quadrangle N: 41° 14' 57"; W: -76° 31' 15").

PA DOT Engineering District 3-0 proposes to improve the intersection of SR 0042 and SR 0118. The project will

include the relocation of the intersection and structure replacement. The existing structure is a single span concrete T-Beam Bridge with a Normal Span of 27 ft., Skew of 45°, Roadway width of 30 ft., Underclearance of 6.6 ft., Low Chord of 1013.88 ft. and Hydraulic Opening of 160 ft². The proposed structure is a single span precast concrete rigid frame with a Normal Span of 30 ft., Skew of 70°, Roadway width of 57 ft., Underclearance of 7.17 ft., Low Chord of 1015.77 ft. and Hydraulic Opening of 199 ft². The proposed structure will be located approximately 325 ft. upstream of the existing structure. The existing structure will be used as a detour route during construction and removed after the proposed intersection is finished. The stream bank will be stabilized with approximately 70 Ft. of R-8 Rip-Rap and planted with live stakes in the area of existing bridge removal. The project will permanently impact 0.03 acre of jurisdictional wetlands and does not require mitigation. The project is located over Little Muncy Creek. Little Muncy Creek is classified as an Exceptional Value Stream by Title 25, Chapter 93 Water Quality Standards. The project will require mitigation. This permit also includes 401 Water Quality Certification.

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

E04-344. Chippewa Township Sanitary Authority, 2811 Darlington Road, Beaver Falls, PA 15010; Chippewa Township, **Beaver County;** ACOE Pittsburgh District.

Has been given consent to remove an existing gabion basket wall and construct and maintain a 1650 LF long gabion basket wall in three locations and 60 LF of riprap protection at three locations along the left descending bank of Brady Run (TSF) and to excavate and remove streambed material from 450' along the opposite bank of Brady Run, for the purpose of stabilizing the stream bank and protecting portions of an existing 18" RCP sanitary sewer and associated manholes. The project is located at 701 Constitution Blvd., Chippewa Township, PA 15010 (Beaver, PA Quadrangle: N: 22.5 inches; W: 12.5 inches; Latitude: 40° 44' 56"; Longitude: 80° 20' 25") in Chippewa Township, Beaver County.

E56-372. Pennsylvania Department of Transportation District 9-0, 1620 North Juniata Street, Hollidaysburg, PA 16648, Paint Township and Conemaugh Township, **Somerset County;** ACOE Pittsburgh District.

Has been given consent to remove the existing SR 4022, two lane, 20 ft width, two span bridge having a total span length of 128 ft, and having a minimum underclearance of 11.8 ft; and to construct and maintain adjacent to and downstream of the existing bridge a two span, two lane, 29 ft width replacement bridge and having a total span length of 193 ft, and having a minimum underclearance of 7.9 ft over the Stony Creek River (WWF) with a drainage area of 349.8 square miles. In addition the project includes temporary encroachments for construction and demolition, and encroachments associated with modification or replacement of stormwater facilities from the road alignment adjustment and new bridge. The PennDOT improvement and relocation project extends between Paint and Conemaugh Townships and is approximately 3.5 miles southeast of Johnstown Pa (Hooversville Quadrangle: N: 9.5"; W: 1.25"; Latitude 40° 13' 35" and Longitude -78° 53' 12") in Paint and Cone-maugh Townships, Somerset County.

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

E5829-057; SW Gathering, LLC; 6000 Town Center Blvd., Suite 300, Canonsburg, PA 15317; Liberty Township, **Susquehanna County,** ACOE Baltimore District.

To construct, operate, and maintain:

1) a 12-inch diameter steel natural gas pipeline, 12-inch diameter HDPE waterline, timber bridge crossing impacting 943 square feet of PEM/PSS wetlands (Laurel Lake, PA Quadrangle; N 41° 58' 53" Lat., W -75° 55' 34" Long.),

2) a 12-inch diameter steel natural gas pipeline, 12-inch diameter HDPE waterline, timber bridge crossing impacting 44 lineal feet of an unnamed tributary to Little Snake Creek (CWF-MF) (Laurel Lake, PA Quadrangle; N 41° 58' 53" Lat., W -75° 55' 34" Long.),

3) a 12-inch diameter steel natural gas pipeline, 12-inch diameter HDPE waterline, permanent road crossing impacting 158 lineal feet of an unnamed tributary to Little Snake Creek (CWF-MF) (Laurel Lake, PA Quadrangle; N 41° 58' 56" Lat., W -75° 56' 00" Long.),

4) a 12-inch diameter steel natural gas pipeline, 12-inch diameter HDPE waterline, permanent road crossing impacting 54 lineal feet of an unnamed tributary to Little Snake Creek (CWF-MF) (Laurel Lake, PA Quadrangle; N 41° 58' 57" Lat., W -75° 56' 00" Long.),

5) a 12-inch diameter steel natural gas pipeline, 12-inch diameter HDPE waterline, timber bridge crossing impacting 436 square feet of PEM/PSS wetlands (Laurel Lake, PA Quadrangle; N 41° 58' 46" Lat., W -75° 56' 14" Long.),

6) a 12-inch diameter steel natural gas pipeline, 12-inch diameter HDPE waterline, timber bridge/mat crossing impacting 47 lineal feet of an unnamed tributary to Little Snake Creek (CWF-MF) (Laurel Lake, PA Quadrangle; N 41° 58' 43" Lat., W -75° 56' 25" Long.),

7) a 12-inch diameter steel natural gas pipeline, 12-inch diameter HDPE waterline, timber bridge/mat crossing impacting 423 square feet of PEM/PSS wetlands (Laurel Lake, PA Quadrangle; N 41° 58' 4" Lat., W -75° 56' 25" Long.),

8) a 12-inch diameter steel natural gas pipeline, 12-inch diameter HDPE waterline, timber bridge/mat crossing impacting 51 lineal feet of an unnamed tributary to Little Snake Creek (CWF-MF) (Laurel Lake, PA Quadrangle; N 41° 58' 15" Lat., W -75° 56' 32" Long.),

9) a 12-inch diameter steel natural gas pipeline, 12-inch diameter HDPE waterline, timber bridge/mat crossing impacting 41 lineal feet of an unnamed tributary to Little Rhiney Creek (CWF-MF) (Laurel Lake, PA Quadrangle; N 41° 57' 52" Lat., W -75° 56' 10" Long.),

10) a 12-inch diameter steel natural gas pipeline, 12-inch diameter HDPE waterline, timber bridge/mat crossing impacting 1,875 square feet of PEM wetlands (Laurel Lake, PA Quadrangle; N 41° 57' 52" Lat., W -75° 56' 10" Long.),

11) a 12-inch diameter steel natural gas pipeline, 12-inch diameter HDPE waterline, timber bridge/mat crossing impacting 303 square feet of PEM wetlands (Laurel Lake, PA Quadrangle; N 41° 57' 35" Lat., W -75° 56' 05" Long.),

12) a 12-inch diameter steel natural gas pipeline, 12-inch diameter HDPE waterline, timber bridge/mat crossing impacting 45 lineal feet of an unnamed tributary to Laurel Lake Creek (CWF-MF) (Laurel Lake, PA Quadrangle; N 41° 57' 34" Lat., W -75° 56' 05" Long.).

The project consists of constructing approximately 6.6 miles of 12" waterline and 12" natural gas gathering line from the Malling, Thomas Conaty, Wilkes, McNamara, and Wheeler well pads to the Line 419 gathering pipeline in Liberty and Choconut Townships, Susquehanna County. The project will result in 303 lineal feet of temporary stream impacts, 158 lineal feet of permanent stream impacts, and 0.09 acre of wetland impact, all for the purpose of conveying Marcellus Shale natural gas to market.

E5729-065: Appalachia Midstream Services, LLC, 100 IST Center, Horseheads, NY 14845, Forks Township, **Sullivan County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) A temporary access road using a timber mats and a 6 inch diameter well line impacting 6,412 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Overton, PA Quadrangle 41°33'17"N, 76°31'36"W); 2) A temporary access road using a timber mat bridge and a 6 inch diameter well line impacting 191 linear feet of an unnamed tributary to Streby Run (EV) and 842 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Overton, PA Quadrangle 41°33'17"N, 76°31'37"W).

The project will result in 191 linear feet of temporary stream impacts, and 7,254 square feet (0.17 acre) of temporary wetland impacts all for the purpose of installing a gathering line for Marcellus well development in Forks Township, Sullivan County. The permittee will provide 0.08 acre of compensatory mitigation at the Wilmot Mitigation Site (Colley, PA Quadrangle 41°36'44"N 76°17'27"W) in Wilmot Township, Bradford County.

E0829-071: PVR NEPA Gas Gathering, LLC, 101 West Third Street, Williamsport, PA 17701, Franklin, Monroe, Burlington and Towanda Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a temporary timber mat bridge impacting 30 linear feet of an unnamed tributary to French Run (CWF, MF) (Powell, PA Quadrangle, Latitude: 41°42'58", Longitude: -76°31'36");

2. a temporary timber mat bridge impacting 52 linear feet of an unnamed tributary to French Run (CWF, MF) (Powell, PA Quadrangle, Latitude: 41°42'57", Longitude: -76°31'42");

3. a 12 inch diameter natural gas line and a temporary timber mat bridge impacting 24 square feet of a Palustrine Forested Wetland (Powell, PA Quadrangle, Latitude: 41°43'07", Longitude: -76°31'43");

4. a temporary timber mat bridge impacting 955 square feet of a Palustrine Forested Wetland (Powell, PA Quadrangle, Latitude: 41°43'06", Longitude: -76°31'44");

5. a 12 inch diameter natural gas line and a temporary timber mat bridge impacting 100 linear feet of an unnamed tributary to French Run (CWF, MF) (Powell, PA Quadrangle, Latitude: 41°43'08", Longitude: -76°31'44");

6. a 12 inch diameter natural gas line and a temporary timber mat bridge impacting 7,554 square feet of a Palustrine Forested Wetland (Powell, PA Quadrangle, Latitude: 41°43'10", Longitude: -76°31'44");

7. a 12 inch diameter natural gas line and a temporary timber mat bridge impacting 63 linear feet of an unnamed tributary to French Run (CWF, MF) (Powell, PA Quadrangle, Latitude: 41°43'26", Longitude: -76°31'31");

8. a 12 inch diameter natural gas line and a temporary timber mat bridge impacting 445 square feet of a Palustrine Forested Wetland (Powell, PA Quadrangle, Latitude: 41°43'25", Longitude: -76°31'24");

9. a temporary timber mat bridge impacting 42 square feet of a Palustrine Forested Wetland (Powell, PA Quadrangle, Latitude: 41°43'25", Longitude: -76°31'22");

10. a temporary timber mat bridge impacting 540 square feet of a Palustrine Emergent Wetland (Powell, PA Quadrangle, Latitude: 41°43'25", Longitude: -76°31'19");

11. a 12 inch diameter natural gas line impacting 30 linear feet of an unnamed tributary to French Run (CWF, MF) (Powell, PA Quadrangle, Latitude: 41°43'30", Longitude: -76°31'06");

12. a 12 inch diameter natural gas line impacting 475 square feet of a Palustrine Forested Wetland (Powell, PA Quadrangle, Latitude: 41°43'30", Longitude: -76°31'05");

13. a 12 inch diameter natural gas line impacting 70 linear feet of an unnamed tributary to French Run (CWF, MF) and impacting 4,780 square feet of an adjacent Palustrine Forested Wetland (Powell, PA Quadrangle, Latitude: 41°43'29", Longitude: -76°31'02");

14. a 12 inch diameter natural gas line impacting 35 linear feet of an unnamed tributary to French Run (CWF, MF) (Powell, PA Quadrangle, Latitude: 41°43'28", Longitude: -76°31'01");

15. a temporary timber mat bridge impacting 1,530 square feet of a Palustrine Emergent Wetland (Powell, PA Quadrangle, Latitude: 41°43'46", Longitude: -76°30'44");

The project will result in 380 linear feet or 2,514 square feet of temporary stream impacts and 4,586 square feet (0.10 acre) of PEM wetlands and 6,136 square feet (0.14 acre) of PFO conversion wetland impacts all for the purpose of installing a natural gas pipeline with associated access roadways for Marcellus shale development in Franklin, Monroe, Burlington and Towanda Township, Bradford County. The permittee will provide 0.28 acre of wetland enhancement mitigation at the Wittig Mitigation Site (Factoryville, PA Quadrangle, Latitude: 41°37'11", Longitude: -75°46'22").

E5829-051 Amend. Williams Field Services Company, LLC; Park Place Corporate Center 2, 2000 Commerce Drive, Pittsburgh, PA 15275; Lenox Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1. a 12-inch natural gas pipeline and timber bridge crossing impacting 76 lineal feet of Millard Creek (CWF-MF, NRT) (Lenoxville, PA Quadrangle; N 41° 40' 27" Lat., W -75° 43' 46" Long.),

2. a 12-inch natural gas pipeline and timber bridge crossing impacting 44 lineal feet of an unnamed tributary to Utley Brook (CWF-MF, NRT) (Lenoxville, PA Quadrangle; N 41° 40' 16" Lat., W -75° 44' 15" Long.),

3. a 12-inch natural gas pipeline and timber bridge crossing impacting 93 lineal feet of Utley Brook (CWF-MF, NRT) (Lenoxville, PA Quadrangle; N 41° 40' 16" Lat., W -75° 44' 16" Long.),

4. an access road within adjacent floodway of Utley Brook (CWF-MF, NRT) impacting 355 square feet (Lenoxville, PA Quadrangle; N 41° 40' 09" Lat., W -75° 44' 16" Long.),

5. a 12-inch natural gas pipeline and timber bridge crossing impacting 84 lineal feet of Willow Brook (CWF-MF, NRT) (Lenoxville, PA Quadrangle; N 41° 39' 42" Lat., W -75° 44' 56" Long.),

6. an 18 inch temporary culvert crossing impacting 28 lineal feet of an unnamed tributary to Willow Brook (CWF-MF, NRT) (Hop Bottom, PA Quadrangle; N 41° 40' 00" Lat., W -75° 45' 06" Long.),

7. an access road within adjacent floodway of unnamed tributary to Willow Brook (CWF-MF, NRT) impacting 134 square feet (Lenoxville, PA Quadrangle; N 41° 40' 00" Lat., W -75° 44' 06" Long.),

8. a 10-inch natural gas pipeline and timber bridge crossing impacting 78 lineal feet of an unnamed tributary to Willow Brook (CWF-MF, NRT) (Hop Bottom, PA Quadrangle; N 41° 39' 28" Lat., W -75° 45' 30" Long.),

9. a 10-inch natural gas pipeline and timber bridge crossing impacting 70 lineal feet of an unnamed tributary to Martins Creek (CWF-MF) (Hop Bottom, PA Quadrangle; N 41° 39' 21" Lat., W -75° 46' 19" Long.),

10. a 10-inch natural gas pipeline and timber bridge crossing impacting 76 lineal feet of an unnamed tributary to Martins Creek (CWF-MF) (Hop Bottom, PA Quadrangle; N 41° 39' 40" Lat., W -75° 46' 22" Long.),

11. a 12-inch natural gas pipeline and timber mat/bridge crossing impacting 0.44 (19,166 s.f.) acre of PFO wetlands (Lenoxville, PA Quadrangle; N 41° 40' 16" Lat., W -75° 44' 11" Long.),

12. a timber mat/bridge crossing impacting 0.01 (436 s.f.) acre of PEM wetlands (Lenoxville, PA Quadrangle; N 41° 40' 15" Lat., W -75° 44' 18" Long.),

13. a 12-inch natural gas pipeline and timber mat/bridge crossing impacting 0.15 (6,534 s.f.) acre of PSS wetlands (Lenoxville, PA Quadrangle; N 41° 40' 09" Lat., W -75° 44' 28" Long.),

14. a 12-inch natural gas pipeline and timber mat/bridge crossing impacting 0.07 (3,049 s.f.) acre of PEM wetlands (Hop Bottom, PA Quadrangle; N 41° 39' 42" Lat., W -75° 45' 01" Long.),

15. a 10-inch natural gas pipeline and timber mat/bridge crossing impacting 0.09 (3,920 s.f.) acre of PEM wetlands (Hop Bottom, PA Quadrangle; N 41° 39' 22" Lat., W -75° 45' 40" Long.),

16. a timber mat/bridge crossing impacting 0.01 (436 s.f.) acre of PEM wetlands (Hop Bottom, PA Quadrangle; N 41° 39' 22" Lat., W -75° 46' 19" Long.),

17. a 12-inch natural gas pipeline crossing impacting 3 lineal feet of unnamed tributary to Millard Creek (CWF-MF) (Lenoxville, PA Quadrangle; N 41° 41' 01" Lat., W -75° 43' 14" Long.),

18. a 12-inch natural gas pipeline conventional bore crossing impacting 34 square feet (< 0.01 acre) of PFO wetlands (Lenoxville, PA Quadrangle; N 41° 41' 01" Lat., W -75° 43' 14" Long.).

The project amendment consists of an additional stream (Impact 17) and wetland (Impact 18) crossing, in Lenox Township, Susquehanna County. The two additional crossings are to be completed by conventional bore methods with no surface impacts. The project will result in an additional 3 lineal feet of stream impacts, and 0.01 acre of wetland impact, all for the purpose of conveying Marcellus Shale natural gas to market. The original Chapter 105 permit, for impacts 1 through 16, was issued by the Department on June 27, 2013.

ENVIRONMENTAL ASSESSMENT

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

EA17-015. Lawrence Township Abandoned Mine Drainage Treatment Project, west of Weber Road, Clearfield, PA 16830. Mon 30 Discharge, Montgomery Creek watershed, Pike Township, **Clearfield County**, ACOE Baltimore.

Lawrence Township, in association with the Clearfield County Conservation District and the Montgomery Run Watershed Association, is proposing to construct a passive treatment system that will abate an abandoned mine drainage discharge (Mon 30) in the headwaters of an unnamed tributary to Montgomery Creek. The system will capture the seepage in an equalization basin, then pass through a vertical flow wetland, settling basin and polishing wetland. It is designed to remove up to 40 lbs./day of acidity, 3 lbs./day of aluminum and 3 lbs./day of iron.

| <i>Activity</i> | <i>Latitude</i> | <i>Longitude</i> | <i>Resource</i> | <i>Impact/ Temporary or Permanent</i> |
|------------------------|-----------------|------------------|-----------------|---|
| AMD Interceptor Trench | 41° 2' 24.3" N | -78° 30' 0.0" W | Wetland | 0.08 ac./ Temporary |
| Mixing Basin | 41° 2' 24.3" N | -78° 30' 0.0" W | Wetland | 0.04 ac./ Permanent |
| Mixing Basin | 41° 2' 24.5" N | -78° 29' 59.1" W | UNT | 49 LF/ Temporary |
| Mixing Basin | 41° 2' 24.5" N | -78° 29' 59.1" W | UNT | 77 LF/ Permanent |
| AMD Interceptor Trench | 41° 2' 21.4" N | -78° 30' 0.8" W | UNT | 79 LF/ Temporary |

Mitigation for these impacts is a combination of the creation of a polishing wetland adjacent to the treatment system and downstream water quality improvement in the unnamed tributary to Montgomery Creek. Under current conditions, there is very limited aquatic life in the unnamed tributary and wetland due to the mine drainage.

District (Clearfield Quadrangle; Latitude 41° 2' 24.3" N; Longitude -78° 30' 0.0" 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.

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

| <i>ESCGP-2 No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|--------------------|--|--------------------------------------|---|---|
| 30138006 | Dominion Transmission, Inc. 5000 Dominion Blvd Glen Allen, VA 23060 | Greene | Franklin Township and Morgan Township | UNT to Ruff Creek (WWF) |
| 63138007 | Columbia Gas Transmission, LLC. 5151 San Felipe Street Suite 2500 Houston, TX 77056 | Greene and Washington Counties | Franklin Township, Washington Township, and Amwell Township | Redd Run (WWF), Little Ten Mile Run (WWF), Horne Run (WWF), Bane Creek (WWF), Ten Mile Creek (TSF), Ten Mile Creek (WWF), Ruff Creek (WWF), Walters Run (WWF), South Fork Ten Mile Creek (HQ-WWF), Wisecarver Run (HQ-WWF), Mud Lick Run (HQ-WWF), Browns Creek (HQ-WWF) |

Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335

ESCGP-1 #ESX13-073-0017—North Beaver Obed Well Pad
Applicant Hilcorp Energy Company
Contact Stephanie McMurray
Address 1201 Louisiana Street, Suite 1400
City Houston State TX Zip Code 77002
County Lawrence Township(s) North Beaver(s)
Receiving Stream(s) and Classification(s) UNT to Mahoning River

ESCGP-1 #ESX13-085-0033—Jefferson McGhee Gathering Pipeline
Applicant Hilcorp Energy Company
Contact Ms. 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) UNT to Shenango River (WWF), UNT to Lackawannock Creek (TSF)

ESCGP-1 #ESX13-085-0035—Wolf Creek—Coulter Well Pad
Applicant Hilcorp Energy Company
Contact Ms. Stephanie McMurray
Address 1201 Louisiana Street, Suite 1400
City Houston State TX Zip Code 77002
County Mercer Township(s) Wolf Creek(s)
Receiving Stream(s) and Classification(s) Wolf Creek (CWF), UNT to Black Run (CWF), Black Run (CWF)

ESCGP-1 #ESX13-019-0061—Kennedy to McElhinny Pipeline
Applicant MarkWest Liberty Bluestone, LLC
Contact Rick Lowry
Address 4600 J Barry Court Suite 500
City Canonsburg State PA Zip Code 15317-9523
County Butler Township(s) Forward, Middlesex, and Penn(s)
Receiving Stream(s) and Classification(s) Glade Run, UNTs to Glade Run, UNTs to Breakneck Creek, Connoquenessing Creek—WWF

Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701

ESCGP-1 # ESX13-115-0120
Applicant Name Chief Oil & Gas LLC
Contact Person Jeffrey Deegan
Address 6051 Wallace Road Ext., Suite 300
City, State, Zip Wexford, PA 15090-7386
County Susquehanna County
Township(s) Lathrop Township
Receiving Stream(s) and Classification(s) UNT to Horton Creek (CWF/MF)

ESCGP-1 # ESG13-081-0050 (01)
Applicant Name Pennsylvania General Energy Company, LLC
Contact Person Douglas Kuntz
Address 120 Market Street
City, State, Zip Warren, PA 16365
County Lycoming County
Township(s) McHenry and Pine Townships

Receiving Stream(s) and Classification(s) Left Fork Otter Run, Right Fork Otter Run, Buckeye Run, UNT to Shingle Mill Branch, (CWF);
Secondary: Little Pine Creek

ESCGP-1 # ESX13-015-0072

Applicant Name Angelina Gathering Company, LLC
Contact Person Danny Spaulding
Address 2350 N Sam Houston Pkwy E., Suite 125
City, State, Zip Houston, TX 77032
County Bradford County
Township(s) Herrick and Stevens Township
Receiving Stream(s) and Classification(s) Cold Creek and its UNTs (WWF/MF);
Secondary: Wyalusing Creek

ESCGP-1 # ESX12-081-0028 (01)

Applicant Name Anadarko Marcellus Midstream LLC
Contact Person Rane Wilson
Address 33 West Third Street, Suite 200
City, State, Zip Williamsport, PA 17701
County Lycoming County
Township(s) Cogan House Township
Receiving Stream(s) and Classification(s) Cold Spring Hollow, Larry's Creek, Long Run, Second Fork Larry's Creek, Thompson Hollow (All EV/MF);
Secondary: Larry's Creek (EV/MF)

ESCGP-1 # ESG13-015-0069

Applicant Name Appalachia Midstream Services, LLC
Contact Person Randy DeLaune
Address 100 1st Center
City, State, Zip Horseheads, NY 14845
County Bradford County
Township(s) Wilmot Township
Receiving Stream(s) and Classification(s) North Branch Mehoopany Creek (CWF/MF)

ESCGP-1 # ESG13-113-0020

Applicant Name Appalachia Midstream Services, LLC
Contact Person Robert Strauss
Address 100 1st Center
City, State, Zip Horseheads, NY 14845
County Sullivan County
Township(s) Elkland Township
Receiving Stream(s) and Classification(s) Mill Creek (EV), Trib 20111 to Kings Creek (EV), Trib 20109 to Kings Creek (EV);
Secondary: Kings Creek, Licks Creek

ESCGP-1 # ESX13-081-0042 (01)

Applicant Name Inflection Energy LLC
Contact Person Thomas Gillespie
Address 49 E Fourth Street
City, State, Zip Williamsport, PA 17701
County Lycoming County
Township(s) Eldred Township
Receiving Stream(s) and Classification(s) Mill Creek/Loyalsock Creek (EV)(TSF)

ESCGP-1 # ESX13-115-0147

Applicant Name Talisman Energy USA, Inc.
Contact Person Lance Ridall
Address 337 Daniel Zenker Drive
City, State, Zip Horseheads, NY 14845
County Susquehanna County
Township(s) Apolacoon Township
Receiving Stream(s) and Classification(s) UNTs to Apalachin Creek (CWF/MF)

ESCGP-1 # ESX13-033-0004

Applicant Name Campbell Oil & Gas Inc.
Contact Person Erik Wood
Address PO Box 278
City, State, Zip Indiana, PA 15701
County Clearfield County
Township(s) Bigler and Woodward Townships
Receiving Stream(s) and Classification(s) Upper Morgan Run, North Branch Upper Morgan Run, Lytle Run, UNT to Clearfield Creek (All CWF);
Secondary: Clearfield Creek (WWF)

ESCGP-1 # ESG13-081-0068

Applicant Name Anadarko Marcellus Midstream, LLC
Contact Person Rane Wilson
Address 33 West Third Street, Suite 200
City, State, Zip Williamsport, PA 17701
County Lycoming County
Township(s) McHenry Township
Receiving Stream(s) and Classification(s) UNT First Big Fork, UNT Second Big Fork, Second Big Fork, UNT Trout Run (Cannon Hold Hollow) (All HQ-CWF/MF);
Secondary: First Big Fork, UNT First Big Fork, Trout Run (All HQ-CWF/MF)

ESCGP-1 # ESX13-081-0013 (02)

Applicant Name Anadarko E&P Onshore, LLC
Contact Person Rane Wilson
Address 33 West Third Street, Suite 200
City, State, Zip Williamsport, PA 17701
County Lycoming County
Township(s) McIntyre Township
Receiving Stream(s) and Classification(s) UNT Frozen Run, UNT Grays Run, Short Run (All HQ-CWF/MF);
Secondary: Frozen Run, Grays Run (All HQ-CWF/MF)

ESCGP-1 # ESX13-115-0145

Applicant Name Bluestone Pipeline Company of PA, LLC
Contact Person Herman Van Eck, Jr.
Address PO Box 839, 1429 Oliver Road
City, State, Zip New Milford, PA 18834
County Susquehanna County
Township(s) Harford Township
Receiving Stream(s) and Classification(s) East Branch Martins Creek (CWF);
Secondary: Martins Creek (CWF)

ESCGP-1 # ESG13-117-0027

Applicant Name SWEIP LP
Contact Person Jason Shoemaker
Address 2100 Georgetown Drive, Suite 400
City, State, Zip Sewickley, PA 15143
County Tioga County
Township(s) Clymer Township
Receiving Stream(s) and Classification(s) UNTs to Mill Creek (TSF/MF), UNTs to Jemison Creek (HQ-CWF/MF), UNTs to Baker Branch (HQ-CWF/MF);
Secondary: Cowanesque River (WWF/MF), Left Asaph Run/Asaph Run (EV/MF)

ESCGP-1 # ESG13-113-0022

Applicant Name Chief Oil & Gas, LLC
Contact Person Jeffrey Deegan
Address 6051 Wallace Road Ext., Suite 300
City, State, Zip Wexford, PA 15090-7386
County Sullivan County
Township(s) Cherry Township
Receiving Stream(s) and Classification(s) Trib 20291 to Little Loyalsock Creek (EV), Little Loyalsock Creek (EV);
Secondary: Loyalsock Creek

- ESCGP-1 # ESX29-081-14-002
 Applicant Name Anadarko Marcellus Midstream
 Contact Person Rane Wilson
 Address 33 W Third St, Suite 200
 City, State, Zip Williamsport, PA 17701
 County Lycoming
 Township(s) Eldred
 Receiving Stream(s) and Classification(s) Mill Creek—
 TSF, MF
- ESCGP-1 # ESX13-115-0151
 Applicant Name Southwestern Energy Production Co
 Contact Person Dave Sweeley
 Address 917 State Route 92 North
 City, State, Zip Tunkhannock, PA 18657
 County Susquehanna
 Township(s) Great Bend
 Receiving Stream(s) and Classification(s) UNT
 Susquehanna River—CWF, MF High Bridge Creek—
 CWF, MF UNT Denton Creek—CWF, MF
 Secondary—Susquehanna River—WWF, MF
- ESCGP-1 # ESX13-015-0068
 Applicant Name Talisman Energy USA Inc
 Contact Person Joseph Katruska
 Address 50 Pennwood Place
 City, State, Zip Warrendale, PA 15086
 County Bradford
 Township(s) Windham Twp
 Receiving Stream(s) and Classification(s) Wappasenging
 Creek—CWF, MF
- ESCGP-1 # ESX29-081-14-0002
 Applicant Name Anadarko Marcellus Midstream, LLC
 Contact Person Rane Wilson
 Address 33 West Third Street
 City, State, Zip Williamsport, PA 17701
 County Lycoming County
 Township(s) Eldred Township
 Receiving Stream(s) and Classification(s) Mill Creek
 (TSF/MF);
 Secondary: Loyalsock Creek (EV/MF)
- ESCGP-1 # ESX13-115-0153
 Applicant Name Cabot Oil & Gas Corp
 Contact Person Kenneth Marcum
 Address 5 Penn Center West, Suite 401
 City, State, Zip Pittsburgh, PA 15276
 County Susquehanna County
 Township(s) Gibson Township
 Receiving Stream(s) and Classification(s) UNT to Butler
 Creek (CWF)
- ESCGP-1 # ESX13-115-0148
 Applicant Name Williams Field Svc Co, LLC
 Contact Person Sandra Lojek
 Address 2000 Commerce Drive
 City, State, Zip Pittsburgh, PA 15275
 County Susquehanna County
 Township(s) Gibson and Harford Townships
 Receiving Stream(s) and Classification(s) BLA-STR01,
 BLA-STR03, BLA-STR05 and BLA-STR06, BLA-
 WET06, BLA-WET06-A (CWF/MF);
 Secondary: Nine Partners Creek
- ESCGP-1 # ESX13-081-0071
 Applicant Name PVR Marcellus Gas Gathering, LLC
 Contact Person Nicholas Bryan
 Address 101 West Third Street
 City, State, Zip Williamsport, PA 17701
 County Lycoming County
 Township(s) Eldred Township
- Receiving Stream(s) and Classification(s) Mill Creek West
 (TSF/MF);
 Secondary: Loyalsock
- ESCGP-1 # ESG13-015-0071
 Applicant Name Appalachia Midstream Services, LLC
 Contact Person Randy DeLaune
 Address 100 Ist Center
 City, State, Zip Horseheads, NY 14845
 County Bradford County
 Township(s) Wilmot Township
 Receiving Stream(s) and Classification(s) Wolf Run, Pan-
 ther Lick (CWF/MF)
- ESCGP-1 # ESG13-113-0025
 Applicant Name Appalachia Midstream Services, LLC
 Contact Person Randy DeLaune
 Address 100 Ist Center
 City, State, Zip Horseheads, NY 14845
 County Sullivan and Bradford Counties
 Township(s) Forks and Wilmot Townships
 Receiving Stream(s) and Classification(s) Kelly Run—Trib
 to Level Branch Creek, Level Branch Creek, Lick
 Creek, Little Loyalsock Creek, Loyalsock Creek Basin,
 Lower West Branch Susquehanna River Basin,
 Susquehanna River Basin (HQ-EV/CWF)
- ESCGP-1 # ESX13-115-0149
 Applicant Name Southwestern Energy Production Com-
 pany
 Contact Person Dave Sweeley
 Address 917 SR 92 North
 City, State, Zip Tunkhannock, PA 18657
 County Susquehanna County
 Township(s) Oakland and Great Bend Twps
 Receiving Stream(s) and Classification(s) UNT to
 Susquehanna River, UNT to Hilborn Creek, UNT to
 Denton Creek (All CWF/MF);
 Secondary: Susquehanna River (WWF/MF)
- ESCGP-1 # ESX13-131-0030
 Applicant Name Southwestern Energy Production Com-
 pany
 Contact Person Dave Sweeley
 Address 917 SR 92 North
 City, State, Zip Tunkhannock, PA 18657
 County Wyoming County
 Township(s) Tunkhannock Twp
 Receiving Stream(s) and Classification(s) Jason Creek
 and UNT to Mill Creek (CWF/MF);
 Secondary: Susquehanna River (WWF/MF)
- ESCGP-1 # ESG13-081-0067
 Applicant Name Inflection Energy LLC
 Contact Person Thomas Gillespie
 Address 1200 17th Street, Suite 1350
 City, State, Zip Denver, CO 80202
 County Lycoming County
 Township(s) Upper Fairfield Township
 Receiving Stream(s) and Classification(s) Trib. 19824 to
 Mill Creek, UNT to Mill Creek (HQ-TSF/MF);
 Secondary: Mill Creek (Designated TSF/MF) (Existing
 TSF/HQ)
- ESCGP-1 # ESG13-113-0023
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 14 Chesapeake Lane
 City, State, Zip Sayre, PA 18840
 County Sullivan County
 Township(s) Cherry Township
 Receiving Stream(s) and Classification(s) Little Loyalsock
 Creek, UNT Marsh Run (EV-CWF/MF);
 Secondary: Loyalsock Creek (CWF/MF-EV)

ESCGP-1 # ESG13-081-0027(01)
 Applicant Name Anadarko E&P Onshore LLC
 Contact Person Rane Wilson
 Address 33 W Third St, Suite 200
 City, State, Zip Williamsport, PA 17701
 County Lycoming
 Township(s) Gamble
 Receiving Stream(s) and Classification(s) Shoemaker Run—HQ-CWF, MF
 UNT Shoemaker Run—HQ-CWF, MF
 Secondary: Lycoming Creek—EV, MF

ESCGP-1 # ESX10-117-0072(02)
 Applicant Name SWEPI LP
 Contact Person Jason Shoemaker
 Address 2100 Georgetown Dr, Suite 400
 City, State, Zip Sewickley, PA 15143
 County Tioga
 Township(s) Liberty
 Receiving Stream(s) and Classification(s) Salt Spring Run—EV, MF
 Secondary—Roaring Branch

ESCGP-1 # ESG13-081-0069
 Applicant Name Anadarko E&P Onshore LLC
 Contact Person Rane Wilson
 Address 33 W Third St, Suite 200
 City, State, Zip Williamsport, PA 17701
 County Lycoming
 Township(s) Cascade
 Receiving Stream(s) and Classification(s) UNT to West Branch Wallis Run—EV, MF
 West Branch Wallis Run—EV, MF
 Secondary—Wallis Run

ESCGP-1 # ESG13-115-0117
 Applicant Name Williams Field Services Co LLC
 Contact Person Sandra Lojek
 Address Parke Place Corporate Center 2, 2000 Commerce Dr
 City, State, Zip Pittsburgh, PA 15275
 County Susquehanna
 Township(s) Ararat, Gibson & Jackson Twps
 Receiving Stream(s) and Classification(s) Tunkhannock Ck, Rock Ck Watersheds: Tributary 29205 of Tunkhannock Ck, Tributary 29202 of Tunkhannock Ck, Tributary 29201 of Tunkhannock Ck, Tributary 29192 to Rock Creek, and associated UNTs—EV
 Secondary: Tunkhannock Ck, Susquehanna River

ESCGP-1 # ESX13-115-0088
 Applicant Name Cabot Oil & Gas Corp
 Contact Person Kenneth Marcum
 Address 5 Penn Center West, Suite 401
 City, State, Zip Pittsburgh, PA 15276
 County Susquehanna
 Township(s) Springville
 Receiving Stream(s) and Classification(s) NT to Horton Ck—CWF
 Secondary—Tunkhannock Ck

ESCGP-1 # ESX13-115-0150
 Applicant Name Southwestern Energy Production Co
 Contact Person Dave Sweeley
 Address 917 State Rte 92 N
 City, State, Zip Tunkhannock, PA 18657
 County Susquehanna
 Township(s) Jackson
 Receiving Stream(s) and Classification(s) UNT to Butler Ck—CWF
 Secondary: Butler Ck—CWF
Southwest Region: Oil & Gas Program Mgr. 400 Waterfront Dr. Pittsburgh PA

ESCGP-2 No: ESG13-125-0055
 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: Independence
 Receiving Stream (s) And Classifications: UNT to Brush Run / Wheeling Buffalo Creeks Watershed; HQ

ESCGP-2 No.: ESX13-059-0028
 Applicant Name: Appalachia Midstream Services LLC
 Contact Person: Mr Toby Lattea
 Address: 179 Chesapeake Drive
 City: Jane Lew State: WV Zip Code: 26378
 County: Greene Township(s): Richhill
 Receiving Stream(s) and Classifications: North Fork Dunkard Fork (TSF); UNT to North Fork Dunkard Fork (TSF); UNT to Kent Run (TSF); Kent Run (TSF); Wheeling—Buffalo Creeks Watershed; Other TSF

ESCGP-2 No.: ESG13-125-0059
 Applicant Name: MarkWest Liberty Midstream & Resources LLC
 Contact Person: Mr Rick Lowry
 Address: 4600 J Barry Court Suite 500
 City: Canonsburg State: PA Zip Code: 15317
 County: Washington Township(s): Donegal, West Finley
 Receiving Stream(s) and Classifications: UNTs to Dutch Fork (HQ-WWF), Dutch Fork (HQ-WWF), UNT to Dutch Fork Lake (HQ-WWF), UNTs to Bonar Creek (HQ-WWF), Bonar Creek (HQ-WWF), UNTs to Robinson Fork (WWF), Robinson Fork (WWF); HQ; Other WWF

ESCGP-2 No.: ESX12-125-00123 Major Revision
 Applicant Name: MarkWest Liberty Midstream & Resources LLC
 Contact Person: Mr Rick Lowry
 Address: 4600 J Barry Court Suite 500
 City: Canonsburg State: PA Zip Code: 15317
 County: Washington Township(s): West Finley, East Finley
 Receiving Stream(s) and Classifications: UNT to Fork of Bane Creek (TSF), UNTs to Chartiers Creek (WWF), Chartiers Creek (WWF) and UNTs to Buffalo Creek (HQ-WWF); HQ; Other WWF; Siltation-Impaired

SPECIAL NOTICES

Notice of Planning Grant Awards Under Section 901 of the Municipal Waste Planning Recycling and Waste Reduction Act of 1988, Act 101

The Department of Environmental Protection (DEP) hereby announces the following grants to counties pursuant to the Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101, P. L. 556, Section 901 and Section 208 of the Waste Tire Recycling Act/Small Business and Household Pollution Prevention Act (Act 190 of 1996).

Planning grants are awarded to counties for 80% of approved costs for preparing municipal waste management plans as required by Act 101, for carrying out related studies, surveys, investigations, inquiries, research and analysis, including those related to siting, environmental mediation, education programs on pollution prevention and household hazardous waste and providing technical assistance to small businesses for pollution prevention. Grants may be awarded for feasibility studies and project development for municipal waste processing or disposal facilities, except for facilities for the combustion of municipal waste that are not proposed to be operated for the recovery of energy. All grant awards are predicated on the receipt of recycling fees required by Sections 701 and 702 of Act 101, and the availability of monies in the Recycling Fund.

Inquiries regarding the grant offerings should be directed to Mr. Mark Vottero, Department of Environmental Protection, Bureau of Waste Management, Division of Waste Minimization and Planning, PO Box 8472, Harrisburg, PA 17105-8472.

Act 101, Section 901 Planning Grant

| <i>Region</i> | <i>County</i> | <i>Applicant</i> | <i>Project Description</i> | <i>Grant Award</i> |
|---------------|---------------|------------------|----------------------------|--------------------|
| South Central | Mifflin | Mifflin County | Revise/Update plan | \$70,087.00 |

[Pa.B. Doc. No. 14-288. Filed for public inspection February 7, 2014, 9:00 a.m.]

Bid Opportunity

OSM 16(3458)101.1, Abandoned Mine Reclamation Project, Piolett Northwest, Porter Township, Clarion County. The principal items of work and approximate quantities include mobilization and demobilization; implementation of the Erosion and Sediment Control Plan; clearing and grubbing; dewatering impoundments; grading; subsurface drain 100 linear feet; channel excavation 250 cubic yards; R-5 rock lining with filter fabric 187 square yards; and seeding 5 acres. This bid issues on February 7, 2014, and bids will be opened on March 6, 2014, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1308) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

E. CHRISTOPHER ABRUZZO,
Secretary

[Pa.B. Doc. No. 14-289. Filed for public inspection February 7, 2014, 9:00 a.m.]

Bid Opportunity

OSM 17(7070,7066)101.1, Abandoned Mine Reclamation Project, Salem Church, Boggs and Bradford Townships, Clearfield County. The principal items of work and approximate quantities include mobilization and demobilization; implementation of the Erosion and Sediment Control Plan; clearing and grubbing; dewatering and diversion and care of water; grading 557,107 cubic yards; ditch excavation 2,554 cubic yards; erosion control turf reinforcement mat 2,555 square yards; R-5 rock lining with filter fabric 650 square yards; tied

concrete block mat 700 cubic yards; wildlife brush barriers 1,200 linear feet; subsurface drain 1,345 linear feet; and seeding 66.3 acres. This bid issues on February 7, 2014, and bids will be opened on March 6, 2014, at 2 p.m. Bid documents cost \$15 per set and will not be mailed until payment has been received. This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1308) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

E. CHRISTOPHER ABRUZZO,
Secretary

[Pa.B. Doc. No. 14-290. Filed for public inspection February 7, 2014, 9:00 a.m.]

Citizens Advisory Council; 2014 Meeting Changes

Meetings of the Citizens Advisory Council (Council) will now convene at 10 a.m. on the third Tuesday of the month in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The Council does not meet in August and December. The meeting dates for the remaining 2014 meetings are as follows:

February 18, 2014
 March 18, 2014
 April 15, 2014
 May 21, 2014 (Wednesday due to Pennsylvania Primary Election on May 20, 2014)
 June 17, 2014
 July 15, 2014
 September 16, 2014
 October 21, 2014
 November 18, 2014

Questions concerning the Council may be directed to Michele Tate, Executive Director at (717) 787-4527 or

mtate@pa.gov. Information about the Council, including upcoming meeting agenda items, is available on the Public Participation Center of the Department of Environmental Protection's (Department) web site at www.depweb.state.pa.us/cac.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Michele Tate at (717) 787-4527 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. 14-291. Filed for public inspection February 7, 2014, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

Lease Retail Space to the Commonwealth Chester County

Proposals are invited to provide the Department of General Services with 4,000 to 5,000 usable square feet of retail space for the Liquor Control Board in West Grove, Chester County. For more information on SFP No. 94549, which is due on February 19, 2014, visit www.dgs.state.pa.us or contact the Bureau of Real Estate at (717) 787-4394.

SHERI PHILLIPS,
Secretary

[Pa.B. Doc. No. 14-292. Filed for public inspection February 7, 2014, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Aria Health Bucks Campus for Exception

Under 28 Pa Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Aria Health Bucks Campus has requested an exception to the requirements of 28 Pa. Code § 127.1 (relating to principle).

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation

to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984.

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 14-293. Filed for public inspection February 7, 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):

Cedarbrook Nursing Homes
350 South Cedarbrook Road
Allentown, PA 18104
FAC ID # 550102

Chapel Manor
1104 Welsh Road
Philadelphia, PA 19115
FAC ID # 031602

Edgehill Nursing and Rehabilitation Center
146 Edgehill Road
Glenside, PA 19039
FAC ID # 052702

Fairview Care Center of Bethlehem Pike
184 Bethlehem Pike
Philadelphia, PA 19118
FAC ID # 320402

Garden Spring Center
1113 North Easton Road
Willow Grove, PA 19090
FAC ID # 860202

Harston Hall
350 Haws Lane
Flourtown, PA 19031
FAC ID # 080702

Hillcrest Center
1245 Church Road
Wyncote, PA 19095
FAC ID # 034402

Palmyra Health and Rehabilitation Center
341 North Railroad Street
Palmyra, PA 17078
FAC ID # 161102

Powerback Rehabilitation 1700 Pine Street
1700 Pine Street
Norristown, PA 19401
FAC ID # 068202

Somerton Center
650 Edison Avenue
Philadelphia, PA 19116
FAC ID # 131602

The following long-term nursing facility is seeking exceptions to 28 Pa. Code § 201.17 (relating to location):

Allied Services Transitional Rehabilitation Unit
475 Morgan Highway
Scranton, PA 18508
FAC ID # 01690201

The following long-term nursing facility is seeking exceptions to 28 Pa. Code § 205.10(b) (relating to doors):

Allied Services Transitional Rehabilitation Unit
475 Morgan Highway
Scranton, PA 18508
FAC ID # 01690201

The following long-term nursing facility is seeking exceptions to 28 Pa. Code § 205.36(h) (relating to bathing facilities):

Allied Services Transitional Rehabilitation Unit
475 Morgan Highway
Scranton, PA 18508
FAC ID # 01690201

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. 14-294. Filed for public inspection February 7, 2014, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Cash 5 Terminal-Based Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 875.4 (relating to notice of terminal-based lottery game rules), the Secretary of Revenue hereby provides public notice of changes to the Pennsylvania Cash 5 terminal-based lottery game rules that were published at 38 Pa.B. 411 (January 19, 2008).

The following changes to the Pennsylvania Cash 5 terminal-based lottery game will be effective upon publication.

This amendment adds a new subsection that provides for promotional drawings associated with the Pennsylvania Cash 5 terminal-based lottery game.

The correct version of this document is as follows, with ellipses referring to the existing text as it appeared at 38 Pa.B. 411—413:

* * * * *

8. Retailer Incentive and Marketing Promotion Programs.

* * * * *

(c) The Pennsylvania Lottery may conduct promotional drawings associated with the Pennsylvania Cash 5 game. Pennsylvania Cash 5 game tickets will be imprinted with a unique code to be used by players to enter the promotional drawings. The promotional drawings may be held independently of or in conjunction with the regular Pennsylvania Cash 5 drawings. The Secretary will announce the existence of the promotional drawings. Winners of promotional drawings will be randomly selected from the group of qualified entries. A description of the available prize(s) and the specific rules and other information necessary for the conduct of the promotional drawings will be posted to the Lottery's publicly accessible website. A copy of the same will also be kept on file with the Lottery and will be available upon request.

* * * * *

DANIEL MEUSER,
Secretary

[Pa.B. Doc. No. 14-295. Filed for public inspection February 7, 2014, 9:00 a.m.]

Pennsylvania Match 6 Lotto Terminal-Based Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 875.4 (relating to notice of terminal-based lottery game rules), the Secretary of Revenue hereby provides public notice of changes to the Pennsylvania Match 6 Lotto terminal-based lottery game rules that were published at 40 Pa.B. 2828 (May 29, 2010).

The following changes to the Pennsylvania Match 6 Lotto terminal-based lottery game will be effective upon publication.

This amendment adds a new subsection that provides for promotional drawings associated with the Pennsylvania Match 6 Lotto terminal-based lottery game.

The correct version of this document is as follows, with ellipses referring to the existing text as it appeared at 40 Pa.B. 2828—2831:

* * * * *

8. Retailer Incentive and Marketing Promotion Programs.

* * * * *

(c) The Pennsylvania Lottery may conduct promotional drawings associated with the Pennsylvania Match 6 Lotto game. Pennsylvania Match 6 Lotto game tickets will be imprinted with a unique code to be used by players to enter the promotional drawings. The promotional drawings may be held independently of or in conjunction with the regular Pennsylvania Match 6 Lotto drawings. The

Secretary will announce the existence of the promotional drawings. Winners of promotional drawings will be randomly selected from the group of qualified entries. A description of the available prize(s) and the specific rules and other information necessary for the conduct of the promotional drawings will be posted to the Lottery's publicly accessible website. A copy of the same will also be kept on file with the Lottery and will be available upon request.

* * * * *

DANIEL MEUSER,
Secretary

[Pa.B. Doc. No. 14-296. Filed for public inspection February 7, 2014, 9:00 a.m.]

Pennsylvania Quinto Terminal-Based Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 875.4 (relating to notice of terminal-based lottery game rules), the Secretary of Revenue hereby provides public notice of changes to the Pennsylvania Quinto terminal-based lottery game rules that were published at 38 Pa.B. 4166 (August 2, 2008) and amended at 41 Pa.B. 2788 (May 28, 2011).

The following changes to the Pennsylvania Quinto terminal-based lottery game will be effective upon publication.

This amendment adds a new subsection that provides for promotional drawings associated with the Pennsylvania Quinto terminal-based lottery game.

The correct version of this document is as follows, with ellipses referring to the existing text as it appeared at 38 Pa.B. 4166—4169 and 41 Pa.B. 2788:

* * * * *

8. Retailer Incentive and Marketing Promotion Programs.

* * * * *

(c) The Pennsylvania Lottery may conduct promotional drawings associated with the Pennsylvania Quinto game. Pennsylvania Quinto game tickets will be imprinted with a unique code to be used by players to enter the promotional drawings. The promotional drawings may be held independently of or in conjunction with the regular Pennsylvania Quinto drawings. The Secretary will announce the existence of the promotional drawings. Winners of promotional drawings will be randomly selected from the group of qualified entries. A description of the available prize(s) and the specific rules and other information necessary for the conduct of the promotional drawings will be posted to the Lottery's publicly accessible website. A copy of the same will also be kept on file with the Lottery and will be available upon request.

* * * * *

DANIEL MEUSER,
Secretary

[Pa.B. Doc. No. 14-297. Filed for public inspection February 7, 2014, 9:00 a.m.]

Pennsylvania Treasure Hunt Terminal-Based Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 875.4 (relating to notice of terminal-based lottery game rules), the Secretary of Revenue hereby provides public notice of changes to the Pennsylvania Treasure Hunt terminal-based lottery game rules that were published at 37 Pa.B. 1938 (April 21, 2007).

The following changes to the Pennsylvania Treasure Hunt terminal-based lottery game will be effective upon publication.

This amendment adds a new subsection that provides for promotional drawings associated with the Pennsylvania Treasure Hunt terminal-based lottery game.

The correct version of this document is as follows, with ellipses referring to the existing text as it appeared at 37 Pa.B. 1938—1939:

* * * * *

8. Retailer Incentive and Marketing Promotion Programs.

* * * * *

(c) The Pennsylvania Lottery may conduct promotional drawings associated with the Pennsylvania Treasure Hunt game. Pennsylvania Treasure Hunt game tickets will be imprinted with a unique code to be used by players to enter the promotional drawings. The promotional drawings may be held independently of or in conjunction with the regular Pennsylvania Treasure Hunt drawings. The Secretary will announce the existence of the promotional drawings. Winners of promotional drawings will be randomly selected from the group of qualified entries. A description of the available prize(s) and the specific rules and other information necessary for the conduct of the promotional drawings will be posted to the Lottery's publicly accessible website. A copy of the same will also be kept on file with the Lottery and will be available upon request.

* * * * *

DANIEL MEUSER,
Secretary

[Pa.B. Doc. No. 14-298. Filed for public inspection February 7, 2014, 9:00 a.m.]

DEPARTMENT OF STATE

Revised Form of Nomination Petitions and Instructions

The Secretary of the Commonwealth (Secretary) has revised the form of the circulator's affidavit and the instructions that relate to nomination petitions. This newly-prescribed form and instructions are the outcome of recent litigation in *Villa v. Aichele*, No. 2:13-cv-06374 (E.D. Pa. 2013).

On November 1, 2013, the plaintiff in *Villa* commenced suit in Federal court, challenging enforcement of the residency requirement of section 909 of the Pennsylvania

Election Code (Election Code) (25 P.S. § 2869), on grounds that the statute's requirement that a circulator of a nomination petition be a resident of the relevant political district is unconstitutional. The plaintiff argued that the residency requirement of section 909 of the Election Code is unconstitutional for the same reasons that section 951(d) of the Election Code (25 P.S. § 2911(d)), regarding the requirement that a circulator of a nomination paper supporting the nomination of the candidates of a minor political party or a political body be a registered elector in the relevant district, was ruled to be unconstitutional by a Federal court and its enforcement permanently enjoined. See *Morrill v. Weaver*, 224 F. Supp. 2d 882 (E.D. Pa. 2002). The Pennsylvania Supreme Court, in *In re Stevenson*, 615 Pa. 50, 40 A.3d 1212 (2012), ruled that Pennsylvania State courts must abide by the *Morrill* declaration and injunction order based on principles of judicial comity.

The Pennsylvania Office of Attorney General (OAG) represented the Secretary as a defendant in *Villa* and undertook to defend the constitutionality of the statute. However, in the course of that litigation, OAG determined that the circulator residency requirement imposed by section 909 of the Election Code could not reasonably be defended in light of the constitutional law as reflected in *Morrill*.

Based on advice received by the Attorney General in the course of this litigation, the Secretary agreed to cease enforcing that part of section 909 of the Election Code that requires the circulator of a nomination petition to be a resident of the relevant political district. The Attorney General advised the Secretary that the constitutional conclusions expressed in *Morrill* relating to the residency requirement of section 951(d) of the Election Code (and which the Supreme Court in *Stevenson* said State courts must follow) logically apply to the residency requirement imposed by section 909 of the Election Code. Therefore, to

moot the litigation and avoid associated costs, the Secretary agreed to suspend enforcement of the residency requirement of section 909 of the Election Code as recommended by the Attorney General.

A copy of the letter from the OAG is available on the Department of State's publicly accessible web site at www.dos.state.pa.us. The revised form of the circulator's affidavit that has been newly-prescribed and the revised instructions relating to the nomination petitions also are available on the web site.

Note: It is important that all candidates understand that, notwithstanding the decision of the Secretary of the Commonwealth to alter the form of the circulator's affidavit and instructions indicating that a circulator of a nomination petition need not reside in the district specified in the nomination petition, it remains possible that individual qualified electors may file objections to nomination petitions in court on the basis that a circulator does not reside in the district as required by section 909 of the Election Code. In the event that objections to a nomination petition were filed by a qualified elector, the court would determine on its own authority whether to enforce the residency requirement imposed by section 909.

Individuals with questions regarding the newly-prescribed form and instructions relating to nomination petitions should contact Jessica Mathis, Chief of the Division of Elections Services in the Department's Bureau of Commissions, Election and Legislation, jesmthis@pa.gov, (717) 787-5280.

CAROL AICHELE,
Secretary

[Pa.B. Doc. No. 14-299. Filed for public inspection February 7, 2014, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Filing of Final Rulemakings

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> |
|--------------------------------|---|-----------------|---------------------------|
| 54-73 | Pennsylvania Liquor Control Board Sale by Licensed Limited Distilleries and Distilleries | 1/24/14 | 2/27/14 |
| 7-477 | Environmental Quality Board Measurement and Reporting of Condensable Particulate Matter Emissions | 1/24/14 | 2/27/14 |

GEORGE D. BEDWICK,
Vice Chairperson

[Pa.B. Doc. No. 14-300. Filed for public inspection February 7, 2014, 9:00 a.m.]

INSURANCE DEPARTMENT

Qualified Annuity Contractors for Awarded Periodic Medical Professional Liability Payments

Under section 509(b)(6) of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. § 1303.509(b)(6)), the Insurance Commissioner hereby lists insurers designated by the Insurance Department as qualified to participate in the funding of periodic payment judgments:

| NAIC # | Insurer Qualified to Issue Annuity Contracts Under MCARE Act |
|--------|---|
| 93432 | C.M. Life Insurance Company |
| 70025 | Genworth Life Insurance Company |
| 88072 | Hartford Life Insurance Company |
| 65838 | John Hancock Life Insurance Company (USA) |
| 65935 | Massachusetts Mutual Life Insurance Company |
| 87726 | Metlife Insurance Company of Connecticut |
| 65978 | Metropolitan Life Insurance Company |
| 70416 | MML Bay State Life Insurance Company |
| 66281 | Monumental Life Insurance Company |
| 66915 | New York Life Insurance Company |
| 61271 | Principal Life Insurance Company |
| 68241 | The Prudential Insurance Company of America |

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 14-301. Filed for public inspection February 7, 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 Harris-

burg, PA. Failure by an appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Robert J. Brish, Jr.; file no. 13-198-153247; Victoria Fire and Casualty Company; Doc. No. P14-01-010; March 4, 2014, 9:30 a.m.

Appeal of Toncey and Ronald Vance; file no. 13-188-155815; Atlantic States Insurance Company; Doc. No. P14-01-012; March 5, 2014, 10 a.m.

Appeal of Terry K. Bumgardner; file no. 13-198-153883; State Farm Fire and Casualty Company; Doc. No. P14-01-009; March 6, 2014, 9:30 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. 14-302. Filed for public inspection February 7, 2014, 9:00 a.m.]

OFFICE OF OPEN RECORDS

Office of Open Records Appeal Forms

The Office of Open Records (OOR) has updated its appeal forms. These forms can be accessed from the OOR's web site at <http://openrecords.state.pa.us>. Questions can be directed to the OOR at (717) 346-9903.

TERRY MUTCHLER,
Executive Director



RIGHT TO KNOW LAW APPEAL DENIAL OR PARTIAL DENIAL

Office of Open Records
Commonwealth Keystone Building
400 North Street, 4th Floor
Harrisburg, PA 17120-0225
Fax: (717) 425-5343 E-mail: openrecords@pa.gov

Today's date: _____

Requester's name: _____

Address/City/State/Zip: _____

Request submitted by: Fax Mail E-mail In-Person (Please check one)

Date of Right to Know request: _____ Date of Agency Response: _____

Telephone and fax number: _____ / _____ E-mail: _____

Name and address of Agency: _____

E-mail Address of Agency _____ Fax of Agency _____

Name and title of person who denied my request: _____

I submitted a request for records to the agency named above. The agency either denied or partially denied my request. I am appealing that denial to the Office of Open Records (OOR), and I am providing the following information:

I was denied access to the following records (attach additional pages if necessary): _____

The agency's denial of my request is flawed and the requested records are public records because (check all that apply) **(REQUIRED)**:

- the records document the receipt or use of agency funds.
- the records are in the possession, custody or control of the agency and are not protected by any exemptions under Section 708 of the Right-to-Know Law, are not protected by privilege, and are not exempted under any Federal or State law or regulation.
- Other _____

(attach additional pages if necessary)

- I have attached a copy of my request for records. **(REQUIRED)**
- I have attached a copy of all responses from the agency regarding my request. **(REQUIRED)**
- I have attached any letters or notices extending the agency's time to respond to my request.
- I hereby agree to permit the OOR an additional thirty (30) days to issue a final order in this appeal.

Respectfully Submitted, _____ (must be signed)

You should provide the agency with a copy of this form and any documents you submit to the OOR.



**RIGHT TO KNOW LAW APPEAL
DEEMED DENIAL (NO AGENCY RESPONSE)**

Office of Open Records
 Commonwealth Keystone Building
 400 North Street, 4th Floor
 Harrisburg, PA 17120-0225
 Fax: (717) 425-5343 E-mail: openrecords@pa.gov

Today's date: _____

Requester's name: _____
Address/City/State/Zip: _____
 Request submitted by: Fax Mail E-mail In-Person (Please check one)
 Date of Right to Know request: _____
 Telephone and fax number: _____ / _____ E-mail: _____

Name and Address of Agency: _____
 E-mail Address of Agency _____ Fax of Agency _____
 Name and title of person to whom request addressed: _____

I submitted a request for records to the agency named above. The agency did not respond to my request. I am appealing that deemed denial to the Office of Open Records (OOR), and I am providing the following information:

I requested the following records (attach additional pages if necessary): _____

The requested records are public records because (check all that apply) **(REQUIRED)**:

- the records document the receipt or use of agency funds.
- the records are in the possession, custody or control of the agency and are not subject to any exemptions under Section 708 of the Right-to-Know Law, are not protected by privilege, and are not exempted under any Federal or State law or regulation.
- Other _____.

- I have attached a copy of my request for records. **(REQUIRED)**
- I have attached any letters or notices extending the agency's time to respond to my request.
- I hereby agree to permit the OOR an additional thirty (30) days to issue a final order in this appeal.

Respectfully Submitted, _____ (must be signed)

You should provide the agency with a copy of this form and any documents you submit to the OOR.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Alternative Energy Credit Program

Clean Power Markets, Inc., the Pennsylvania Public Utility Commission's alternative energy credit program administrator, has decertified the following alternative energy systems:

| <i>Plant Name</i> | <i>Pennsylvania Certification Number</i> |
|-----------------------------------|--|
| Escanaba Mill | PA-23006-BLQ-II, PA-23007-WDS-II |
| Brickyard Energy Partners, LLC | PA-15007-LFG-I |
| Indiana Harbor Works | PA-16007-BFG-II |
| Roxana Resource Recovery, LLC | PA-15013-LFG-I |
| Upper Rock Energy Partners, LLC | PA-15015-LFG-I |
| Gary Works | PA-16005-BFG-II, PA-16006-OG-II |
| Knauf, Chris | PA-55001-SUN-I |
| Kienle, Peter | PA-16015-SUN-I |
| Burns Harbor | PA-16012-BFG-II |
| AM Indiana Harbor Inc. | PA-16013-BFG-II |
| AM Indiana Harbor Inc. (East, ET) | PA-16014-BFG-II |
| Henning Residence | PA-16016-SUN-I |
| Clark-Todd-Michigan-14 kW | PA-23009-SUN-I |
| Usrey-Terry-IN-PV-2.37kW | PA-16017-SUN-I |
| Home/Lot E | PA-15055-SUN-I |
| Gwynn Residence | PA-16018-SUN-I |
| Cadillac Renewable Energy | PA-23008-WDS-I |
| Cooley Residence | PA-15066-SUN-I |
| 5 AC Station | PA-16003-BFG-II, PA-16004-OG-II |
| Ryan Finkenbine | PA-15075-SUN-I |
| Heat Recovery Coke Facility | PA-16008-WH-II |

This decertification precludes a facility from generating alternative energy credits for use by electric distribution companies and electric generation suppliers in this Commonwealth to comply with the Alternative Energy Portfolio Standards Act (73 P. S. §§ 1648.1—1648.8).

Questions regarding the decertification of the previously-listed alternative energy systems are to be directed to Clean Power Markets, Inc. at (877) 237-7773 or admin@paaeps.com.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 14-304. Filed for public inspection February 7, 2014, 9:00 a.m.]

Commercial Mobile Radio Services

A-2014-2402940. The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and T-Mobile USA, Inc. Joint petition of The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and T-Mobile USA, Inc. for approval of amendment No. 1 to the commercial mobile radio services interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and T-Mobile USA, Inc., by its counsel, filed on January 29, 2014, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of amendment No. 1 to the commercial mobile radio services interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and T-Mobile USA, Inc. joint petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and

4:30 p.m., Monday through Friday, at the Commission's web site at www.puc.pa.gov, and at the applicant's business address.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 14-305. Filed for public inspection February 7, 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 24, 2014. Documents filed in support of the applications are avail-

able 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-2013-2392135. Matthew Leotilo, t/a Matthew Leotilo Transportation (1519 Poolside Drive, Hazle Township, Luzerne County, PA 18202) in paratransit service, between points in the City of Hazelton, Luzerne County, and within 100 airline miles of the borders of said city.

A-2013-2397663. Max Lightyear, Inc. (92 Valley View Way, Newtown, PA 18940) for the right to begin to transport as a common carrier, by motor vehicle, persons in paratransit service from points in Bucks County to points in Pennsylvania, and return.

Applications of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under each application.

A-2013-2392776. Anthony Transportation Group, LLC, t/a Anthony Limousine (2200 Sullivan Trail, Easton, PA 18040) for the right to begin to transport, as a common carrier, by motor vehicle, persons in limousine service, between points in Pennsylvania, excluding the right to transport between points in Allegheny County and transportation which is under the jurisdiction of the Philadelphia Parking Authority, which is to be a transfer of the rights authorized under the certificate of Public Convenience issued at A-00110608 on March 29, 1993, to Salgals, Inc., t/a Villa Limousine Service.

A-2014-2400410. Youth Transit Authority, LLC (188 Blue Jay Way, Hummelstown, Dauphin County, PA 17036) for the right to begin to transport as a common carrier, by motor vehicle, persons in limousine service, between points in the Counties of Pennsylvania, excluding points between Allegheny County and excluding service that is under the jurisdiction of the Philadelphia Parking Authority; which is to be a transfer of all of the rights from A-00108221, F.1 issued to P. S. Jagiela Enterprises, Inc., t/a Aries Limousine Service *Attorney:* Brian J. Hinkle, Esquire, 717 Market Street, #371, Lemoyne, PA 17043.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 14-306. Filed for public inspection February 7, 2014, 9:00 a.m.]

Service of Notice of Motor Carrier Formal Complaints

Formal complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due February 24, 2014, and must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. Instant Response Inc;
Doc. No. C-2013-2388415

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Instant Response Inc, (respondent) is under suspension effective September 12, 2013 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 111 Buck Road Building 600, Huntingdon Valley, PA 19006.
3. That respondent was issued a Certificate of Public Convenience by this Commission on May 01, 2013, at A-6414762.
4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 and causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-6414762 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 10/23/2013

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Scott at:

RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Acord certificates of insurance and faxed Form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 14-307. Filed for public inspection February 7, 2014, 9:00 a.m.]

PHILADELPHIA PARKING AUTHORITY

Motor Carrier Application for Luxury Limousine Service in the City of Philadelphia

An application has been received by the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) by the following named applicant for permanent authority to transport, as a common carrier, persons in luxury limousine service on an exclusive basis, between points in the City and County of Philadelphia, and from points in the City and County of Philadelphia to points in Pennsylvania and from points in Pennsylvania to the City and County of Philadelphia.

Alpha Limousine Services, Inc., 123 Margate Road, Upper Darby, PA 19082 registered with the Commonwealth on October 12, 2012.

Attorney for Applicant: David Temple, 1760 Market Street, Suite 1100, Philadelphia, PA 19103

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicant by February 24, 2014. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,
Executive Director

[Pa.B. Doc. No. 14-308. Filed for public inspection February 7, 2014, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Actions Taken at December Meeting

As part of its regular business meeting held on December 12, 2013, in Annapolis, MD, the Susquehanna River Basin Commission (Commission) took the following actions: 1) approved or tabled the applications of certain water resources projects (one involving an into-basin diversion and one involving an out-of-basin diversion); and 2) took additional actions, as set forth in the Supplementary Information section as follows.

For further information, contact Richard A. Cairo, General Counsel, (717) 238-0423, Ext. 1306, fax (717) 238-2436, rcairo@srbc.net; or regular mail inquiries may be sent to Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788. See also Commission web site at www.srbc.net.

Supplementary Information

In addition to the actions taken on projects identified in the summary and the following listings, the following items were also presented or acted upon at the business meeting: 1) heard a presentation from the Maryland Department of Natural Resources director Bruce Michael on the Federal Energy Regulatory Commission licensing for Conowingo; 2) adopted a resolution urging the President and Congress to provide full funding for the National Streamflow Information Program, thereby supporting the Susquehanna Flood Forecast and Warning System; 3) adopted the 5-year update of the 2008 "Comprehensive Plan for the Water Resources of the Susquehanna River Basin;" 4) adopted a resolution on the sale of the former headquarters property at 1721 North Front Street, Harrisburg, PA; and 5) ratified one grant and one agreement.

Project Applications Approved

The Commission approved the following project applications:

1. Project Sponsor: Aqua Pennsylvania, Inc. Project Facility: Mifflin Township Water System, Mifflin Township, Columbia County, PA. Renewal of groundwater withdrawal of up to 0.432 mgd (30-day average) from Mifflinville Well 3 (Docket No. 19960902).

2. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River), Athens Township, Bradford County, PA. Renewal of surface water withdrawal of up to 0.750 mgd (peak day) (Docket No. 20080906).

3. Project Sponsor and Facility: Energy Corporation of America (West Branch Susquehanna River), Goshen Township, Clearfield County, PA. Renewal of surface water withdrawal of up to 2.000 mgd (peak day) (Docket No. 20091203).

4. Project Sponsor and Facility: LHP Management, LLC (Fishing Creek—Clinton Country Club), Bald Eagle Township, Clinton County, PA. Renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20090906).

5. Project Sponsor and Facility: Millersburg Area Authority, Upper Paxton Township, Dauphin County, PA. Renewal of groundwater withdrawal of up to 0.173 mgd (30-day average) from Well 10 and groundwater withdrawal of up to 0.102 mgd (30-day average) from Well 11 (Docket No. 19830309).

6. Project Sponsor and Facility: New Holland Borough Authority, New Holland Borough, Lancaster County, PA. Renewal of groundwater withdrawal of up to 0.400 mgd (30-day average) from Well 2 (Docket No. 19830501).

7. Project Sponsor and Facility: Southwestern Energy Production Company (Lycoming Creek—Bodines), Lewis Township, Lycoming County, PA. Renewal of surface water withdrawal of up to 0.500 mgd (peak day) (Docket No. 20091207).

8. Project Sponsor and Facility: Southwestern Energy Production Company (Lycoming Creek—Ralston), McIntyre Township, Lycoming County, PA. Renewal of surface water withdrawal of up to 0.500 mgd (peak day) (Docket No. 20091210).

9. Project Sponsor and Facility: Talisman Energy USA, Inc. (Choconut Creek), Choconut Township, Susquehanna County, PA. Surface water withdrawal of up to 0.999 mgd (peak day).

Project Application Approved Involving a Diversion

The Commission approved the following project application:

1. Project Sponsor: Gettysburg Municipal Authority. Project Facility: Hunterstown Wastewater Treatment Plant, Straban Township, Adams County, PA. Modification to increase authorized diversion to accommodate occasional power plant surge (Docket No. 20100916).

Project Applications Tabled

The Commission tabled the following project applications:

1. Project Sponsor and Facility: Aqua Infrastructure, LLC (Tioga River), Hamilton Township, Tioga County, PA. Application for surface water withdrawal of up to 2.500 mgd (peak day).

2. Project Sponsor and Facility: DS Waters of America, Inc., Clay Township, Lancaster County, PA. Application for renewal of groundwater withdrawal of up to 0.115 mgd (30-day average) from Well 6 (Docket No. 20000203).

3. Project Sponsor: Gettysburg Municipal Authority. Project Facility: York Water Company Interconnection, Straban Township, Adams County, PA. Application for consumptive water use of up to 3.000 mgd (peak day).

4. Project Sponsor and Facility: Houtzdale Municipal Authority, Gulich Township, Clearfield County, PA. Application for groundwater withdrawal of up to 0.537 mgd (30-day average) from Well 14R.

5. Project Sponsor and Facility: Keystone Clearwater Solutions, LLC (Lycoming Creek), Lewis Township, Lycoming County, PA. Modification to low flow protection requirements and authorization of additional water uses of the surface water withdrawal approval (Docket No. 20110616).

6. Project Sponsor: New Oxford Municipal Authority. Project Facility: Oxen Country Meadows, Oxford Township, Adams County, PA. Application for groundwater withdrawal of up to 0.144 mgd (30-day average) from Oxen Country Meadows (OCM) Well 1.

7. Project Sponsor: Old Dominion Electric Cooperative. Project Facility: Rock Springs Expansion, Rising Sun District, Cecil County, MD. Application for consumptive water use of up to 7.900 mgd (peak day).

8. Project Sponsor and Facility: Old Dominion Electric Cooperative (Susquehanna River), Fulton Township, Lancaster County, PA. Application for surface water withdrawal of up to 8.700 mgd (peak day).

9. Project Sponsor and Facility: Seneca Resources Corporation (Arnot No. 5 Mine Discharge), Bloss Township, Tioga County, PA. Application for renewal of surface water withdrawal of up to 0.499 mgd (peak day) (Docket No. 20090908).

10. Project Sponsor and Facility: Talisman Energy USA, Inc. (Fall Brook—C.O.P. Tioga State Forest), Ward Township, Tioga County, PA. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20091204).

11. Project Sponsor and Facility: Talisman Energy USA, Inc. (Fellows Creek—C.O.P. Tioga State Forest), Ward Township, Tioga County, PA. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20091205).

12. Project Sponsor and Facility: York Water Company (Susquehanna River and South Branch Codorus Creek), Lower Windsor and Spring Garden Townships, York County, PA. Modification to authorize supply of water to Gettysburg Municipal Authority through an interconnection, subject to receipt by Gettysburg Municipal Authority of an interbasin diversion approval (Docket No. 20021023).

Project Application Tabled Involving a Diversion

The Commission tabled the following project application:

1. Project Sponsor: Gettysburg Municipal Authority. Project Facility: York Water Company Interconnection, Straban Township, Adams County, PA. Application for an out-of-basin diversion of up to 3.000 mgd (peak day) to the Potomac River Basin.

Project Applications Withdrawn

The following project applications were withdrawn by the project sponsors:

1. Project Sponsor and Facility: WPX Energy Appalachia, LLC (Turner Lake), Liberty Township, Susquehanna County, PA. Application for renewal of surface water withdrawal of up to 0.393 mgd (peak day) (Docket No. 20090601).

2. Project Sponsor and Facility: Winner Water Services, Inc. (Manor #44 Deep Mine), Girard Township, Clearfield County, PA. Application for surface water withdrawal of up to 0.144 mgd (peak day).

Authority: Pub. L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

Dated: January 24, 2014.

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 14-309. Filed for public inspection February 7, 2014, 9:00 a.m.]

