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# PENNSYLVANIA BULLETIN

Volume 44  
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Number 1  
Pages 1—232

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for the Subject Index for  
January—December 2013

## Part I

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

**No. 470, January 2014**

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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](http://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](http://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](http://www.pabulletin.com).

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### Printing Format

Material proposed to be added to an existing rule or regulation is printed in **bold face** and material proposed to be deleted from 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.

<b>4 Pa. Code (Administration)</b>		<b>237 Pa. Code (Juvenile Rules)</b>	
<b>Statements of Policy</b>		<b>Proposed Rules</b>	
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<b>58 Pa. Code (Recreation)</b>		<b>246 Pa. Code (Minor Court Civil Rules)</b>	
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# THE COURTS

## Title 210—APPELLATE PROCEDURE

### PART I. RULES OF APPELLATE PROCEDURE [ 210 PA. CODE CH. 1 ]

Order Amending Rule 125 of the Rules of Appellate Procedure; No. 240 Appellate Procedural Rules Doc.

#### Order

*Per Curiam*

*And Now*, this 20th day of December, 2013, the proposal having been submitted without publication pursuant to Pa.R.J.A. No. 103(a)(3) in the interests of efficient administration:

*It Is Ordered*, pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 125 of the Pennsylvania Rules of Appellate Procedure is amended in the following form.

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

#### Annex A

### TITLE 210. APPELLATE PROCEDURE

#### PART I. RULES OF APPELLATE PROCEDURE

##### ARTICLE I. PRELIMINARY PROVISIONS

##### CHAPTER 1. GENERAL PROVISIONS

##### DOCUMENTS GENERALLY

#### Rule 125. Electronic Filing.

Electronic filing of documents in the appellate courts shall be through the PACFile appellate court electronic filing system. Electronic filing of documents shall be governed by an Administrative Order of the Supreme Court of Pennsylvania, which may be found at [ <http://ujportal.pacourts.us> ] <http://ujportal.pacourts.us/refdocuments/judicialorder.pdf>.

*Official Note:* This is an interim rule permitting electronic filing of documents in the Pennsylvania appellate courts [ in accordance with instructions available at <http://ujportal.pacourts.us> ]. Initially, electronic filing will be available only in the Supreme Court. Subsequently, electronic filing will become available in the Superior and Commonwealth Courts. After experience is gained with electronic filing, the Pennsylvania [ rules ] Rules of Appellate Procedure will be amended where needed and as appropriate.

[Pa.B. Doc. No. 14-1. Filed for public inspection January 3, 2014, 9:00 a.m.]

## Title 231—RULES OF CIVIL PROCEDURE

### PART I. GENERAL

#### [ 231 PA. CODE CHS. 1000 AND 2220 ]

Order Amending Rule 1033 and Rule 2232 of the Rules of Civil Procedure; No. 591 Civil Procedural Rules Doc.

#### Order

*Per Curiam*

*And Now*, this 20th day of December, 2013, upon the recommendation of the Civil Procedural Rules Committee; the proposal having been published at 42 Pa.B. 6244 (October 6, 2012):

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 1033 and Rule 2232 of the Pennsylvania Rules of Civil Procedure are amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective January 23, 2014.

#### Annex A

### TITLE 231. RULES OF CIVIL PROCEDURE

#### PART I. GENERAL

##### CHAPTER 1000. ACTIONS

##### Subchapter A. CIVIL ACTION

##### PLEADINGS

#### Rule 1033. Amendment.

A party, either by filed consent of the adverse party or by leave of court, may at any time change the form of action, **add a person as a party**, correct the name of a party, or **otherwise amend [ his ] the pleading**. The amended pleading may aver transactions or occurrences which have happened before or after the filing of the original pleading, even though they give rise to a new cause of action or defense. An amendment may be made to conform the pleading to the evidence offered or admitted.

##### CHAPTER 2220. JOINDER OF PARTIES

#### Rule 2232. Defective joinder; change of parties.

\* \* \* \* \*

(b) [ **Joinder of unnecessary parties is not ground for dismissal of an action. After notice to all other parties, a party may be dropped by order of the court whenever the party has been misjoined or no claim for relief is asserted against the party in the action by any other party.** ] (Rescinded).

\* \* \* \* \*

#### Explanatory Comment

Rule 1033 has been amended to specifically state that an amendment may add a person as a party. It is the practice of litigants and trial courts to refer to Rule 1033 when a party seeks to amend a pleading to add another party. The purpose of this amendment is to eliminate any uncertainty as to whether a motion to amend a pleading

to add an additional party is governed by Rule 1033. There is no conflict between this proposed amendment and Rule 2232(c) because the latter addresses the question of when a court may order the joinder of any additional person.

Subdivision (b) of Rule 2232 addressing the joinder of an additional party is being rescinded. The provision is unnecessary because if a party has been misjoined or no claim for relief is asserted, a dismissal should be sought through the rules governing preliminary objections, judgment on the pleadings, and summary judgment. If a plaintiff wants to drop a defendant, he or she should use the rules governing the discontinuance of an action.

*By the Civil Procedural  
Rules Committee*

DIANE W. PERER,  
*Chair*

[Pa.B. Doc. No. 14-2. Filed for public inspection January 3, 2014, 9:00 a.m.]

## Title 237—JUVENILE RULES

### PART I. RULES

#### [ 237 PA. CODE CH. 11 ]

#### Proposed Amendments to Rule 1187

The Juvenile Court Procedural Rules Committee is soliciting public comment on proposed modifications to Rule 1187 before it considers any recommendations to the Supreme Court of Pennsylvania. These proposed modifications address the authority of a master in a dependency case.

The Committee requests that interested persons submit suggestions, comments, or objections concerning this proposal to the Committee through counsel, Christine Riscili at [juvenilerules@pacourts.us](mailto:juvenilerules@pacourts.us). Email is the preferred method for receiving comments in an effort to conserve paper and expedite the distribution of comments to the Committee. Emailed comments need not be reproduced and sent via hard copy. The Committee will acknowledge receipt of your comment.

For those who do not have access to email, comments may be faxed to the Committee at 717-231-9541 or written comments may be mailed to:

Christine Riscili, Esq.  
Supreme Court of Pennsylvania  
Juvenile Court Procedural Rules Committee  
Pennsylvania Judicial Center  
601 Commonwealth Ave, Suite 6200  
P. O. Box 62635  
Harrisburg, PA 17106-2635.

All comments shall be received no later than Tuesday, February 4, 2014.

*By the Juvenile Court  
Procedural Rules Committee*

HONORABLE TODD A. HOOVER,  
*Chair*

### Annex A

#### TITLE 237. JUVENILE RULES

##### PART I. RULES

##### Subpart B. DEPENDENCY MATTERS

##### CHAPTER 11. GENERAL PROVISIONS

##### PART D. PROCEEDINGS IN CASES BEFORE MASTER

##### Rule 1187. Authority of Master.

A. *No authority.* A master shall not have the authority to:

1) preside over:

[ a) termination of parental rights hearings;

b) adoptions;

c) any hearing in which any party seeks to establish a permanency goal of adoption or change the permanency goal to adoption; ]

a) adjudicatory and dispositional hearings;

b) any hearing in which any party seeks to establish a permanency goal of adoption or change the permanency goal to adoption;

c) termination of parental rights hearings; and

d) adoptions;

2) enter orders for emergency or protective custody pursuant to Rules 1200 and 1210;

3) issue warrants; and

4) issue contempt orders.

\* \* \* \* \*

#### Explanatory Report

The Juvenile Court Procedural Rules Committee (Committee) is seeking public comment on amendments to Rule 1187 regarding the authority of a master in dependency cases.

The Committee believes that the consequences of a dependency case can be so severe because it may involve removing a child from the custody of his or her parents, that the initial case must be heard by a judge. The course of the case and the decision concerning whether a child is dependent should only be decided by a judge.

The purpose of creating the position of masters in judicial districts was to assist the judge in the multitude of hearings that occur in dependency cases. For example, aiding the court by presiding over shelter-care hearings or routine reviews, such as the permanency hearing. However, this assistance has gradually evolved to where many masters are presiding over all phases of the case.

In some judicial districts, a judge will not preside over a case until there is a goal change to termination of parental rights. Yet, once a case has progressed to that level, there usually is no more help to the parents because the county agency has exhausted all avenues of reunification.

A judge should hear the evidence and make a finding as to dependency in each case. Once a judge enters the initial disposition, reviews may be handled by the master if the judge decides that it will reassign the case to the master.

[Pa.B. Doc. No. 14-3. Filed for public inspection January 3, 2014, 9:00 a.m.]

## Title 246—MINOR COURT CIVIL RULES

### PART I. GENERAL

[ 246 PA. CODE CH. 300 ]

#### Proposed Amendments to Rules 307, 308, 309, 310, 312, 313 and 314 of the Rules of Civil Procedure before Magisterial District Judges

The Minor Court Rules Committee is planning to recommend that the Supreme Court of Pennsylvania amend Rules 307, 308, 309, 310, 312, 313, and 314 of the Pennsylvania Rules of Civil Procedure before Magisterial District Judges. The Committee has not yet submitted this proposal for review by the Supreme Court of Pennsylvania.

The following explanatory Report highlights the Committee's considerations in formulating this proposal. The Committee's Report should not be confused with the Committee's Official Notes to the rules. The Supreme Court does not adopt the Committee's Official Notes or the contents of the explanatory reports.

The text of the proposed amendments precedes the Report.

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

Pamela S. Walker, Counsel  
Supreme Court of Pennsylvania  
Minor Court Rules Committee  
Pennsylvania Judicial Center  
P. O. Box 62635  
Harrisburg, PA 17106-2635  
Fax: 717-231-9546

or email to: [minorrules@pacourts.us](mailto:minorrules@pacourts.us)

no later than March 7, 2014.

*By the Minor Court Rules Committee*

MARY P. MURRAY,  
*Chair*

### Annex A

#### TITLE 246. MINOR COURT CIVIL RULES

#### PART I. GENERAL

#### CHAPTER 300. CIVIL ACTION

#### Rule 307. Service of the Complaint.

Service shall be made at least ten days before the hearing, in the following manner:

(1) A copy of the complaint for each defendant shall be delivered by the magisterial district judge for service to the sheriff of, or any certified constable in, the county in which the magisterial district of the magisterial district judge is situated. If this service is not available to the

magisterial district judge, service may be made by any certified constable of the Commonwealth. If the complaint is delivered for service to the sheriff and service is to be made in a county other than the one in which the magisterial district of the magisterial district judge is situated, the sheriff shall deputize the sheriff of the county in which service is to be made. A certified constable may serve the complaint anywhere in the Commonwealth.

(2) If service is to be made in a county other than the one in which the magisterial district judge's magisterial district is situated, the magisterial district judge, instead of acting in accordance with subdivision (1), may:

(a) send the copy of the complaint for service to a magisterial district judge in the county in which service is to be made who shall deliver it for service to the sheriff of, or any certified constable in, that county. If this service is not available to the magisterial district judge, service may be made by any certified constable of the Commonwealth, or

(b) if service is to be made in Philadelphia, send the copy of the complaint for service to the Court Administrator of the Philadelphia Municipal Court who shall deliver it for service to a writ server of that court or to the sheriff of Philadelphia.

(3) When service by mail is permitted by the rules in this chapter, it shall be at the option of the plaintiff and shall be made by the magisterial district judge by certified [ or registered ] mail or comparable delivery method resulting in a return receipt in paper or electronic form. Such service may be made to any place in or outside the Commonwealth.

**Official Note:** This rule provides a number of alternative methods of serving the complaint. Subdivision (1) permits a certified constable to serve the complaint anywhere in the Commonwealth and authorizes deputized service by sheriffs. Subparagraph (2)(a) permits service out of the county through magisterial district judges in the county in which service is to be made, a method of service which might be preferable to service under subdivision (1) by a certified constable of the county where the complaint was filed when that county is a considerable distance from the county of service. Subparagraph (2)(b) provides for service in Philadelphia by writ servers of the Philadelphia Municipal Court or by the sheriff of Philadelphia, although service may still be made in accordance with subdivision (1) if the magisterial district judge so desires. Subdivision (3) makes service by mail, when permitted, at the option of the plaintiff. This was done because service by mail will ordinarily reduce costs.

#### Rule 308. Service Upon Individuals.

Service of the complaint upon an individual defendant shall be made:

(1) by handing a copy to the defendant, or

(2) by handing a copy:

(a) to an adult member of the defendant's family at his residence, but if no adult member of the family is found, then to an adult person in charge of such residence, or

(b) to the clerk or manager of a hotel, inn, apartment house, boarding house or other place of lodging at which the defendant resides, or

(c) at any office or usual place of business of the defendant to his agent or to the person for the time being in charge thereof, or

(3) by mailing a copy to the defendant **by certified mail or comparable delivery method resulting in a return receipt in paper or electronic form.** The return receipt [ card for certified or registered mail shall be marked "Restricted Delivery," and the return receipt ] shall show the signature of the defendant or [ an agent of the defendant authorized in writing to receive his restricted delivery mail ] those persons designated in subdivision (2) of this rule. If the signature on the return receipt is that of [ a person other than the defendant ] any persons designated in subdivision (2) of this rule, it shall be presumed, unless the contrary is shown, that the signer was an agent of the defendant [ authorized in writing to receive his restricted delivery mail ].

**Official Note:** Compare Pa.R.C.P. [ No. 1009(b) ] Nos. 402—403. Subdivisions (1), (2) and (3) are not intended to be preferential in the order of their numbering. [ Subdivision (3) reflects changes in postal regulations effective March 1, 1975. The presumption in that subdivision stems from the presumption of regularity in the conduct of governmental affairs. ]

#### Rule 309. Service Upon Partnerships.

Service of the complaint upon a partnership shall be made:

(1) by handing a copy to a partner, manager, clerk or other person for the time being in charge, at any regular place of business of the partnership, or

(2) on a partner in the same manner as an individual if there is no regular place of business, or

(3) by mailing, **via certified mail or comparable delivery method resulting in a return receipt in paper or electronic form,** a copy to the regular place of business of the partnership. The return receipt shall show that the complaint was received by the partnership.

**Official Note:** Compare Pa.R.C.P. No. [ 2131(a) ] 423.

#### Rule 310. Service Upon Corporations.

Service of the complaint upon a corporation or similar entity shall be made:

(1) on an executive officer, partner or trustee of the corporation, or

(2) on an agent or person for the time being in charge of, and only at, any office or usual place of business of the corporation, or

(3) on an agent authorized by appointment to receive service of process, or

(4) by mailing, **via certified mail or comparable delivery method resulting in a return receipt in paper or electronic form,** a copy to the regular place of business of the corporation. The return receipt shall show that the complaint was received by the corporation or similar activity.

**Official Note:** Compare Pa.R.C.P. No. [ 2180(a) ] 424.

#### Rule 312. Service on a Political Subdivision.

As used in this rule, "political subdivision" means any county, city, borough, incorporated town, township, school district, vocational school district, county institution district or municipal or other local authority.

Service of the complaint upon a political subdivision shall be made:

(1) by handing a copy to an agent duly authorized by the political subdivision to receive service of process, or to the mayor, or to the president, chairman, secretary or clerk of the tax levying body thereof, or

(2) in counties where there is no tax levying body by handing a copy to the chairman or clerk of the board of county commissioners, or

(3) by mailing, **via certified mail or comparable delivery method resulting in a return receipt in paper or electronic form,** a copy to the office of the political subdivision. The return receipt shall show that the complaint was received by the political subdivision.

**Official Note:** Compare Pa.R.C.P. No. [ 2104(c) ] 422. The definition of "political subdivision" is derived from Pa.R.C.P.

#### Rule 313. Service Outside the Commonwealth.

When service of the complaint is to be made upon a defendant outside the Commonwealth, it shall be made:

(1) by delivery in the manner prescribed by Rule 308, 309, 310 or 311, whichever is applicable, by a Pennsylvania sheriff or constable or by any adult, other than the plaintiff designated by the magisterial district judge or

(2) by certified [ or registered ] mail **or comparable delivery method resulting in a return receipt in paper or electronic form** as provided by Rule 308, 309 or 310, whichever is applicable;

(a) if the [ registered or certified ] mail is returned with a notation by the postal authorities **or commercial carrier** that receipt was refused, then the magisterial district judge may serve the complaint by sending a copy of the complaint by ordinary mail to the same address with a return address on the envelope. Service by ordinary mail is complete if the mail is not returned to the sender within fifteen days after the mailing; or

(b) if the mail is returned with a notation by the postal authorities **or commercial carrier** that it was unclaimed, the plaintiff shall make service by another means pursuant to these rules, or

(3) in the manner provided or prescribed by the law of the place in which service is to be made for service in that place in an action in any of its courts of general jurisdiction.

**Official Note:** See the Judicial Code, § 5322, 42 Pa.C.S. § 5322 (as amended by § 10(61) of the Judiciary Act Repealer Act, Act of April 28, 1978, P. L. 202, No. 53) and § 5329(1), 42 Pa.C.S. § 5329(1), as to the basis of personal jurisdiction over persons outside the Commonwealth. The magisterial district judge may designate any Pennsylvania sheriff or constable to make service under



subdivision (1), but such service should not be attempted if it would be offensive to the jurisdiction in which service is to be made. See Uniform Interstate and International Procedures Act, § 2.02, Commissioners' Comment, 13 Uniform Laws Annotated 297. Alternatively, the magisterial district judge may designate any adult other than the plaintiff to make service under subdivision (1). Although the magisterial district judge may not designate the plaintiff as the person to make such service, the plaintiff may suggest to the magisterial district judge the name of a person to make service. If service is made by ordinary mail under subdivision (2), the magisterial district judge shall note that fact on the original complaint form with the remark that a sufficient time having elapsed the ordinary mail was not returned and shall attach to the original complaint form the returned certified or [ **registered letter** ] **comparable delivery method resulting in a return receipt in paper or electronic form** with the notation by the postal authorities or commercial carrier that the defendant refused to accept it. If service is to be made under subdivision (3), the magisterial district judge may send the service copy of the complaint to an appropriate official of the jurisdiction in which service is to be made. If service is made under subdivisions (1) or (3), proof of service may be made on the form provided under Rule 314A with such alterations as may be necessary or in any manner provided by the law of the jurisdiction in which the service is made for proof of service in an action in any of its courts of general jurisdiction. **Compare Pa.R.C.P. No. 404.**

**Rule 314. Return, Waiver and Failure of Service; Reinstatement.**

A. The person serving the complaint shall, at or before the time of the hearing, make proof of service which shall show (1) the manner of service, (2) the date, time, and place of service and, (3) the name and relationship or title, if any, of the person on whom the complaint was served. The proof of service shall be filed with the original complaint.

B. When service is made by [ **registered or** ] certified mail or **comparable delivery method resulting in a return receipt in paper or electronic form**, the return receipt shall be filed with the original complaint.

C. The appearance of a defendant in person or by representative or the filing by a defendant of a claim in the case shall be deemed a waiver of any defect in service but not a waiver of a defect in venue.

D. If the complaint is not served on the defendant in time to permit holding a hearing within 60 days of the filing of the complaint, the magisterial district judge shall dismiss the complaint without prejudice.

E. Upon written request of the plaintiff, a complaint that has been dismissed without prejudice for failure to make service pursuant to subdivision D of this rule may be reinstated at any time and any number of times. The date of reinstatement shall be the date upon which the request for reinstatement is filed.

**Official Note:** The provision concerning appearance not being a waiver of venue was inserted in subdivision C of this rule to prevent the concentration of business in the office of a favorable magisterial district judge. Also, the

public cannot generally be expected to be aware of venue provisions. See Rule 302H regarding improper venue.

Subdivision D is intended to prevent the accumulation of stale claims in the office of the magisterial district judge.

Subdivision E provides for the reinstatement, upon written request of the plaintiff, of a complaint that has been dismissed without prejudice for failure to make service under subdivision D. Compare Pa.R.C.P. No. 401(b). The written request for reinstatement may be in any form and may consist of a notation on the permanent copy of the complaint form, "Reinstatement of complaint requested," subscribed by the plaintiff. The magisterial district judge shall mark all copies of the reinstated complaint, "Complaint reinstated. Request for reinstatement filed on \_\_\_\_\_ (date)." If it is necessary to use a new form for the reinstated complaint, the reinstated complaint, except for service portions thereof, shall be an exact copy of the original complaint, although signatures may be typed or printed with the mark "/s/" indicating an actual signature. The language in subdivision E that a complaint may be reinstated "at any time" will permit reinstatement after a faulty service without waiting for further proceedings in the case. Reinstatement must occur within the period of the statute of limitations from the date of the last filing or reinstatement. The cost for reinstating a complaint is specified in Section 1725.1 of the Judicial Code, 42 Pa.C.S. § 1725.1. In addition, there may be additional server costs for service of the reinstated complaint.

**REPORT**

**Proposed Amendments to Rules 307, 308, 309, 310, 312, 313, and 314 of the Pennsylvania Rules of Civil Procedure Governing Actions and Proceedings before Magisterial District Judges**

***Permitting Use of Electronic Receipts and Commercial Carriers***

*I. Introduction*

The Minor Court Rules Committee ("Committee") is proposing amendments to Rules 307, 308, 309, 310, 312, 313, and 314 of the Pennsylvania Rules of Civil Procedure before Magisterial District Judges. The goal of these proposed amendments is to provide for the use of electronic receipts in lieu of "greens cards" where elected and available, as well as the use of commercial carriers in lieu of the United States Postal Service.

*II. Discussion*

For some time now, the United States Post Office has offered electronic return receipts for certified mail in lieu of the traditional "green cards" to demonstrate proof of delivery. The Committee recognizes that court administrators in some judicial districts may want to utilize these services, and proposes amending the above referenced rules to specifically permit such activity. The Committee notes that this practice is already allowed under the Pennsylvania Rules of Criminal Procedure, with the comment to Pa.R.Crim.P. 114 providing that "[n]othing in this rule is intended to preclude a judicial district from utilizing the United States Postal Service's return receipt electronic option, or any similar service that electronically provides a return receipt, when using certified mail, return receipt requested." See Pa.R.Crim.P. 114, comment.

The Committee also recognizes that there may be circumstances where a judicial district may elect to use a commercial carrier service as an alternative to the United States Post Office. The Committee proposes permitting the use of such services where a return receipt in paper or electronic form is available. The Committee notes a similar practice is already allowed under the Pennsylvania Rules of Criminal Procedure. See Pa.R.Crim.P. 114(B)(3)(vii).

### III. Proposed Rule Changes

Proposed changes to Rules 307(3), 308(3), 309(3), 310(4), 312(3), 313(2), and 314B include adding the phrase “comparable delivery method resulting in a return receipt in paper or electronic form” to permit the use of electronic receipts and alternative commercial carriers. Additionally, the Committee proposes adding a definition of “political subdivision” to Rule 312, Service on a Political Subdivision. The proposed definition is derived from Pa.R.C.P. No. 76.

[Pa.B. Doc. No. 14-4. Filed for public inspection January 3, 2014, 9:00 a.m.]

## PART I. GENERAL

### [ 246 PA. CODE CHS. 300 AND 500 ]

#### Order Amending Rules 313, 506 and 507 of the Rules of Civil Procedure Governing Actions and Proceedings before Magisterial District Judges; No. 367 Magisterial Rules Doc.

#### Amended Order

#### *Per Curiam*

And Now, this 20th day of December, 2013, upon the recommendation of the Minor Court Rules Committee, the proposal having been published for public comment at 43 Pa.B. 3470 (June 29, 2013):

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 313, 506 and 507 of the Pennsylvania Rules of Civil Procedure Governing Actions and Proceedings Before Magisterial District Judges 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 on February 20, 2014.

#### Annex A

### TITLE 246. MINOR COURT CIVIL RULES

#### PART I. GENERAL

#### CHAPTER 300. CIVIL ACTION

#### Rule 313. Service Outside the Commonwealth.

\* \* \* \* \*

**Official Note:** See the Judicial Code, § 5322, 42 Pa.C.S. § 5322 (as amended by § 10(61) of the Judiciary Act Repealer Act, Act of April 28, 1978, P. L. 202, No. 53) and § 5329(1), 42 Pa.C.S. § 5329(1), as to the basis of personal jurisdiction over persons outside the Commonwealth. The magisterial district judge may designate any Pennsylvania sheriff or constable to make service under subdivision (1), but such service should not be attempted if it would be offensive to the jurisdiction in which service is to be made. See Uniform Interstate and International Procedures Act, § 2.02, Commissioners’ Comment, 13

Uniform Laws Annotated 297. Alternatively, the magisterial district judge may designate any adult other than the plaintiff to make service under subdivision (1). Although the magisterial district judge may not designate the plaintiff as the person to make such service, the plaintiff may suggest to the magisterial district judge the name of a person to make service. If service is made by ordinary mail under subdivision (2), the magisterial district judge shall note that fact on the [ **original complaint form** ] **docket** with the remark that a sufficient time having elapsed the ordinary mail was not returned [ **and** ]. **The magisterial district judge** shall attach to the original complaint form the returned certified or registered letter with the notation by the postal authorities that the defendant refused to accept it. If service is to be made under subdivision (3), the magisterial district judge may send the service copy of the complaint to an appropriate official of the jurisdiction in which service is to be made. If service is made under subdivisions (1) or (3), proof of service may be made on the form provided under Rule 314A with such alterations as may be necessary or in any manner provided by the law of the jurisdiction in which the service is made for proof of service in an action in any of its courts of general jurisdiction.

#### CHAPTER 500. ACTIONS FOR THE RECOVERY OF POSSESSION OF REAL PROPERTY

#### Rule 506. Service of Complaint.

A. The magisterial district judge shall serve the complaint by mailing a copy of it to the [ **defendant** ] **defendant’s last known address** by first class mail **and noting on the docket the date of such mailing**, and by delivering a copy of it for service to the sheriff of, or any certified constable in, the county in which the office of the magisterial district judge is situated. If this service is not available to the magisterial district judge, service may be made by any certified constable of the Commonwealth. The officer receiving the copy shall serve it by handing it to the defendant or to an adult person in charge for the time being of the premises possession of which is sought to be recovered or, if none of the above is found, by posting it conspicuously on those premises.

\* \* \* \* \*

#### Rule 507. Notation and Return of Service; Waiver of Service.

A. The magisterial district judge shall note on the [ **complaint form** ] **docket** the date [ **on which he mailed a service copy of the complaint to the defendant** ] **that a service copy of the complaint was mailed to the defendant**, and the sheriff or constable serving a copy of the complaint shall, at or before the time of the hearing, make proof of service on the form provided, which shall show the manner of service and the day, hour and place thereof.

B. The appearance of a defendant in person or by representative or the filing by him of a claim in the case shall be deemed a waiver of any defect in service but not a waiver of a defect in venue.

**Official Note:** This rule parallels the provisions of Rule 314A and C [ **of the trespass and assumpsit rules** ].



## FINAL REPORT<sup>1</sup>

### Recommendation 6-2013, Minor Court Rules Committee

#### *Amendments to Rules 313, 506 and 507 of the Pennsylvania Rules of Civil Procedure Governing Actions and Proceedings before Magisterial District Judges*

#### Notation of Mailing Date of Service Copy of Complaint

On December 20, 2013, effective February 20, 2013, upon recommendation of the Minor Court Rules Committee,<sup>2</sup> the Supreme Court of Pennsylvania approved amendments to Rules 313, 506 and 507 of the Pennsylvania Rules of Civil Procedure Governing Actions and Proceedings before Magisterial District Judges.<sup>3</sup>

##### I. Background and Discussion

The Minor Court Rules Committee (“Committee”) recommended amendments to the rules of procedure governing actions in magisterial district courts. The goal of these rule changes is to amend the existing requirement that a notation be made on the complaint regarding the first class mailing date to the defendant, requiring instead that the notation be made on the docket.

The Committee received inquiries in 2009 about the requirement set forth in Rule 507A, which provides that a “magisterial district judge shall note on the complaint form the date on which he mailed a service copy of the complaint to the defendant.” Despite the requirement set forth in Rule 507A, both inquiries observed that the complaint form did not contain a field for such notation. Moreover, the Committee was asked whether the failure of a magisterial district judge to note the mailing date on the complaint would constitute a failure of service due to the court’s failure to comply with the rule. The Committee agreed that there should be consistency between Rule 507A, the complaint form and actual practice. The Committee published a proposal at 40 Pa.B. 522 (January 23, 2010) that proposed amending Rule 507A by removing the notation requirement. In response to the publication, the Committee received comments from interested parties, some of whom pointed to a need to record the date of service by first class mail. The Committee was persuaded by the correspondence, yet remained apprehensive that hinging proof of service upon a handwritten notation was entirely reliable. The Committee subsequently modified the original proposal to require notation of the first class mailing date on the docket, rather than written notation on the complaint. The revised proposal was published for public comment at 43 Pa.B. 3470 (June 29, 2013).

##### II. Approved Rule Changes

The Official Note to Rule 313 was amended to provide that notation of service made outside the Commonwealth by ordinary mail should be made on the docket, rather than noted “on the original complaint form.” Stylistic changes were also made to Rule 313. Rule 506 was amended to provide that the copy of the complaint served on the defendant should be mailed to the “defendant’s last known address,” as well as to provide that the first class mailing of the complaint shall be noted on the docket. Finally, the title of Rule 507 was amended to reference “Notation,” and to remove the requirement that

the first class mailing date of the service copy of the complaint be noted on the complaint, and instead, require that the notation be made on the docket. The change to Rule 507 also eliminated a gender specific reference, and, in the Official Note, removed the dated reference to “trespass and assumpsit” rules.

[Pa.B. Doc. No. 14-5. Filed for public inspection January 3, 2014, 9:00 a.m.]

## PART I. GENERAL

### [ 246 PA. CODE CHS. 500, 800 AND 1000 ]

#### Order Amending Rules 506, 818, 820, 1016, 1018 and the Official Note to Rule 1019, and Adopting Rule 519.1 of the Rules of Civil Procedure Governing Actions and Proceedings before Magisterial District Judges; No. 366 Magisterial Rules Doc.

#### Amended Order

##### *Per Curiam*

And Now, this 20th day of December, 2013, upon the recommendation of the Minor Court Rules Committee, the proposal having been published for public comment at 43 Pa.B. 3085 (June 8, 2013):

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 506, 818, 820, 1016, and 1018 of the Rules of Civil Procedure Governing Actions and Proceedings Before Magisterial District Judges are amended, the Official Note to Rule 1019 is amended, and Rule 519.1 is adopted, all in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective on February 20, 2014.

#### Annex A

### TITLE 246. MINOR COURT CIVIL RULES

#### PART I. GENERAL

#### CHAPTER 500. ACTIONS FOR THE RECOVERY OF POSSESSION OF REAL PROPERTY

#### Rule 506. Service of Complaint.

A. The magisterial district judge shall serve the complaint by mailing a copy of it to the [ **defendant** ] **defendant’s last known address** by first class mail **and noting on the docket the date of such mailing**, and by delivering a copy of it for service to the sheriff of, or any certified constable in, the county in which the office of the magisterial district judge is situated. If this service is not available to the magisterial district judge, service may be made by any certified constable of the Commonwealth. The officer receiving the copy shall serve it by handing it to the defendant or to an adult person in charge for the time being of the premises possession of which is sought to be recovered or, if none of the above is found, by posting it conspicuously on those premises.

\* \* \* \* \*

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

#### Rule 519.1. Request for Determination of Abandoned Manufactured Home.

A. A plaintiff may request a determination that a manufactured home is abandoned by filing the request on

<sup>1</sup> The Committee’s Final Report should not be confused with the Official Notes to the Rules. Also, the Supreme Court of Pennsylvania does not adopt the Committee’s Official Notes or the contents of the explanatory Final Reports.

<sup>2</sup> Minor Court Rules Committee Recommendation 6-2013.

<sup>3</sup> Supreme Court of Pennsylvania Order No. 367, Magisterial Rules Docket, (December 20, 2013).

a form prescribed by the State Court Administrator with the magisterial district court in the magisterial district where the manufactured home is located.

B. If the determination is not or cannot be made during a hearing for recovery of possession pursuant to this chapter, the magisterial district court shall set a hearing date which shall be not less than seven (7) or more than fifteen (15) days from the date the request is filed.

C. The magisterial district court shall serve a copy of the request and the hearing notice on the defendant in the manner set forth in Rule 506.

D. The magisterial district judge shall promptly give or mail written notice of the determination to the parties in interest. Notice of the determination shall contain advice as to the right of the parties to file a Statement of Objection, the time within which the statement must be filed, and that the statement is to be filed with the court of common pleas.

E. Any party aggrieved by a determination made by a magisterial district judge under this rule may obtain a reconsideration thereof in the court of common pleas by filing a statement of objection to the determination pursuant to Rule 1016 with the prothonotary and with the magisterial district judge in whose office the determination was made.

**Official Note:** This rule was adopted in 2013 to accommodate the provisions of section 10.1 of the Act of November 24, 1976, P. L. 1176, No. 261, added by section 2 of the Act of October 24, 2012, P. L. 156, § 2, 68 P. S. § 398.10.1, which provides for a magisterial district judge to hold a hearing and make a determination that a manufactured home is abandoned.

The plaintiff must pay any fees or costs at the time of filing the request.

Rules 1016—1020, providing for the filing and consideration of a statement of objection to an order or determination made by a magisterial district judge under Rule 420, also apply to determinations made under this rule. A party seeking reconsideration of a determination of abandonment made concurrent with a judgment for possession must file the statement of objection in addition to the notice of appeal. Rule 1016B requires that the statement of objection must be filed with the prothonotary and the magisterial district judge within ten (10) days after the date of the determination to which objection is made. Both appeals from judgments for possession under residential leases and statements of objections to determinations of abandonment must be made within ten (10) days after the date of entry.

## CHAPTER 800. MINORS AND INCOMPETENTS AS PARTIES

Rule 818. Representation in Rule 420 **and** 519.1 Matters.

A guardian of a party in interest who is a minor or an incompetent may represent the minor or incompetent in hearings held under Rule 420 **and** Rule 519.1. On behalf of the minor or incompetent, he may make any appeal or file any objection, claim, exception or request mentioned in [ that rule ] those rules.

**Official Note:** [ The rules ] This rule allows guardians of minors or incompetents, as defined in Rule 801(3), to represent them in Rule 420 **and** Rule 519.1 matters and matters preliminary thereto.

## Rule 820. Appellate Proceedings.

A guardian of a party who is a minor or an incompetent may initiate in an appropriate court of common pleas an appeal, certiorari proceedings or a statement of objection to Rule 420 **and** Rule 519.1 orders and determinations.

**Official Note:** It was thought advisable to include a provision giving guardians of minors and incompetents, as defined in Rule 801(3), the right to initiate appeals, certiorari proceedings and statements of objection to Rule 420 **and** Rule 519.1 orders and determinations. In doing so, of course, they will have to comply with applicable provisions of the rules governing appellate proceedings. Once the case is in the court of common pleas, however, provisions of the Rules of Civil Procedure relating to guardians ad litem and other procedures will apply.

## CHAPTER 1000. APPEALS

### STATEMENT OF OBJECTION

Rule 1016. Statement of Objection [ to Rule 420 Orders and Determinations ].

A. Any party in interest aggrieved by an order or determination made by a magisterial district judge under Rule 420 **or** Rule 519.1 may obtain a reconsideration thereof in the court of common pleas by filing a statement of objection to the order or determination with the prothonotary and with the magisterial district judge in whose office the order or determination was made.

B. The statement of objection shall be filed with the prothonotary and the magisterial district judge within ten (10) days after the date of the order or determination to which objection is made.

**Official Note:** This rule and Rules 1017—1020 provide a system for reconsideration in the court of common pleas of orders and determinations of magisterial district judges dealing with execution matters, **and abandonment of manufactured homes.**

Under subdivision B of this rule, the statement of objection must be filed within ten days after the date of the questioned order or determination. [ See Rule 421C. ] The time limit for filing a statement of objection need not be the same as that for filing a notice of appeal from a judgment. See the Judicial Code, § 5571(c)(4), 42 Pa.C.S. § 5571(c)(4), as amended by § 10(67) of the Judiciary Act Repealer Act, Act of April 28, 1978, P. L. 202, No. 53. It may be noted that under Pa.R.C.P. Nos. 3206(b) and 3207(b) objections to sheriff's determinations must be made within ten days after the date of mailing of the determination.

### Rule 1018. Duties of Magisterial District Judge Upon Receipt of Statement of Objection.

A. Immediately upon receipt of the statement of objection, the magisterial district judge shall send a copy of it by ordinary mail to all other parties in interest.

B. Within ten (10) days after receiving the statement of objection, the magisterial district judge shall file with the prothonotary a certified true copy of the record of actions taken by the magisterial district judge under Rule 420 **or** Rule 519.1, but copies of only those appeals, objections, claims, exceptions or requests considered under Rule 420 **or** Rule 519.1 that are pertinent to the statement of objection need be attached to that record.

**Official Note:** As to the procedure in subdivision A, compare Pa.R.C.P. Nos. 3206(b), 3207(b).

Subdivision B is intended to bring before the court copies of the documents on file in the office of the magisterial district judge pertaining to the matter in question. The attachments to the record of Rule 420 or Rule 519.1 actions referred to in this subdivision are notations by the magisterial district judge of appeals taken under Rule 408C and objections to levy under Rule 413, property claims under Rule 413, exceptions to distribution under Rule 416C [ and ], requests to set aside sale under Rule 420C filed in the office of the magisterial district judge, and determinations of manufactured home abandonment under Rule 519.1.

**Rule 1019. Consideration of Statement of Objection by Court of Common Pleas.**

\* \* \* \* \*

**Official Note:** Consideration of the matters raised by the statement of objection will be de novo and the court is given broad latitude and discretion in disposing of these matters. Although the proceedings are de novo, this will not excuse failure to comply with whatever time limitations are imposed (see Rules 408C, 413, 416C [ and ], 420C, and 519.1) for raising before the magisterial district judge the matters now before the court of common pleas.

**FINAL REPORT<sup>1</sup>**

**Recommendation 5-2013, Minor Court Rules Committee**

**Amendments to Rules 506, 818, 820, 1016, 1018 and the Official Note to Rule 1019, and New Rule 519.1 of the Pennsylvania Rules of Civil Procedure Governing Actions and Proceedings before Magisterial District Judges**

**Determination of Abandonment of Manufactured Homes**

On December 20, 2013, effective February 20, 2013 upon recommendation of the Minor Court Rules Committee,<sup>2</sup> the Supreme Court of Pennsylvania approved amendments to Rules 506, 818, 820, 1016, 1018 and the Official Note to Rule 1019, as well as a new Rule 519.1 of the Pennsylvania Rules of Civil Procedure Governing Actions and Proceedings before Magisterial District Judges.<sup>3</sup>

**I. Background and Discussion**

The Minor Court Rules Committee (“Committee”) recommended amendments to the rules of procedure governing actions in magisterial district courts. The goal of these rule changes is to establish procedures for the determination of abandonment of manufactured homes, as provided for in the 2012 amendments to the Manufactured Home Community Rights Act.

In 2012, the Manufactured Home Community Rights Act (“MHCRA”) was amended to provide for the determination of abandonment of manufactured homes located in manufactured home communities. Section 10.1 of the Act of November 24, 1976, P. L. 1176, No. 261, amended by section 2 of the Act of October 24, 2012, P. L. 156, 68 P. S. § 398.10.1. The amendments to the MHCRA created a new determination of abandonment action to be heard and decided in the magisterial district courts. Upon reviewing the amendments to the MHCRA, the Commit-

tee concluded that the existing rules governing civil and landlord tenant actions would not cover this new determination action, and proceeded to draft rules accommodating it.

**II. Approved Rule Changes**

New Rule 519.1 establishes procedures for the new determination of abandonment action. Rule 519.1B provides for the setting of a hearing date, if the determination was not or cannot be made at the time of the hearing for recovery of possession of the manufactured home space. Rule 519.1C provides for service of the request and hearing notice on the defendant, while subdivision D requires that the magisterial district judge promptly give or mail written notice of the determination to the parties in interest. Finally, in subdivision E, if a party is aggrieved by a determination made by a magisterial district judge under this rule, the Committee recommended utilizing the existing procedures set forth in Rules 1016—1020, providing for the filing and consideration of a statement of objection to an order or determination made by a magisterial district judge under Rule 420.

Rule 506, providing for service of the complaint in a landlord-tenant action, was amended to clarify that the service copy sent via first class mail should be mailed to the defendant’s last known address, as well as making changes consistent with the Court’s approval of the Minor Court Rules Committee’s Recommendation 6-2013,<sup>4</sup> which provides for noting on the docket the date of first class mailing of the complaint to the defendant. The amendments to Rules 1016, 1018, and 1019 are made to include references to Rule 519.1 and the determination of abandoned manufactured homes in those rules, which set forth the procedures for filing a statement of objection. Finally, the amendments to Rules 818 and 820 are made to include the reference to new Rule 519.1.

[Pa.B. Doc. No. 14-6. Filed for public inspection January 3, 2014, 9:00 a.m.]

**Title 255—LOCAL COURT RULES**

**BEAVER COUNTY**

**Local Rules of Criminal Procedure; No. 975 Misc. of 2013**

**Order**

The Amendments to Beaver County L.R. Crim. P. 117, as follows, have been adopted. The Court Administrator shall:

- (1) file one certified copy of this Order and the following Rule with the Administrative Office of Pennsylvania Courts;
- (2) distribute two certified copies of this Order and the following Rule and a computer diskette to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;
- (3) file one certified copy of this Order and the following Rule with the Criminal Procedural Rules Committee of the Pennsylvania Supreme Court.

<sup>1</sup> The Committee’s Final Report should not be confused with the Official Notes to the Rules. Also, the Supreme Court of Pennsylvania does not adopt the Committee’s Official Notes or the contents of the explanatory Final Reports.

<sup>2</sup> Minor Court Rules Committee Recommendation 5-2013.

<sup>3</sup> Supreme Court of Pennsylvania Order No. 366, Magisterial Rules Docket, (December 20, 2013).

<sup>4</sup> Supreme Court of Pennsylvania Order No. 366, Magisterial Rules Docket, (December 20, 2013).



The Clerk of Courts shall keep a copy of the following proposed Amendments to Local Rule 117 available for public inspection and copying pursuant to Pa. R.Crim.P. 105(c)(5).

*By the Court*

JOHN D. McBRIDE,  
*President Judge*

**PROPOSED AMENDMENT TO L.R. 117 OF  
CRIMINAL PROCEDURE**

**L.R. 117. Coverage Magisterial District Judges.**

(1) All Magisterial District Judge Offices shall be open for regular business on Mondays through Fridays from 8:30 A.M. to 4:30 P.M. prevailing time.

(2) Magisterial District Judges shall be available 24 hours per day, every day of the calendar year to provide continuous coverage for the issuance of warrants, pursuant to Pa. R.Crim.P. 203; arrest warrants pursuant to Pa. R.Crim.P. 513; requests to accept bail and to issue emergency orders under the Protection from Abuse Act.

The Magisterial District Judges shall satisfy this rule by remaining on-call during non-regular business hours on a rotating basis pursuant to a schedule prepared by the Court Administrator. The schedule shall be distributed and publicized pursuant to past practice.

(3) Magisterial District Judges shall be available during non-regular business hours each day at 7:30 A.M., 2:00 P.M. and 10:00 P.M. for the purpose of providing the services set forth in Pa. R.Crim.P. 117(A)(2)(a), (b), (c) and (d). The availability of each Magisterial District Judge shall be on a rotating basis pursuant to the same schedule proposed pursuant to subdivision (2) and shall be publicized pursuant to past practice.

(4) Magisterial District Judges shall be available during regular business hours for all other business.

(5) Each Magisterial District Judges shall be available to preside over preliminary hearings at the Beaver County Courthouse, or such other location that may be established for "Central Court," on a rotating basis pursuant to a schedule prepared by the Court Administrator.

(6) This rule shall be effective thirty (30) days after publication in the *Pennsylvania Bulletin*, provided the requirements of Pa. R.Crim.P. 105(c) have been satisfied.

**Hours of Operation of Magisterial District Courts;  
Administrative Doc. No. 975 of 2013**

**Order**

*And Now*, this 17th day of December, pursuant to Rule 17 (B)(5) of the Rules Governing Standards of Conduct of Magisterial District Judges, it is hereby Ordered that commencing January 2, 2014, the regular business hours of the Magisterial District Courts within Judicial District 36 shall be 8:30 a.m. to 4:30 p.m., Monday through Friday.

*By the Court*

JOHN D. McBRIDE,  
*President Judge*

[Pa.B. Doc. No. 14-7. Filed for public inspection January 3, 2014, 9:00 a.m.]

**BUCKS COUNTY  
Fees of Clerk of Orphans' Court Division; Administrative Order No. 66**

**Order**

*And Now, To Wit*, this 11th day of December 2013, Bucks County Orphans' Court Division, Administrative Order No. 66, promulgated on December 18, 2012, is hereby amended to include the following Addendum:

**BUCKS COUNTY CLERK OF THE ORPHANS'  
COURT**

**FEE BILL ADDENDUM  
EFFECTIVE February 10, 2014**

**CONVENIENCE FEE (Credit Card Transactions)**

Imaging—		\$1.00
Filing—	Transaction up to \$250.00	\$3.00
	Transaction over \$250.00	\$10.00

This Amendment shall take effect February 10, 2014.

*By the Court*

SUSAN DEVLIN SCOTT,  
*President Judge*

[Pa.B. Doc. No. 14-8. Filed for public inspection January 3, 2014, 9:00 a.m.]

**BUCKS COUNTY  
Fees of Register of Wills; Administrative Order No. 67**

**Order**

*And Now, To Wit*, this 11th day of December 2013, Bucks County Orphans' Court Division, Administrative Order No. 67, promulgated on December 18, 2012, is hereby amended to include the following Addendum:

**BUCKS COUNTY REGISTER OF WILLS  
FEE BILL ADDENDUM  
EFFECTIVE February 10, 2014**

**CONVENIENCE FEE (Credit Card Transactions)**

Imaging—		\$1.00
Filing—	Transaction up to \$250.00	\$3.00
	Transaction over \$250.00	\$10.00

This Amendment shall take effect February 10, 2014.

*By the Court*

SUSAN DEVLIN SCOTT,  
*President Judge*

[Pa.B. Doc. No. 14-9. Filed for public inspection January 3, 2014, 9:00 a.m.]

**BUCKS COUNTY  
Mortgage Foreclosure Diversion Program; Administrative Order No. 55**

*And Now*, this 10th day of December, 2013, Paragraph 7 of Bucks County Civil Division Administrative Order No. 55, promulgated on June 5, 2009, is hereby amended to read as follows:

7. This Order shall remain in effect until December 31, 2014, unless further extended by the Court.

This Amendment shall take effect thirty days from the date of publication in the *Pennsylvania Bulletin*.

By the Court

SUSAN DEVLIN SCOTT,  
President Judge

[Pa.B. Doc. No. 14-10. Filed for public inspection January 3, 2014, 9:00 a.m.]

**CARBON COUNTY**

**Rescission of Local Rule of Civil Procedure 205.3.1 Filing Pleadings and Other Legal Papers with the Prothonotary Originals and Copies and Adoption of Local Rule of Civil Procedure 1012 Entry of Appearance—Withdrawal of Appearance—Notice; No. 13-1830 and 13-2579**

**Administrative Order No. 20-2013**

And Now, this 16th day of December, 2013, in order to renumber a current local rule, it is hereby

Ordered and Decreed that, effective immediately, Carbon County Rule of Civil Procedure CARB.R.C.P. 205.3.1 governing Filing Pleadings and Other Legal Papers with the Prothonotary, Originals and Copies be and is hereby Rescinded and Carbon County Rule of Civil Procedure CARB.R.C.P. 1012 governing Entry of Appearance, Withdrawal of Appearance and Notice be and is hereby Adopted as follows.

1. The Carbon County District Court Administrator is Ordered and Directed to File one (1) certified copy of this Administrative Order and Local Rules with the Administrative Office of Pennsylvania Courts.

2. File two (2) certified copies and one (1) CD with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. File one (1) certified copy with the Civil Court Procedural Rules Committee.

4. Forward one (1) copy for publication in the *Carbon County Law Journal*.

5. Forward one (1) copy to the Carbon County Law Library.

6. Keep continuously available for public inspection copies of the Administrative Order and Local Rules in the Prothonotary's Office.

By the Court

ROGER N. NANOVIC,  
President Judge

**Rule 1012. Entry of Appearance. Withdrawal of appearance. Notice.**

1. A party representing himself or herself shall enter a written appearance which shall state an address, which need not be his or her home address, where the party agrees that pleadings and other legal papers may be served, and a telephone number through which the party

may be contacted, as attached hereto. The entry of appearance may include a facsimile number as provided by Pa.R.C.P. No. 440(d).

2. A self-represented party is under a continuing obligation to provide current contact information to the Court, to other self-represented parties, and to attorneys of record.

3. The self-represented party shall provide a copy of the entry of appearance to all self-represented parties and attorneys of record.

4. The assertion of self-representation shall not delay any stage of the proceeding.

**IN THE COURT OF COMMON PLEAS OF CARBON COUNTY, PENNSYLVANIA CIVIL DIVISION**

**ENTRY OF APPEARANCE**

In accordance with Carbon County Rule of Civil Procedure CARB.R.C.P. 1012 governing a Self-Represented Party:

I \_\_\_\_\_, Plaintiff or Defendant (circle one)

choose to represent myself and provide the following address where pleadings and other legal papers can be served and a telephone number through which I can be contacted. This Entry of Appearance shall remain in full force and effect unless superseded with an Entry of Appearance by an attorney.

Street Address

Telephone Number

City, State, Zip Code

Facsimile Number  
(Governed by PA Rule of Civil Procedure 440 (d))

In accordance with Carbon County Rule of Civil Procedure 1012, a self-represented party is under a continuing obligation to provide current contact information to the court, to other self-represented parties, and to attorneys of record.

Signature

Date

[Pa.B. Doc. No. 14-11. Filed for public inspection January 3, 2014, 9:00 a.m.]

**LEHIGH COUNTY**

**Rule 236 Authorizing a Fee for Copies of Rule 236 Notices and Judgments; No. 2013-J-58**

**Administrative Order**

And Now, this 9th day of December 2013, It Is Hereby Ordered That the following Lehigh County Rule authorizing a fee for copies of Rule 236 notices and judgments be and the same is hereby Adopted, effective 30 days after publication in the *Pennsylvania Bulletin*.

It Is Further Ordered That the Court Administrator of Lehigh County shall file: one (1) certified copy of this Order and the Lehigh County Rule authorizing a fee for Rule 236 notices and judgments with the Administrative Office of Pennsylvania Courts; two (2) certified copies and

a computer diskette or CD-ROM copy that complies with the requirement of 1 Pa. Code Section 13.11(b) with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; one (1) certified copy with the Civil Procedural Rules Committee, and one (1) copy in the office of the Clerk of Judicial Records—Civil Division of Lehigh County.

*By the Court*

CAROL K. MCGINLEY,  
*President Judge*

**Rule 236. Notice by Prothonotary of Entry of Order or Judgment.**

The Clerk of Judicial Records-Civil Division may impose a reasonable fee, approved by the Court, to cover the cost of providing stamped addressed envelopes, copies of Rule 236 Notices and copies of Judgments in accordance with Pa.R.C.P. 236(1) for service by the Prothonotary.

[Pa.B. Doc. No. 14-12. Filed for public inspection January 3, 2014, 9:00 a.m.]

**LUZERNE COUNTY**

**Request to Increase Clerk of Court's Fee Pursuant to 42 Pa.C.S.A. § 1725.4; No. 1132 MD 2013**

**Order**

And now, this 30th day of October, 2013, upon consideration and review of the request of Joan Hoggarth to increase the Clerk of Court's Fees pursuant to 42 Pa.C.S.A. § 1725.4, which authorizes the Clerk of Courts to increase fees consistent with the percentage of increase in the Consumer Price Index for Urban Workers for the immediate three year period preceding the increase, the Court takes Judicial Notice that the CPI increase is ten percent (10%).

It is hereby *Ordered* and *Decreed* that the Clerk of Courts of Luzerne County is ordered to increase the fees by up to ten percent (10%) effective January 1, 2014 as per the following proposed 2014 Clerk of Courts Fee Bill, which is marked as Exhibit "A."

This Order shall be published on the Luzerne County website and in the *Luzerne County Legal Register* and the *Pennsylvania Bulletin*. The original Order shall be filed with the Clerk of Courts.

*By the Court*

THOMAS F. BURKE,  
*President Judge*

**Luzerne County—Clerk of Courts Fees**

Appeal Processing for Clerk of Courts (\$55.00 + \$5.00 auto fee) .....	\$ 60.00	Liquor License Appeals.....	\$ 22.00
Appeal Processing for Superior Court.....	\$ 73.50	Microfilm Copies.....	\$ 1.50
Appointment to Fill Vacancy of Office .....	\$ 16.50	Motion & Order (all nolle proesse) .....	\$ 22.00
ARD Dismissal Rule 185 (\$16.50 + \$5.00 auto fee) .....	\$ 21.50	Processing all Misc. or Felony Cases During or After Trial.....	\$137.50
Certifications.....	\$ 7.50	Processing all Misc. or Felony Cases During or Before Trial .....	\$ 77.00
Civil Judgment Satisfaction (\$16.50 + \$5.00 auto fee) .....	\$ 21.50	Record checks (per individual) .....	\$ 16.50
Constable Deputy and Constable Bonds .....	\$ 16.50	Short Certificate.....	\$ 7.50
Copies .....	\$ 0.50	Subpoenas.....	\$ 2.00
Detective License Applications (Incorporated) ....	\$401.50	Summary Appeal (\$44.00 +\$5.00 auto fee) .....	\$ 49.00
Detective License Applications (individual).....	\$301.50	Writ of Habeas Corpus Petitions (\$55.00 + \$5.00 auto fee) .....	\$60.00
Expungements Rule 186 (\$16.50 + \$5.00 auto fee) .....	\$ 21.50	<b>RULE &amp; POUNDAGE ON BAIL</b>	
Filing Petition & Order (\$16.50 + \$5.00 auto Fee) (1st Filing).....	\$ 21.50	1.) If any monies are owed on court costs, they must be paid in full.	
Filing of Orders /Motions (2nd Filing) .....	\$ 8.00	2.) Poundage on bail will be taken on full amount of bail assessed by Judge.	
Filing of Resolutions/Ordinances .....	\$ 16.50	3.) Example: \$10,000.00 Bail	
Filing of Tax Collector's Bonds.....	\$ 11.00	10% Bail Posted .....	\$1000.00
		3% on 1st thousand .....	\$ 30.00
		1% on 9 thousand.....	\$ 90.00

\*Fees Effective 1/1/2014

[Pa.B. Doc. No. 14-13. Filed for public inspection January 3, 2014, 9:00 a.m.]



LYCOMING COUNTY

Amendments to the Orphans' Court Rules; Doc. No. 13-03016

Order

And Now, this 5th day of December, 2013, it is hereby Ordered and Directed as follows:

1. Lycoming County Orphans' Court Rule L3.4 shall be amended as follows. (Bold is new language; bold bracketed is removed language.)

2. The Prothonotary is directed to:

a. File one (1) certified copy of this order with the Administrative Office of the Pennsylvania Courts.

b. Forward two (2) certified copies of this order and a computer disk containing the text of the local rule to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin.

c. Forward one (1) copy of this order to the chairman of the Lycoming County Customs and Rules Committee.

3. The revisions shall become effective 30 days after the publication of this order in the Pennsylvania Bulletin.

By the Court

NANCY L. BUTTS,
President Judge

L3.4. Motion [ Procedures ] Procedure. Cover Sheet.

[ The provisions of Lyc. Co. R. C. P. L205.2(b)B shall apply to all filings in the Orphans' Court which are intended to be brought before the court for hearing, argument, conference or similar dispositive action. ] The procedure set forth in this section shall apply to every request for relief and/or application to the court for an order, whether by petition, motion, exception, or stipulation, that the filing party desires to bring before the court.

A. A cover sheet substantially in the form set forth in subsection G of this section shall be at-

tached to the front of every request for a court order to which this rule applies. Any request for relief on the front of which an applicable rule of procedure requires a specific order or notice to be attached, shall include that order or notice directly following the cover sheet.

B. The cover sheet shall consist of only one page. Captions may be abbreviated. If additional space is necessary to list counsel and unrepresented parties, a separate sheet may be attached. The filing party or counsel shall be responsible for identifying all parties and others to be given notice or their counsel on the cover sheet. If a party was not served with a copy of the executed cover sheet as a result of an omission of the filing party, the argument or hearing may be rescheduled or, in the discretion of the court, the request for relief may be denied.

C. If a cover sheet is not attached as required by this rule, the court may choose not to act upon the request for relief until an appropriate cover sheet is filed. If the filing party does not attach a cover sheet as required by this rule, a cover sheet, along with a copy of the original motion may be filed by any party, or the court.

D. If expedited consideration by the court is requested or required by statute or rule of procedure, the reason for such consideration shall be set forth on the cover sheet.

E. A proposed order granting the relief requested shall be attached to the cover sheet.

F. The court shall schedule argument, hearing or briefing as the court may require, note the scheduling information on the cover sheet, and issue the scheduling order appearing on the cover sheet. The clerk shall docket and promptly forward the completed cover sheet to all parties identified on the cover sheet.

G. The form of the cover sheet shall be substantially as follows:

COURT OF COMMON PLEAS, LYCOMING COUNTY, PENNSYLVANIA
ORPHANS' COURT MOTION COVER SHEET

Caption (may be abbreviated)

Docket No. \_\_\_\_\_

1. Name of filing party: \_\_\_\_\_ Case assigned to Judge \_\_\_\_\_

2. Filing party's attorney: \_\_\_\_\_ Family Court Officer/Auditor \_\_\_\_\_

3. Type of filing: \_\_\_\_\_

<p>4. The following is/are requested:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Argument</li> <li><input type="checkbox"/> Evidentiary Hearing</li> <li><input type="checkbox"/> Court conference</li> <li><input type="checkbox"/> Pretrial Conference</li> <li><input type="checkbox"/> Entry of uncontested order (attach supporting documentation)</li> <li><input type="checkbox"/> Expedited consideration. State the basis: _____</li> <li><input type="checkbox"/> Issuance of a Citation</li> <li><input type="checkbox"/> Video conferencing requested. Request form has been submitted. See Lyc. Co. R.G.C.B. L8.</li> <li><input type="checkbox"/> Attach this cover sheet to original motion previously filed on: _____</li> </ul> <p>5. Time required: _____</p>	<p>6. [ Name ] Names and addresses of all counsel, unrepresented parties and interested parties (including CASA representative, if appointed) and indicate if anyone is incarcerated:</p>          <p>Court Scheduling Technician</p> <p><input type="checkbox"/> Continued on separate sheet.</p>
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**ORDER**

1. \_\_\_ An \_\_\_ argument \_\_\_ factual hearing \_\_\_ court conference is scheduled for \_\_\_\_\_ at \_\_\_ m. in courtroom no. \_\_\_\_\_, Lycoming County Courthouse, Williamsport, PA.
2. \_\_\_ Pretrial memos including witness list and exhibits are to be filed by the following dates:  
Filing party: \_\_\_\_\_. Responding parties & guardian ad litem \_\_\_\_\_.
3. \_\_\_ A response to the motion/petition shall be filed as follows: \_\_\_\_\_.
4. \_\_\_ Petitioner shall ensure service of this scheduling order on all parties and interested persons within \_\_\_\_\_ days of the date of this order and shall provide the court with proof of service at least \_\_\_\_\_ working days prior to the scheduled proceeding.
5. \_\_\_\_\_ is appointed as guardian ad litem for the child/alleged incapacitated person and petitioner shall serve a copy of this scheduling order on the appointed attorney. The appointed attorney is to be reimbursed at the rate of \_\_\_\_\_.
6. \_\_\_ See order attached. \_\_\_ See separate order issued this date.
7. Other \_\_\_\_\_.

\_\_\_\_\_  
Judge Date

cc: ALL PARTIES OR OTHERS TO BE SERVED WITH NOTICE MUST BE DESIGNATED IN "6." ABOVE.

NOTICE: The parties are directed to confer for the purpose of resolving any issue raised in the motion/petition. If a resolution is reached prior to the scheduled date, the moving party shall immediately notify the court scheduling technician, the judge or hearing officer assigned to hear the matter, and all counsel of record or parties if unrepresented. Such notice may be in writing or by email.

[Pa.B. Doc. No. 14-14. Filed for public inspection January 3, 2014, 9:00 a.m.]

**LYCOMING COUNTY**  
**Amendments to the Rules of Civil Procedure; Doc.**  
**No. 13-03015**

**Order**

*And Now*, this 5th day of December, 2013, it is hereby *Ordered and Directed* as follows:

1. Lycoming County Rules of Civil Procedure L1301, L1302.1, L1303, L1304.1, L1306, L1308, L1311 shall be amended as follows. (Bold is new language; bold bracketed is removed language.)
2. New Lycoming County Rule of Civil Procedure L1315 is hereby promulgated, as follows.
3. The Prothonotary is directed to:
  - a. File one (1) certified copy of this order with the Administrative Office of the Pennsylvania Courts.

- b. Forward two (2) certified copies of this order and a computer disk containing the text of the local rule to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
  - c. Forward one (1) certified copy of this order to the Pennsylvania Civil Procedural Rules Committee.
  - d. Forward one (1) copy of this order to the chairman of the Lycoming County Customs and Rules Committee.
  4. The revisions shall become effective 30 days after the publication of this order in the *Pennsylvania Bulletin*.
- By the Court*

NANCY L. BUTTS,  
*President Judge*

**L1301. Cases for Submission to Arbitration.**

A. All civil cases that fall within the jurisdictional limits set by Section 7361 of the Judicial Code, 42 Pa.C.S. § 7361, shall be submitted to compulsory arbitration, in accordance with the provisions of Section 7361. The amount in controversy generally will be determined from

the pleadings. The court on its own motion, or on the motion of any party may, based upon affidavits, depositions, stipulation of counsel or after hearing, determine that the amount actually in controversy does not exceed the jurisdictional amount for arbitration and may enter an order submitting the case to compulsory arbitration.

**[ B. A civil action will be referred to arbitration by the scheduling order issued under rule L1007. Prior to the case scheduling conference being held, a case may be referred to arbitration upon the filing with the prothonotary and the deputy court administrator of a praecipe signed by all parties or their counsel. ]**

**C. Cases subject to compulsory arbitration will not be scheduled for a pre-trial conference. Such cases will, however, come under the case flow control of the court administrator. ]**

**B. If a case is subject to compulsory arbitration, the case monitoring notice required by rule L205.2(b)A shall be marked accordingly (with the time required for discovery indicated) and filed in accordance with rules L205 and L1007.**

#### **L1302.1. Selection of Arbitrators.**

A. Upon receipt of a **[ praecipe ] scheduling order directing arbitration**, the court administrator shall nominate from the list of attorneys a board of potential arbitrators. The nominations shall be made at random, except where an attorney is excused by reason of incapacity, illness, or other disqualification. No more than one member of the family, firm, professional corporation, or association shall be nominated to serve on one potential board.

B. The court administrator shall nominate to the potential board four **[ (4) ]** attorneys plus three **[ (3) ]** attorneys for each party involved. The list of attorneys nominated to the potential board shall be sent by the court administrator to each party or his or her attorney. Each party in the case or counsel for each party may strike off up to three **[ (3) ]** attorneys so named and return the list to the court administrator within five **[ (5) ]** days of receipt. If any or all parties strike the same name or fail to exercise their right to strike off three names from the potential board, the first three **[ (3) ]** remaining names will make up the board of arbitrators. The fourth listed attorney shall become an alternate arbitrator, who shall serve only if one of the first three is unable to serve or is disqualified from serving.

**[ C. As soon as the court administrator receives that returned list from the parties (or after five (5) days if a list is not returned) each arbitrator and the alternate shall be notified of his or her selection. A final board list shall be sent to the parties or their attorneys. ]**

#### **L1303. Scheduling of Hearings and Notice of Appointment.**

A. The court calendar shall reflect that two rooms will be reserved for two days out of each month, for the purpose of holding simultaneous arbitration hearings, to the extent that there are cases to be heard.

**B. [ Upon the receipt of a praecipe, pursuant to L1301 ] Upon receipt of the completed strike lists (or after five days if a list is not returned), the court**

administrator shall schedule the case to be arbitrated for a one-half day hearing, to commence at either nine o'clock a.m. or one o'clock p.m., in one of the two rooms reserved. **Notice of the hearing and of the appointments shall be sent to the parties or their attorneys and to the arbitrators appointed.**

C. After having been identified as a member of an arbitration panel **[ under the methods set forth previously in L1302.1, ]** and after having been scheduled to serve on an arbitration panel on a date certain, **[ pursuant to B above, ]** should an arbitrator be unable to serve due to a conflict of interest, conflict in scheduling, or other such reason, it shall be that panel member's responsibility to notify the **[ district ]** court administrator who shall then advise the alternate of his or her substitution. If further substitution is required, the **[ district ]** court administrator shall select an arbitrator.

D. Arbitrators who fail to appear for service without having followed the procedures set forth above, shall not be paid, and may be removed from the court administrator's list of eligible arbitrators.

#### **L1304.1. Continuances.**

A. Continuances shall be granted only by court order for good cause shown **[ on notice sent by the court administrator to the parties and the court ]**. Requests for continuances shall be submitted in writing on forms provided by the court administrator. An application for continuance should be filed not later than three **[ (3) ]** days prior to the scheduled date for the arbitration hearing.

B. Upon failure of a party to appear at a scheduled arbitration hearing, the arbitrators shall proceed ex parte and render an award on the merits.

#### **L1306. Awards.**

After the case has been heard, the arbitrators shall make their award within ten **[ (10) ]** days after the day of the hearing or the last adjournment thereof. **Such award shall be noted on the award form contained in the court file, signed by all arbitrators and delivered to the prothonotary.**

#### **L1308. Compensation for Arbitrators.**

A. Each of the three members of an arbitration panel shall receive compensation in the amount of \$200.00 per case for which the member **actually** serves as an arbitrator, **or \$100.00 if the arbitrator appears at the date and time of the hearing, but no hearing is held because either the matter is settled, withdrawn or otherwise terminated at that time, or was previously settled, withdrawn or otherwise terminated, but the arbitrator was not so notified. If the case is settled, withdrawn or otherwise terminated and the arbitrators are so notified prior to the date scheduled for hearing, they shall not be entitled to any fee.**

**B. A substitute arbitrator who does not serve shall receive \$50.00, unless notified prior to the date of the hearing that his or her services will not be needed.**

**[ B. ] C.** Each arbitrator shall be entitled to receive additional compensation at the rate of \$50.00 per hour in any case in which the actual time spent in the hearing exceeds three and one-half (3 1/2) hours.

[ C. ] D. Upon the filing of the board’s report or award, the prothonotary shall certify to the county controller that the report or award, if any, has been filed, together with the names of the [ members of the board serving in the case ] arbitrators and substitute arbitrator to be paid and the amounts to be paid to each. The county shall then pay the [ aforesaid fee to each member of the board serving on the case in accordance with subsection A of this rule ] fees as noted on the prothonotary’s certification.

[ D. In the event that a case shall be settled or withdrawn or otherwise terminated by or between the parties at any time prior to the date scheduled for hearing, the board members shall not be entitled to the aforesaid fee. If the case is settled, withdrawn, or otherwise terminated by or between the parties, on the date scheduled for hearing but prior to the scheduled starting time, the panel members shall be entitled to one-half (1/2) of the base fee as set forth in subsection A of this rule. The attorney for the plaintiff in all cases which are settled, withdrawn, or otherwise terminated at any time prior to the arbitration hearing, shall notify the court administrator who will then in turn file with the prothonotary the appropriate award form indicating disposition of the case and the amount of compensation due members of the arbitration board. ]

**L1311. Appeals.**

The prothonotary shall notify the court administrator of all appeals from arbitration. All arbitration appeals shall immediately be [ scheduled for pre-trial conference and trial by the court administrator at the earliest practical date ] placed on the next available trial list.

**L1315. Settlements.**

In all cases which are settled, withdrawn, or otherwise terminated at any time prior to the arbitration hearing, the attorney for the plaintiff (or the plaintiff if acting pro se) shall so notify the court administrator and the arbitrators (including any substitute). In the event of settlement, withdrawal or termination on the date of hearing, or should the arbitrators appear for the hearing due to lack of notice that the matter had been previously

settled, withdrawn or otherwise terminated, the disposition and the fact of their appearance shall be noted by the arbitrators on the award form and delivered to the prothonotary.

[Pa.B. Doc. No. 14-15. Filed for public inspection January 3, 2014, 9:00 a.m.]

**LYCOMING COUNTY**

**Amendments to the Rules of Civil Procedure; Doc. No. 13-03080**

**Order**

And Now, this 11th day of December, 2013, it is hereby Ordered and Directed as follows:

1. Lycoming County Rule of Civil Procedure L205.2(b)B shall be amended as follows.
2. The Prothonotary is directed to:
  - a. Transmit one (1) certified copy of this order to the Pennsylvania Civil Procedural Rules Committee, along with a computer disk containing the text of the rule.
  - b. Forward one (1) copy of this order to the chairman of the Lycoming County Customs and Rules Committee.
3. The revision to Rule L205.2(b)B. shall become effective immediately after its posting on the Pennsylvania Judiciary’s Web Application Portal.

By the Court

NANCY L. BUTTS,  
President Judge

**L205.2. Filing Legal Papers with the Prothonotary.**

- (a)
- \* \* \* \* \*
- (b) *Required cover sheets.*
- A.
- \* \* \* \* \*
- B. *Motion Cover Sheet.*
- \* \* \* \* \*

7. The form of the cover sheet shall be substantially as follows:

**COURT OF COMMON PLEAS, LYCOMING COUNTY, PENNSYLVANIA MOTION COVER SHEET**

Caption (may be abbreviated)

Docket No. \_\_\_\_\_

vs.

Case assigned to Judge \_\_\_\_\_

- none
- Family Court Hearing Officer

1. Name of filing party:
2. Filing party’s attorney:
3. Type of filing:



<p>4. The following is/are requested:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Argument</li> <li><input type="checkbox"/> Evidentiary Hearing</li> <li><input type="checkbox"/> Court conference</li> <li><input type="checkbox"/> Rule to show cause</li> <li><input type="checkbox"/> Entry of uncontested order (attach supporting documentation)</li> <li><input type="checkbox"/> Expedited consideration. State the basis: _____ _____</li> </ul> <p><input type="checkbox"/> Video conferencing requested. Request form has been submitted. See Lyc. Co. R.G.C.B. L8.</p> <p><input type="checkbox"/> Attach this cover sheet to original motion previously filed on: _____</p> <p>5. Time required: _____</p>	<p>6. [ Name ] Names and addresses of all counsel of record and unrepresented parties:</p>          <p>Court Scheduling Technician</p> <p><input type="checkbox"/> Continued on separate sheet.</p>
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**ORDER**

1. \_\_\_ An \_\_\_ argument \_\_\_ factual hearing \_\_\_ court conference is scheduled for \_\_\_\_\_ at \_\_\_ m. in courtroom no. \_\_\_\_\_, Lycoming County Courthouse, Williamsport, PA.
2. \_\_\_ Briefs are to be filed by the following dates:  
     Filing party \_\_\_\_\_ .  
     Responding party(ies) \_\_\_\_\_ .
3. \_\_\_ A rule is issued upon respondent to show cause why the petitioner is not entitled to the relief requested.
4. \_\_\_ A response to the motion/petition shall be filed as follows \_\_\_\_\_ .
5. \_\_\_ See order attached. \_\_\_ See separate order issued this date.
6. \_\_\_ Other \_\_\_\_\_ .

\_\_\_\_\_  
 Judge  Date

cc: ALL PARTIES OR OTHERS TO BE SERVED WITH NOTICE MUST BE DESIGNATED IN "6." ABOVE.

NOTICE: The parties are directed to confer for the purpose of resolving any issue raised in the motion/petition. If a resolution is reached prior to the scheduled date, the moving party shall immediately notify the court scheduling technician, the judge or hearing officer assigned to hear the matter, and all counsel of record or parties if unrepresented. Such notice may be in writing or by email.

[Pa.B. Doc. No. 14-16. Filed for public inspection January 3, 2014, 9:00 a.m.]

**MERCER COUNTY  
 Administrative Orders; Register's No. 2013-767**

*And Now*, this 10th day of December, 2013, The Court Hereby *Approves, Adopts and Promulgates* Mercer County Administrative Order # 1, and Administrative Order # 2, effective thirty (30) days after the date of publication of these orders in the *Pennsylvania Bulletin*, pursuant to Rule 103(c) of the Pennsylvania Rules of Judicial Procedure.

It is further *Ordered and Directed* that the Court Administrator of Mercer County shall file one (1) certified copy each of these orders with the Administrative Office of Pennsylvania Courts, furnish two (2) certified copies each to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, and file one certified copy each with the Orphans' Court Procedural Rules Committee.

It is further *Ordered and Directed* that Administrative Orders shall be kept continuously available for public inspection and copying in the Offices of the Clerk and Register of Wills, the Clerk of the Orphans' Court and the Prothonotary of Mercer County. Upon request and payment of reasonable costs of reproduction and mailing, these offices shall furnish to any person a copy of these

Administrative Orders. These Administrative orders shall be published in the *Mercer County Law Journal*.

*By the Court*

THOMAS R. DOBSON,  
*President Judge*

[Pa.B. Doc. No. 14-17. Filed for public inspection January 3, 2014, 9:00 a.m.]

**MERCER COUNTY  
 Administrative Orders; Register's No. 2013-767**

**Administrative Order No. 1**

*And Now*, this 10th day of December, 2013, this Court finding it necessary to formalize the procedure for insuring compliance with 20 Pa.C.S. § 5521(c), *It Is Hereby Ordered* as follows:

1. The Register of Wills of Mercer County shall in every case where a guardian is appointed after the effective date of this Order review that file after 365 days from the date of the original appointment to determine if the initial report required by 20 Pa.C.S. § 5521(c) has

been filed; and every December thereafter, as long as the guardianship is active, to determine if the annual report has been filed.

2. Within five (5) days after said review, the Register of Wills shall notify in writing the Judge who appointed the guardian or the Judge's successor whether the report was filed. If the report was filed, the Register of Wills shall forward the report to said Judge.

3. If the report is filed, the Judge shall review said report and, if the Judge deems necessary, have it reviewed by a third party.

4. If the report is not filed, the Judge shall sua sponte schedule a hearing to determine why it has not been filed.

5. This Order shall become effective thirty (30) days after publication.

*By the Court*

THOMAS R. DOBSON,  
*President Judge*

[Pa.B. Doc. No. 14-18. Filed for public inspection January 3, 2014, 9:00 a.m.]

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**MERCER COUNTY**

**Administrative Orders; Register's No. 2013-767**

**Administrative Order No. 2**

*And Now*, this 10th day of December, 2013, *It Is Hereby Ordered* as follows:

I. The Register of Wills of Mercer County shall accept for filing and maintain in a segregated alphabetical file Last Wills and Testaments that fall into any of the following categories:

A. Last Wills and Testaments held by an attorney where a conservator has been appointed pursuant to the Rules of Disciplinary Enforcement and were not claimed by the maker of the Will;

B. Last Wills and Testaments held by an attorney who dies where no conservator is appointed and the Executor/Administrator of the estate of said attorney is unable to return the Last Will and Testament;

C. Last Wills and Testaments held by an attorney who has ceased the practice of law and the attorney's successor is unable to return the Last Will and Testament; and

D. Last Wills and Testaments held by an attorney who is unable to hold them and cannot return the Last Will and Testament.

II. The Register of Wills shall maintain an alphabetical index of the Wills held pursuant to this Rule. The index shall be available to the general public for inspection.

III. The Register of Wills shall turn over any Last Will and Testament held pursuant to this Rule, to the Executor or Executrix named in the Last Will and Testament; the Administrator of the maker's estate; the maker's attorney-in-fact; a court appointed Guardian of the maker; or an attorney retained by the maker's estate.

If the Register of Wills is uncertain whether or not a Last Will and Testament should be turned over, the matter shall be referred to the President Judge, or his designee, for a decision.

When a Last Will and Testament is turned over by the Register of Wills pursuant to this Rule, the recipient shall sign a receipt for said document and the Register of Wills shall maintain a copy of the Last Will and Testament until the Final Account of the maker's estate is confirmed absolutely.

IV. There shall be no costs imposed by the Register of Wills for actions pursuant to this Rule.

V. This Order is effective immediately.

*By the Court*

THOMAS R. DOBSON,  
*President Judge*

[Pa.B. Doc. No. 14-19. Filed for public inspection January 3, 2014, 9:00 a.m.]



# RULES AND REGULATIONS

## Title 58—RECREATION

### PENNSYLVANIA GAMING CONTROL BOARD

[ 58 PA. CODE CH. 590 ]

#### Free Bet Blackjack; Temporary Regulations

The Pennsylvania Gaming Control Board (Board), under its general authority in 4 Pa.C.S. § 13A03(b) (relating to temporary table game regulations) and the specific authority in 4 Pa.C.S. § 13A02(1) and (2) (relating to regulatory authority), adds Chapter 590 (relating to Free Bet Blackjack) to read as set forth in Annex A.

#### *Explanation of Chapter 590*

Section 590.1 (relating to definitions) contains the definitions for terms used in Free Bet Blackjack. Section 590.2 (relating to Free Bet Blackjack table; card reader device; physical characteristics; inspections) contains all of the requirements pertaining to the table layouts and other equipment used in the play of the game.

Section 590.3 (relating to cards; number of decks; value of cards) addresses the number of decks that are used in Free Bet Blackjack and the frequency with which the decks are to be changed. Sections 590.4 and 590.5 (relating to opening of the table for gaming; and shuffle and cut of the cards) set forth the procedures for the inspection, shuffling and cutting of the cards before they are dealt.

Section 590.6 (relating to wagers) specifies which wagers are authorized for use at the game and when those wagers are to be placed.

Section 590.7 (relating to procedure for dealing the cards; completion of each round of play) specifies how the cards are to be dealt to each player and the dealer, how the dealer is to evaluate whether a patron's hand is a winning hand and the procedures for collecting cards, collecting losing wagers and paying out winning wagers.

Sections 590.8—590.11 specify when the Insurance Wager is to be offered and how it is settled and when patrons can split pairs, double down or surrender their hands.

Section 590.12 (relating to payout odds) addresses the payout odds for all permissible wagers and § 590.13 (relating to irregularities) specifies how irregularities in the play of the game are to be handled.

#### *Affected Parties*

This temporary rulemaking allows certificate holders additional options on how to conduct table games at their licensed facilities.

#### *Fiscal Impact*

*Commonwealth.* The Board does not expect that this temporary rulemaking will have fiscal impact on the Board or other Commonwealth agencies. Internal control procedures submitted by certificate holders related to table games Rules Submissions will be reviewed by existing Board staff.

*Political subdivisions.* This temporary rulemaking will not have direct fiscal impact on political subdivisions of this Commonwealth. Host municipalities and counties benefit from the local share funding that is mandated by the act of January 7, 2010 (P. L. 1, No. 1).

*Private sector.* This temporary rulemaking will give certificate holders some additional flexibility as to how they conduct table games. It is anticipated that this temporary rulemaking will have an impact only on certificate holders, which are not small businesses.

*General public.* This temporary rulemaking will not have direct fiscal impact on the general public.

#### *Paperwork Requirements*

If a certificate holder elects to offer new games for play at the licensed facility, the certificate holder will be required to submit an updated Rules Submission form and gaming guide reflecting the changes.

#### *Effective Date*

This temporary rulemaking will become effective upon publication in the *Pennsylvania Bulletin*.

#### *Public Comments*

While this temporary rulemaking will be effective upon publication, the Board is seeking comments from the public and affected parties as to how the temporary regulations might be improved. Interested persons are invited to submit written comments, suggestions or objections regarding this temporary rulemaking within 30 days after publication in the *Pennsylvania Bulletin* to Susan A. Yocum, Assistant Chief Counsel, Pennsylvania Gaming Control Board, P. O. Box 69060, Harrisburg, PA 17106-9060, Attention: Public Comment on Regulation #125-180.

#### *Contact Person*

The contact person for questions about this temporary rulemaking is Susan A. Yocum, Assistant Chief Counsel, (717) 346-8300.

#### *Regulatory Review*

Under 4 Pa.C.S. § 13A03(b), the Board's authority to adopt temporary regulations governing the rules of new table games does not expire. Additionally, temporary regulations adopted by the Board are not subject to sections 201—205 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201—1205), known as the Commonwealth Documents Law (CDL), the Regulatory Review Act (71 P. S. §§ 745.1—745.12) and sections 204(b) and 301(10) of the Commonwealth Attorneys Act (71 P. S. §§ 732-204(b) and 732-301(10)). These temporary regulations expire 2 years after publication in the *Pennsylvania Bulletin*.

#### *Findings*

The Board finds that:

(1) Under 4 Pa.C.S. § 13A03(b), the temporary regulations are exempt from the requirements of the Regulatory Review Act, sections 201—205 of the CDL and sections 204(b) and 301(10) of the Commonwealth Attorneys Act.

(2) The adoption of the temporary regulations is necessary and appropriate for the administration and enforcement of 4 Pa.C.S. Part II (relating to gaming).

#### *Order*

The Board, acting under 4 Pa.C.S. Part II, orders that:

(1) The regulations of the Board, 58 Pa. Code, are amended by adding §§ 590.1—590.13 to read as set forth in Annex A.

(2) The temporary regulations are effective January 4, 2014.

(3) The temporary regulations will be posted on the Board's web site and published in the *Pennsylvania Bulletin*.

(4) The temporary regulations are subject to amendment as deemed necessary by the Board.

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

WILLIAM H. RYAN, Jr.,  
Chairperson

**Fiscal Note:** 125-180. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 58. RECREATION**

**PART VII. GAMING CONTROL BOARD**

**Subpart K. TABLE GAMES**

**CHAPTER 590. FREE BET BLACKJACK**

Sec.  
590.1. Definitions.  
590.2. Free Bet Blackjack table; card reader device; physical characteristics; inspections.  
590.3. Cards; number of decks; value of cards.  
590.4. Opening of the table for gaming.  
590.5. Shuffle and cut of the cards.  
590.6. Wagers.  
590.7. Procedure for dealing the cards; completion of each round of play.  
590.8. Insurance Wager.  
590.9. Surrender.  
590.10. Double Down.  
590.11. Splitting pairs.  
590.12. Payout odds.  
590.13. Irregularities.

**§ 590.1. Definitions.**

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

*Blackjack*—An ace and any card having a value of 10 dealt as the initial two cards to a player or the dealer.

*Card reader device*—A device which permits the dealer to determine if the hole card will give the dealer a Blackjack.

*Hard total*—The total point count of a hand which contains no aces or which contains aces that are each counted as 1 in value.

*Hole card*—The second card dealt face down to the dealer.

*Soft total*—The total point count of a hand containing an ace when the ace is counted as 11 in value.

**§ 590.2. Free Bet Blackjack table; card reader device; physical characteristics; inspections.**

(a) Free Bet Blackjack shall be played at a table having betting positions for no more than six players on one side of the table and a place for the dealer on the opposite side of the table.

(b) The layout for a Free Bet Blackjack table shall be submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and contain, at a minimum:

- (1) The name or logo of the certificate holder.
- (2) A separate betting area designated for the placement of the Blackjack Wager for each player.
- (3) The following inscriptions:
  - (i) Blackjack pays 3 to 2.
  - (ii) Insurance pays 2 to 1.
  - (iii) Dealer shall draw to 16 and stand on all 17s or other similar language approved by the Executive Director in accordance with § 601a.10(a).

(iv) Blackjack Wagers will push if the dealer's hand has a total point count of 22 or other similar language.

(4) If the certificate holder offers the Push 22 Wager, a separate area designated for the placement of the wager for each player.

(5) Inscriptions that advise patrons of the payout odds or amounts for all permissible wagers offered by the certificate holder. If the payout odds or amounts are not inscribed on the layout, a sign identifying the payout odds or amounts for all permissible wagers shall be posted at each Free Bet Blackjack table.

(c) Each Free Bet Blackjack table must have a drop box and a tip box attached on the same side of the table as, but on opposite sides of, the dealer, as approved by the Bureau of Casino Compliance in accordance with § 601a.10(g). The Bureau of Casino Compliance may approve an alternative location for the tip box when a card shuffling device or other table game equipment prevents the placement of the drop box and tip box on the same side of the gaming table as, but on opposite sides of, the dealer.

(d) Each Free Bet Blackjack table must have a card reader device attached to the top of the dealer's side of the table. The floorperson assigned to the Free Bet Blackjack table shall inspect the card reader device at the beginning of each gaming day to ensure that there has been no tampering with the device and that it is in proper working order.

(e) Each Free Bet Blackjack table must have a discard rack securely attached to the top of the dealer's side of the table. The height of each discard rack must either:

- (1) Equal the height of the cards, stacked one on top of the other, in the total number of decks that are to be used in the dealing shoe at that table.
- (2) Be taller than the height of the total number of decks being used if the discard rack has a distinct and clearly visible mark on its side to show the exact height for a stack of cards equal to the total number of cards in the number of decks to be used in the dealing shoe at that table.

**§ 590.3. Cards; number of decks; value of cards.**

(a) Except as provided in subsections (b) and (c), Free Bet Blackjack shall be played with at least one deck of cards that are identical in appearance and at least one cover card.

(b) If an automated card shuffling device is utilized, other than a continuous shuffler, Free Bet Blackjack shall be played with at least two decks of cards in accordance with the following requirements:

- (1) The cards shall be separated into two batches with an equal number of decks included in each batch.

(2) The cards in each batch must be of the same design but the backs of the cards in one batch must be of a different color than the cards in the other batch.

(3) One batch of cards shall be shuffled and stored in the automated card shuffling device while the other batch is being used to play the game.

(4) Both batches of cards shall be continuously alternated in and out of play, with each batch being used for every other dealing shoe.

(5) The cards from only one batch shall be placed in the discard rack at any given time.

(c) The decks of cards opened for use at a Free Bet Blackjack table shall be changed at least once every 24 hours.

(d) The value of the cards shall be as follows:

(1) Any card from 2 to 10 shall have its face value.

(2) Any jack, queen or king shall have a value of 10.

(3) An ace shall have a value of 11 unless that value would give a player or the dealer a score in excess of 21, in which case the ace shall have a value of 1.

#### § 590.4. Opening of the table for gaming.

(a) After receiving one or more decks of cards at the table, the dealer shall inspect the cards for any defects. The floorperson assigned to the table shall verify the inspection.

(b) After the cards are inspected, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. The cards shall be spread in horizontal fan shaped columns by deck according to suit and in sequence.

(c) After the first player arriving at the table has been afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a washing of the cards and stacked. Once the cards have been stacked, the cards shall be shuffled in accordance with § 590.5 (relating to shuffle and cut of the cards).

(d) If an automated shuffling device is utilized, other than a continuous shuffler, all the decks in one batch of cards shall be spread for inspection, mixed, stacked and shuffled in accordance with subsections (a)—(c) separate from the decks in the other batch of cards.

(e) If the decks of cards received at the table are preinspected and reshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)—(d) do not apply.

#### § 590.5. Shuffle and cut of the cards.

(a) Immediately prior to commencement of play, unless the cards were reshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), after each shoe of cards is dealt or when directed by a floorperson or above, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that the cards are randomly intermixed. Upon completion of the shuffle, the dealer or device shall place the decks of cards in a single stack. The certificate holder may use an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe.

(b) After the cards have been shuffled and stacked, the dealer shall offer the stack of cards to be cut, with the

backs facing away from the dealer, to the player determined under subsection (c). If no player accepts the cut, the dealer shall cut the cards.

(c) The cut of the cards shall be offered to players in the following order:

(1) The first player arriving at the table, if the game is just beginning.

(2) The player on whose betting area the cover card appeared during the last round of play.

(3) If the cover card appeared on the dealer's hand during the last round of play, the player at the farthest position to the right of the dealer. If this player refuses, the offer to cut the cards shall rotate to each player in a counterclockwise manner.

(4) If the reshuffle was initiated at the direction of the floorperson or above, the player at the farthest position to the right of the dealer. If this player refuses, the offer to cut the cards shall rotate to each player in a counterclockwise manner.

(d) The player or dealer making the cut shall place the cover card in the stack at least ten cards from the top or bottom of the stack. Once the cover card has been inserted, the dealer shall take all cards on top of the cover card and place them on the bottom of the stack. The dealer shall then insert the cover card in the stack at a position at least 1/4 of the way in from the bottom of the stack. The stack of cards shall then be inserted into the dealing shoe for commencement of play.

(e) After the cards have been cut and before the cards have been placed in the dealing shoe, a floorperson or above may require the cards to be recut if the floorperson determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game. If a recut is required, the cards shall be recut either by the player who last cut the cards or by the next person entitled to cut the cards, as determined under subsection (c). The stack of cards shall then be inserted into the dealing shoe for commencement of play.

(f) A reshuffle of the cards in the shoe shall take place after the cover card is reached in the shoe, as provided in § 590.7(d) (relating to procedure for dealing the cards; completion of each round of play), except that a floorperson may determine that the cards should be reshuffled after any round of play.

(g) If there is no gaming activity at a Free Bet Blackjack table which is open for gaming, the cards shall be removed from the dealing shoe and the discard rack and spread out on the table face down unless a player requests that the cards be spread face up on the table. After the first player arriving at the table is afforded an opportunity to visually inspect the cards shall be:

(1) Mixed thoroughly by a washing of the cards, stacked, then shuffled and cut in accordance with this section if there is no automated shuffling device in use.

(2) Stacked and placed into the automated shuffling device to be shuffled if an automated shuffling device is in use. The batch of cards already in the shuffler shall then be removed. Unless a player requests otherwise, the batch of cards removed from the shuffler does not need to be spread for inspection and reshuffled prior to being dealt provided that the automated card shuffling device stores a single batch of shuffled cards inside the shuffler in a secure manner.

(h) A certificate holder may utilize a dealing shoe or other device that automatically reshuffles and counts the



cards provided that the device is submitted to the Bureau of Gaming Laboratory Operations and approved in accordance with § 461a.4 (relating to submission for testing and approval) prior to its use in the licensed facility. If a certificate holder is utilizing the approved device, subsections (b)—(g) do not apply.

**§ 590.6. Wagers.**

(a) Wagers at Free Bet Blackjack shall be made by placing value chips, plaques or other Board-approved table game wagering instruments on the appropriate areas of the Free Bet Blackjack layout.

(b) After the cards have been shuffled as required under § 590.5 (relating to shuffle and cut of the cards), a certificate holder may prohibit any patron, whether seated at the gaming table or not, who does not make a wager on a given round of play from placing a wager on the next round of play and any subsequent round of play at that gaming table until either:

(1) The certificate holder chooses to permit the player to begin wagering again.

(2) A reshuffle of the cards has occurred.

(c) All wagers, except an Insurance Wager under § 590.8 (relating to Insurance Wager), a wager to double down under § 590.10 (relating to Double Down) or a wager on split pairs under § 590.11 (relating to splitting pairs), shall be placed prior to the first card being dealt for each round of play. A player may not handle, remove or alter any wagers that have been made until a decision has been rendered and implemented with respect to that wager.

(d) A player shall place a Blackjack Wager to participate in a round of play and compete against the dealer's hand.

(e) If specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player who placed a Blackjack Wager in accordance with subsection (d), the option of placing a Push 22 Wager which shall win if the dealer's hand has a total point count of 22.

(f) The certificate holder shall specify in its Rules Submission under § 601a.2 the number of adjacent boxes on which a player may place a Blackjack Wager in one round of play.

**§ 590.7. Procedure for dealing the cards; completion of each round of play.**

(a) All cards shall be dealt from a dealing shoe which must be located on the table in a location approved by the Bureau of Casino Compliance in accordance with § 601a.10(g) (relating to approval of table game layouts, signage and equipment). Once the procedures under § 590.5 (relating to shuffle and cut of the cards) have been completed, the stacked cards shall be placed in the dealing shoe by the dealer or by an automated card shuffling device.

(b) Each card shall be removed from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand. The dealer may deal cards to the two betting positions closest to the dealing shoe with the same hand.

(c) After each full batch of cards is placed in the shoe, the dealer shall remove the first card and place it in the discard rack. Each new dealer who comes to the table shall also remove one card and place it in the discard rack before dealing any cards to the players.

(d) If the cover card appears as the first card in the dealing shoe at the beginning of a round of play or appears during play, the cover card shall be removed and placed to the side and the hand will be completed. The dealer shall then:

(1) Collect and reshuffle the cards by removing the cards remaining in the shoe and placing them in the discard rack to ensure that no cards are missing.

(2) Shuffle the cards so that they are randomly intermixed.

(e) After all Blackjack and optional Push 22 Wagers have been placed, the dealer shall, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, deal the cards as follows:

(1) One card face up to each box on the layout in which a Blackjack Wager is contained.

(2) One card face up to the dealer.

(3) A second card face up to each box in which a wager is contained.

(4) A second card face down to the dealer.

(f) Immediately after the second card is dealt to each player and the dealer, if the dealer's first card is an ace, the dealer shall offer the Insurance Wager in accordance with § 590.8 (relating to Insurance Wager).

(g) If the dealer's first card is an ace, king, queen, jack or ten, after all Insurance Wagers have been placed, if applicable, the dealer shall determine whether the hole card will give the dealer a Blackjack. The dealer shall insert the hole card into the card reader device by moving the card face down on the layout without exposing it to anyone at the table, including the dealer. If the dealer has a Blackjack, additional cards may not be dealt and if a player:

(1) Has a Blackjack, the dealer shall return the player's Blackjack Wager, collect the player's Push 22 Wager and pay out any Insurance Wager, if applicable.

(2) Does not have a Blackjack, the dealer shall collect the player's Blackjack and Push 22 Wagers and pay out any Insurance Wager, if applicable.

(h) If the dealer's up card was not an ace or 10 value card or if the dealer's hole card did not give the dealer Blackjack, the dealer shall start with the player farthest to the dealer's left and continue around the table in a clockwise direction and if the player:

(1) Has Blackjack, the dealer shall announce and pay the Blackjack in accordance with § 590.12(a) (relating to payout odds) and remove the player's cards. If a player also placed a Push 22 Wager, the dealer shall tuck the player's cards under the player's Push 22 Wager until it is resolved in accordance with subsection (n).

(2) Does not have Blackjack, the player shall indicate whether he wishes to surrender, as permitted under § 590.9 (relating to surrender), double down as permitted under § 590.10 (relating to Double Down), split pairs as permitted under § 590.11 (relating to splitting pairs), stand or draw additional cards.

(i) As each player indicates his decision, the dealer shall deal face upwards whatever additional cards are necessary to effectuate the player's decision.

(j) A player may elect to draw additional cards whenever his point count total is less than 21, except that:

(1) A player having a hard or soft total of 21 may not draw additional cards.

(2) A player electing to double down in accordance with § 590.10 may draw only one additional card.

(k) After the decisions of each player have been implemented and all additional cards have been dealt, the dealer shall turn the hole card face up.

(l) Except as provided in subsection (m), the dealer shall draw additional cards until he has a hard or soft total of 17, 18, 19, 20 or 21. Any additional cards required to be dealt to the hand of the dealer shall be dealt face up. The dealer shall announce the dealer's total point count after each additional card is dealt.

(m) A dealer may not draw additional cards to his hand, regardless of the point count, if decisions have been made on all players' hands and the point count of the dealer's hand will not have an effect on the outcome of the round of play.

(n) After all additional cards have been drawn, if the total point count of the dealer's hand:

(1) Is a 22, the dealer shall return all remaining player's Blackjack Wagers, collect any Free Bet lammers, as provided in §§ 590.10 and 590.11, and pay out any Push 22 Wagers in accordance with § 590.12(c).

(2) Is not a 22, the dealer shall collect any Push 22 Wagers and settle the players Blackjack Wager and Free Bet lammers in accordance with subsections (o)—(q).

(o) A player shall win and be paid in accordance with § 590.12(a) for the Blackjack Wager and an equivalent amount for each Free Bet lammer, if applicable, if:

(1) The total point count of the player's hand is 21 or less and the total point count of the dealer's hand is in excess of 21 provided that if the total point count of the dealer's hand is 22, the Blackjack Wager shall be returned to the player and any Free Bet lammers shall be collected.

(2) The total point count of the player's hand exceeds the total point count of the dealer's hand without exceeding 21.

(p) A Blackjack Wager shall tie and be returned to the player and any Free Bet lammers collected if the total point count of the player's hand is the same as the total point count of the dealer's hand.

(q) A player's Blackjack Wager and any Free Bet lammers shall be collected if:

(1) The total point count of the dealer's hand is 21 or less and the total point count of the player's hand is in excess of 21.

(2) The total point count of the dealer's hand exceeds the total point count of the player's hand without exceeding 21.

(r) The dealer shall collect all losing wagers and pay off all winning wagers in accordance with one of the following procedures designated in the certificate holder's Rules Submission under § 601a.2 (relating to table games Rules Submissions):

(1) Collect all losing wagers beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction and then pay off all winning wagers.

(2) Collect each player's losing wagers and pay off each player's winning wagers beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction. The dealer shall place any losing wagers directly into the table inventory

and may not pay off any player's winning wagers by using value chips collected from a losing wager.

(s) After all wagers have been settled, the dealer shall remove any remaining cards from the table and place them in the discard rack in a manner that permits the reconstruction of each hand in the event of a question or dispute.

(t) Players and spectators may not handle, remove or alter any cards used to play Free Bet Blackjack.

#### § 590.8. Insurance Wager.

(a) If the first card dealt to the dealer is an ace, each player may make an Insurance Wager which shall win if the dealer's hole card is a king, queen, jack or 10.

(b) An Insurance Wager may be made by placing a value chip on the insurance line of the layout in an amount not more than 1/2 of the player's initial Blackjack Wager. A player may wager an amount in excess of 1/2 of the initial Blackjack Wager to the next unit that can be wagered in chips when, because of the limitation of the value of chip denominations, 1/2 the initial Blackjack Wager cannot be bet. Insurance Wagers shall be placed prior to the dealer inserting his hole card into the card reader device.

(c) Winning Insurance Wagers shall be paid in accordance with the payout odds in § 590.12(b) (relating to payout odds).

(d) Losing Insurance Wagers shall be collected by the dealer immediately after the dealer inserts his hole card into the card reader device and determines that he does not have a Blackjack and before he draws any additional cards.

#### § 590.9. Surrender.

(a) After the first two cards are dealt to the player, the player may elect to discontinue play on his hand for that round by surrendering 1/2 of his wager. All decisions to surrender shall be made prior to the player indicating whether he wishes to double down as permitted under § 590.10 (relating to Double Down), split pairs as permitted under § 590.11 (relating to splitting pairs), stand or draw. If the first card dealt to the dealer:

(1) Is not an ace or 10 value card, the dealer shall immediately collect 1/2 of the wager and return 1/2 to the player.

(2) Is an ace or 10 value card, the dealer will place the player's wager on top of the player's cards. After the Insurance Wager is offered and the card reader device is utilized, the hand will be settled by immediately collecting the entire wager if the dealer has Blackjack or collecting 1/2 of the wager and returning 1/2 of the wager to the player if the dealer does not have Blackjack.

(b) If the player has made an Insurance Wager and then elects to surrender, each wager will be settled separately in accordance with subsection (a) and § 590.8 (relating to Insurance Wager).

#### § 590.10. Double Down.

(a) Except when a player has a Blackjack, a player may elect to double down on the first two cards dealt to him or on the first two cards of any split pair. If the total point count of the player's two cards:

(1) Is a hard 9, 10 or 11, the player may double down without placing an additional wager. If a player is doubling down without placing an additional wager, the dealer shall place a Free Bet lammer next to the player's original Blackjack Wager.



(2) Is not a hard 9, 10 or 11, the player may place an additional wager next to the player's original Blackjack Wager which may not exceed the amount of the player's original Blackjack Wager.

(b) If a player elects to double down after splitting pairs, as provided in § 590.11 (relating to splitting pairs), the player may double down on split pairs as provided in subsection (a).

(c) Upon a player's election to double down, the dealer shall deal one additional card face up and place it sideways on the layout.

(d) The dealer shall then complete the procedure in § 590.7(i)–(s) (relating to procedure for dealing the cards; completion of each round of play).

**§ 590.11. Splitting pairs.**

(a) If the initial two cards dealt to a player are identical in value, the player may elect to split the hand into two separate hands. For example, if a player has two 7s or a king and a 10, the player may elect to split the hand.

(b) If a player elects to split pairs and the player has:

(1) A pair of 10 value cards (10, jack, queen or king), the player shall place an amount equal to the original Blackjack Wager for the split pair.

(2) Any pair other than 10 value cards, the player may split pairs without placing an additional wager. If a player is splitting pairs without placing an additional wager:

(i) The dealer shall place a Free Bet lammer next to the player's original Blackjack Wager.

(ii) The original Blackjack Wager shall move with the first split hand and the Free Bet lammer shall be the wager for the second split hand.

(c) When a player splits pairs, the dealer shall deal a card to and complete the player's decisions with respect to the first incomplete hand on the dealer's left before proceeding to deal any cards to the second hand. If the first split hand busts, the player's cards shall be tucked under the original Blackjack Wager until the hand is settled or until the split hand or hands bust as well.

(d) After a second card is dealt to each split pair, the player shall indicate his decision to stand, draw, double down or resplit with respect that hand. A player may resplit any additional pairs, in accordance with subsection (b), for a total of up to four hands.

**§ 590.12. Payout odds.**

(a) The certificate holder shall pay each winning Blackjack Wager and any Free Bet lammers at odds of 1 to 1 with the exception of player Blackjack which shall be paid at odds of 3 to 2.

(b) The certificate holder shall pay out winning Insurance Wagers at odds of 2 to 1.

(c) The certificate holder shall pay out winning Push 22 Wagers based on the dealer's hand at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>
Same suite 22	50 to 1	50 to 1
Same color 22	20 to 1	20 to 1
Other 22	8 to 1	7 to 1

**§ 590.13. Irregularities.**

(a) A card found face up in the shoe may not be used in that round of play and shall be placed in the discard rack or in a segregated area of the double shoe.

(b) A card drawn in error without its face being exposed shall be used as though it were the next card from the shoe.

(c) After the initial two cards have been dealt to each player and a card is drawn in error and exposed to the players, the card shall be dealt to the players or dealer as though it were the next card from the shoe. Any player refusing to accept the card may not have any additional cards dealt to him during the round. If the card is refused by the players and the dealer cannot use the card, the card shall be placed in the discard rack.

(d) If the dealer has 17 and accidentally draws a card for himself, the card shall be placed in the discard rack.

(e) If the dealer misses dealing his first or second card to himself, the dealer shall continue dealing the first two cards to each player and then deal the appropriate number of cards to himself.

(f) If there are insufficient cards remaining in the shoe to complete a round of play, all of the cards in the discard rack shall be shuffled and cut according to the procedures in § 590.5 (relating to shuffle and cut of the cards). The first card shall be drawn face down and placed in the discard rack and the dealer shall complete the round of play.

(g) If no cards are dealt to a player's hand, the hand is dead and the player shall be included in the next deal. If only one card is dealt to a player's hand, at the player's option, the dealer shall deal the second card to the player after all other players have received a second card.

(h) If after receiving the first two cards the dealer fails to deal an additional card to a player who has requested a card, then, at the player's option, the dealer shall either deal the additional card after all other players have received their additional cards but prior to the dealer revealing his hole card or call the player's hand dead and return the player's original Blackjack Wager.

(i) If the dealer inserts his hole card into a card reader device when the value of his first card is not an ace, king, queen, jack or 10, the dealer, after notification to a floorperson or above, shall continue play.

(j) If a card reader device malfunctions, the dealer may not continue dealing the game of Blackjack at that table until the card reader device is repaired or replaced.

(k) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle or fails to complete a shuffle cycle, the cards shall be reshuffled.

(l) If an automated shuffling device malfunctions and cannot be used, the device must be covered or have a sign indicating that it is out of order placed on the device before any other method of shuffling may be utilized at that table.

[Pa.B. Doc. No. 14-20. Filed for public inspection January 3, 2014, 9:00 a.m.]

# STATEMENTS OF POLICY

## Title 4—ADMINISTRATION

### PART II. EXECUTIVE BOARD

#### [ 4 PA. CODE CH. 9 ]

#### Reorganization of the Public School Employees' Retirement System

The Executive Board approved a reorganization of the Public School Employees' Retirement System effective December 16, 2013.

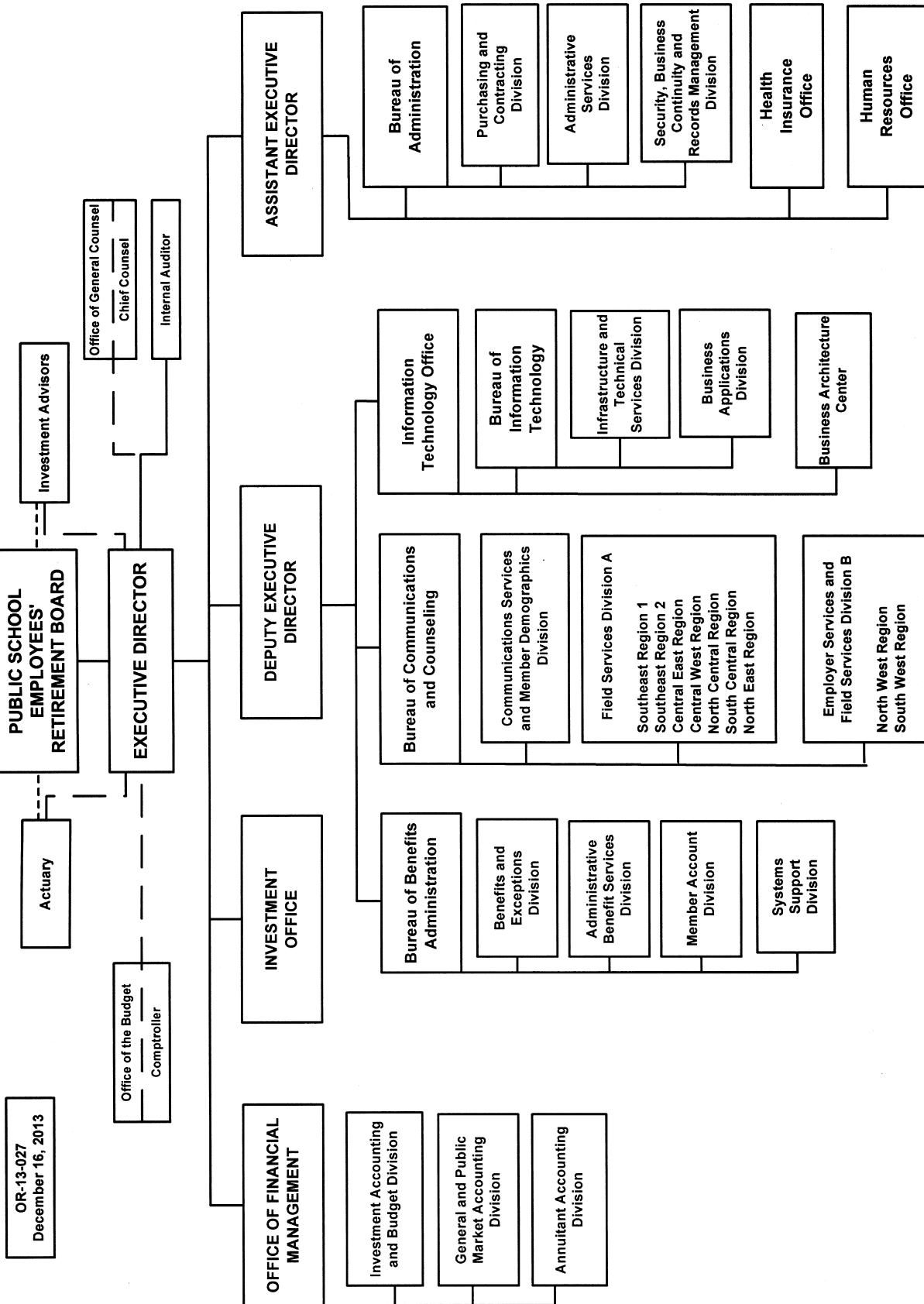
The organization chart at 43 Pa.B. 33 (January 4, 2014) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

*(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. 14-21. Filed for public inspection January 3, 2014, 9:00 a.m.]

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**PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM**



# NOTICES

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking and Securities Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending December 17, 2013.

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

##### Branch Consolidations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-13-2013	AmeriServ Financial Bank	<i>Into:</i> 216 Franklin Street Johnstown Cambria County  <i>From:</i> 163 Fairfield Street Johnstown Cambria County	Filed

#### SAVINGS INSTITUTIONS

No activity.

#### CREDIT UNIONS

No activity.

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

GLENN E. MOYER,  
*Secretary*

[Pa.B. Doc. No. 14-22. Filed for public inspection January 3, 2014, 9:00 a.m.]

### 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 December 24, 2013.

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****Conversions**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
12-17-2014	<i>From:</i> Slovenian Savings and Loan Association Strabane Washington County	Filed
	<i>To:</i> Slovenian Saving and Loan Association Strabane Washington County	

Application for approval to convert from a Pennsylvania State-chartered savings and loan association to a Pennsylvania State-chartered savings bank.

**Holding Company Acquisitions**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
12-18-2013	GNB Financial Services, Inc. Gratz Dauphin County	Approved

Application for approval to acquire 100% of Liberty Centre Bancorp, Inc., Pottsville, and thereby indirectly acquire 100% of Liberty Savings Bank F.S.B., Pottsville.

**Consolidations, Mergers and Absorptions**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
12-18-2013	The Gratz Bank Gratz Dauphin County	Approved

Application for approval to merge Liberty Savings Bank, Pottsville, with and into The Gratz Bank, Gratz.

**Branch Applications****Branch Relocations**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-20-2013	Merchants Bank of Bangor Bangor Northampton County	<i>To:</i> 46 Centre Square Easton Northampton County	Approved
		<i>From:</i> 1 Centre Square Easton Northampton County	

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS**

No activity.

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

GLENN E. MOYER,  
*Secretary*

[Pa.B. Doc. No. 14-23. Filed for public inspection January 3, 2014, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Application by Pittsburgh Theological Seminary to Amend Articles of Incorporation

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

Under 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department of Education (Department)

will consider the application for approval of a Certificate of Authority for Pittsburgh Theological Seminary to amend its Articles of Incorporation.

In accordance with 24 Pa.C.S. § 6503(e), the Department will act upon the application without a hearing, unless within 30 days after the publication of this notice in the *Pennsylvania Bulletin* a written request for public hearing is filed with the Department, along with a notice of intervention, a petition to intervene or protest in accordance with 1 Pa. Code §§ 35.23 and 35.24 (relating to protests) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

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

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

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

[Pa.B. Doc. No. 14-24. Filed for public inspection January 3, 2014, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

#### APPLICATIONS

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

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

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

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

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

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

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

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

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

**I. NPDES Renewal Applications**

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0013218 (Industrial)	Tredegar Film Products 30 Maple Avenue Mar Lin, PA 17951-0160	Schuylkill County Norwegian Township	West Branch Schuylkill River (3-A)	Y
PA0043206 (Sewage)	Trails End Camp WWTP Trails End Road Beach Lake, PA 18405	Wayne County Berlin Township	Unnamed Tributary to Beach Lake (01A)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0261220 (Sew)	Jason Brenneman 11973 Hartslog Valley Road Huntingdon, PA 16652	Huntingdon County Walker Township	Crooked Creek / 11-B	Y
PAS803504 (IW—Stormwater)	UPS Ground Freight 1000 Semmes Avenue Richmond, VA 23224	Cumberland County Hampden Township	UNT to Trindle Spring Run / 7-B	Y
PA0086428 (Sew)	Mazza Vineyards, Inc. Mount Hope Estate & Winery 2775 Lebanon Road Manheim, PA 17545	Lancaster County Rapho Township	Chickies Creek / 7-G	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N?</i>
PA0103047 (Sewage)	Laughlin Builders SFTF 8333 Edinboro Road, Erie, PA 16509-4265	Erie County McKean Township	Unnamed Tributary to the Elk Creek (15)	Y

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

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

**PA0051250 A-1**, Sewage, SIC Code 4952, **Bucks County Water and Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976. This facility is located in Doylestown Township, **Bucks County**.

Description of Existing Activity: Amendment of an NPDES permit to discharge treated sewage from Kings Plaza STP, located on Almshouse Road east of Easton Road. The permit amendment includes the addition of a permit condition regarding October thru April reporting of maximum fecal coliform values.

The receiving stream, Neshaminy Creek, is located in State Water Plan watershed 2F and is classified for Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The nearest downstream public water supply intake for the Aqua Pennsylvania Neshaminy Plant is located on Neshaminy Creek.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.425 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX Daily Max	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>						
May 1 - Oct 31	53	81	XXX	15	23	30
Nov 1 - Apr 30	88	141	XXX	25	40	50
Total Suspended Solids	106	159	XXX	30	45	60
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000 (*)
				Geo Mean		

Parameters	Mass (lb/day)		Instant. Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Nitrate-Nitrite as N						
Jul 1 - Oct 31	31.9	XXX	XXX	9.0	XXX	18
Nov 1 - Jun 30	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	7.0	XXX	XXX	2.0	XXX	4.0
Nov 1 - Apr 30	21.2	XXX	XXX	6.0	XXX	12
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus						
Apr 1 - Oct 31	3.6	XXX	XXX	1.0	XXX	2.0
Nov 1 - Mar 31 (Interim)	Report	XXX	XXX	Report	XXX	XXX
Nov 1 - Mar 31 (Final)	7.2	XXX	XXX	2.0	XXX	4.0

(\*) during winter season from October through April, the instantaneous maximum concentration of fecal coliform organisms shall not be greater than 1,000 per 100 milliliters in more than 10 percent of the samples tested.

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

**PA0054313**, SIC Code 4952, **Sherry Stangil**, 3176 Walnut Street, Springtown, PA 18081. Facility Name: Stangil SRSTP. This existing facility is located in Springfield Township, **Bucks 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 Cooks Creek, is located in State Water Plan watershed 2-D and is classified for Exceptional Value Waters and Migratory Fish, 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 0.0008 MGD.

Parameters	Mass (lb/day)		Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	Report	XXX	Report
CBOD <sub>5</sub>						
May 1 - Oct 31	XXX	XXX	XXX	10	XXX	20
Nov 1 - Apr 30	XXX	XXX	XXX	20	XXX	40
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6.0
Nov 1 - Apr 30	XXX	XXX	XXX	9.0	XXX	18.0

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

- Change in Ownership
- Abandon STP when public sewers available
- TRC minimization
- Remedial measures
- Sludge Disposal

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.

**PA0058637**, SIC Code 0254, **Moyer's Chicks, Inc.**, 266 East Paletown Road, Quakertown, PA 18951-2831. Facility Name: Moyer Chick Hatching Facility. This existing facility is located in Richland Township, **Bucks County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of Non-contact cooling water.

The receiving stream(s), Morgan Creek, is located in State Water Plan watershed 2-D 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 0.009 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Instant. Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>			<i>Average Monthly</i>		
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110

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

- Discharge into Special Protection Water
- Change in Ownership

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.

**PA0056014**, IW, SIC Code 3493, 4225, **Ametek Inc.**, 900 Clymer Avenue, Sellersville, PA 18960. Facility Name: Ametek US Gauge Division. This existing facility is located in Sellersville Borough, **Bucks County**.

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

The receiving stream(s), East Branch 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 flow of 0.0868 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Instant. Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>			<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
1,4-Dioxane	XXX	XXX	XXX	Report	Report	XXX
1,1,1-Trichloroethane	XXX	XXX	XXX	0.08	0.16	0.2
1,1-Dichloroethylene	XXX	XXX	XXX	0.007	0.014	0.018
cis-1,2-Dichloroethylene	XXX	XXX	XXX	0.07	0.14	0.2
Tetrachloroethylene	XXX	XXX	XXX	0.001	0.002	0.0025
Trichloroethylene	XXX	XXX	XXX	0.005	0.01	0.013

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

- A. Property Rights
- B. Sludge Disposal
- C. BAT/BCT
- D. Small Stream Discharge
- E. Twice a Month Inspection
- F. EPA Methods
- G. No Cleaning water discharge
- H. Groundwater Monitoring Reports

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.

**PA0244406**, Storm Water, SIC Code 3273, **Nyce Crete Company, Inc.**, 711 North County Line Road, P.O. Box 64418, Souderton, PA 18964-0184. Facility Name: Nyce Crete Company. This existing facility is located in Lansdale Borough, **Montgomery County**.

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

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

The proposed effluent limits for Outfall 001 are based on a storm event.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Instant. Minimum	Annual Average	Daily Maximum	Instant. Maximum
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	50	100	100
Oil and Grease	XXX	XXX	XXX	Report	XXX	Report

The proposed effluent limits for Outfall 002 are based on a storm event.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Instant. Minimum	Annual Average	Daily Maximum	Instant. Maximum
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	50	100	100
Oil and Grease	XXX	XXX	XXX	Report	XXX	Report

The proposed effluent limits for Outfall 003 are based on a storm event.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Instant. Minimum	Annual Average	Daily Maximum	Instant. Maximum
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	50	100	100
Oil and Grease	XXX	XXX	XXX	Report	XXX	Report

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

- Adopt Remedial Measures
- Change of Ownership
- Proper Disposal of Solids
- Definition 10-Year, 24-Hour Rainfall Event
- Requirements Applicable to Stormwater

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.

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

**PA0065471**, Stormwater, SIC Code 2851, **Behr Process Corporation**, 7529 Morris Court, Allentown, PA 18106. Facility Name: Behr Process Corporation—Allentown Facility. The facility is located in Upper Macungie Township, **Lehigh County**.

Description of Proposed Activity: The application is for a new NPDES permit for an existing discharge of stormwater runoff.

The receiving stream, Iron Run, is located in State Water Plan watershed 02C and is classified for High Quality Waters—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 N/A MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Monthly	Daily Maximum	Instant. Maximum
pH (S.U.)	XXX	XXX	Report	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX

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

- Requirements Applicable to Stormwater Outfalls

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

**PA0260754**, Sewage, SIC Code 6514, **Thomas N Stewart**, 1321 Enola Road, Carlisle, PA 17013. Facility Name: Stewart SRSTP. This proposed facility is located in North Middleton Township, **Cumberland County**.

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

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

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

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	Report	XXX	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	XXX
				Geo Mean		

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.

**PA0080811**, Sewage, SIC Code 4952, **GSP Management Company**, P.O. Box 677, Morgantown, PA 19543-0677. Facility Name: Mountain View Terrace MHP. This existing facility is located in Newberry 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 Conewago Creek, is located in State Water Plan watershed 7-F and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.07 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
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 (Interim)	XXX	XXX	XXX	0.17	XXX	0.58
(Final)	XXX	XXX	XXX	0.018	XXX	0.059
CBOD <sub>5</sub>	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	2.0	XXX	4.0
Nov 1 - Apr 30	XXX	XXX	XXX	6.0	XXX	12
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4.0
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
				Annl Avg		

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

- WQBELs Below Detection Limits
- TRC Compliance Schedule / Site-Specific Studies

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

The EPA Waiver is in effect.

**PA0024023**, Sewage, SIC Code 4952, **Bernville Borough**, P.O. Box 40, Bernville, PA 19506-0040. Facility Name: Bernville Borough WWTP. This existing facility is located in Bernville Borough, **Berks County**.

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

The receiving stream(s), Northkill Creek, is located in State Water Plan watershed 3-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.285 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	5.0	XXX	XXX	XXX
UV Transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
CBOD <sub>5</sub>	59	95	XXX	25	40	50
		Wkly Avg				
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	71	106	XXX	30	45	60
		Wkly Avg				
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
Ammonia-Nitrogen	47	XXX	XXX	20	XXX	40
Total Phosphorus	2.38	XXX	XXX	1.0	XXX	2.0
Total Dissolved Solids	XXX	XXX	XXX	Report	XXX	XXX

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

The EPA Waiver is in effect.

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

**PA0025674**, Sewage, SIC Code 4952, **Franklin Township Municipal Sanitary Authority**, 3001 Meadowbrook Road, Murrysville, PA 15668-1627. Facility Name: Meadowbrook Rd STP. This existing facility is located in Murrysville Borough, **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 Turtle Creek is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 4.9 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily	XXX	XXX	XXX	XXX
		Max				
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.03	XXX	0.1
CBOD <sub>5</sub>						
May 1 - Oct 31	409	613	XXX	10	15	20
Nov 1 - Apr 30	818	1,227	XXX	20	30	40
BOD <sub>5</sub>						
Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids						
Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids	1,227	1,840	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
UV Transmittance (%)	XXX	XXX	XXX	Report	Report	Report
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
					Daily Max	



Parameters	Mass (lb/day)		Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Ammonia-Nitrogen						
May 1 - Oct 31	82	123	XXX	2.0	3.0	4.0
Nov 1 - Apr 30	139	209	XXX	3.4	5.1	6.8
Total Phosphorus	XXX	XXX	XXX	XXX	Report Daily Max	XXX

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 not in effect.

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

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

**WQM Permit No. 0913404**, Sewage, **Bucks County Water and Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976.

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

Description of Action/Activity: Upgrade impellers in existing pumps and upgrade force main from 6" to 10" diameter.

**WQM Permit No. WQG02091321**, Sewage, **Township of Lower Makefield Sewer Authority**, 1100 Edgewood Road, Yardley, PA 19067-1689.

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

Description of Action/Activity: Construction and operation of a force main and pump station to redirect extreme wet weather flows.

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

**WQM Permit No. WQG01201305**, Sewage, **Reash Community Church**, 3607 Reash Church Road, Cochranon, PA 16314.

This proposed facility is located in Greenwood Township, **Crawford County**.

Description of Proposed Action/Activity: Small Flow Treatment Facility.

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

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

**PAI132234**, MS4, **Upper Nazareth Township**, 100 Newport Avenue, Nazareth, PA 18064-1153. 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 Upper Nazareth Township, **Northampton County**. The receiving streams, East Branch Monocacy Creek, Shoeneck Creek and Unnamed Tributary to East Branch Monocacy Creek, are located in State Water Plan watershed 1-F and 2-C and are classified for Warm Water Fishes, Migratory Fishes, High Quality Waters—Cold Water Fishes and, 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 570-826-5472.

The EPA waiver is not in effect.

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

**PAI133523**, MS4, **Terre Hill Borough Lancaster County**, 300 Broad Street, Terre Hill, PA 17581. The application is for a new individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Terre Hill Borough, **Lancaster County**. The receiving stream(s), Temple Creek and Unnamed Tributary to Conestoga River, is located in State Water Plan watershed 15-A and 7-J and is classified for Warm Water Fishes, Migratory Fishes, Cold Water Fishes and Migratory 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 717-705-4732.

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.*

**PAI138308, MS4, Sharon City Mercer County**, 155 West Connelly Boulevard, Sharon, PA 16146-1717. 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 Sharon City, **Mercer County**. The receiving stream(s), Bakers Run, Pine Run, and the Shenango River, are located in State Water Plan watershed 20-A and are classified for 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 814-332-6340.

The EPA waiver is not in effect.

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024513014	Trap Enterprises, LLC 41 Mountain View Dr. Tannersville, PA 18372	Monroe	Pocono Township	Swiftwater Creek (HQ-CWF, MF)

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041812002(1) Major Modification	PA Dept of Transportation 1924 Daisy St Ext Clearfield PA 16830	Clinton	Lamar Township	Fishing Creek HQ-CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 1513030	Diament Building Group 144 Byers Road P.O. Box 471 Uwchland, PA 19480	Chester	West Pikeland Township	Unnamed Tributary to Pickering Creek HQ—TSF

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

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PAG-12            CAFOs

### **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>
Dave Morrow 237 Briar Road Loysville, PA 17047	Perry	275	670.13	Swine, Beef	HQ, CWF	New
Heidelberg Pig Family Farm 425 North Market Street Myerstown, PA 17067	Lebanon	0	465.3	Swine & Pullets	NA	Renewal

**PUBLIC WATER SUPPLY (PWS) PERMITS**

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

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

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

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

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

**SAFE DRINKING WATER**

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

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

**Application No. 1713505—Construction** Public Water Supply.  
Applicant **Pike Township Municipal Authority**

[Township or Borough] Pike Township  
County **Clearfield**  
Responsible Official Michael Smeal, Manager  
Pike Township  
Municipal Authority  
P.O. Box 27  
Curwensville, PA 16833  
Type of Facility Public Water Supply  
Consulting Engineer John P. Mazich, P.E.  
Uni-Tec Consulting Engineers  
2007 Cato Avenue  
State College, PA 16801  
Application Received 12/20/13  
Description of Action One in-line booster pump station along Naulton Road.

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

**Permit No. 4213502**, Public Water Supply  
Applicant **Allegheny Highlands Council**  
Township or Borough Keating Township  
County **McKean**  
Responsible Official John Wojciechowicz  
Type of Facility Public Water Supply  
Consulting Engineer David L. Peck, P.E.  
Uni-Tec Consulting Engineers, Inc.  
2007 Cato Avenue  
State College, PA 16801  
Application Received Date December 6, 2013  
Description of Action Addition of contact piping for 4-Log treatment of viruses.

**MINOR AMENDMENT**

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

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

**Application No. 0313508GWR, Minor Amendment.**

Applicant **Rural Valley Water Works Box**  
345 Rural Valley, PA 16249

[Township or Borough] Rural Valley Borough

Responsible Official Kevin Nelson, Operator  
Rural Valley Water Works Box  
345 Rural Valley, PA 16249

Type of Facility Water system

Consulting Engineer Bankson Engineers, Inc.  
267 Blue Run Road  
PO Box 200  
Indianola, PA 15051

Application Received Date November 15, 2013

Description of Action Demonstration of 4-log treatment for groundwater sources

**Application No. 0313507MA, Minor Amendment.**

Applicant **Rural Valley Water Works Box**  
345 Rural Valley, PA 16249

[Township or Borough] Rural Valley Borough

Responsible Official Kevin Nelson, Operator  
Rural Valley Water Works Box  
345 Rural Valley, PA 16249

Type of Facility Water system

Consulting Engineer Bankson Engineers, Inc.  
267 Blue Run Road  
PO Box 200  
Indianola, PA 15051

Application Received Date November 15, 2013

Description of Action Water treatment plant piping improvements.

## 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:

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

**Tara Martin Residence**, 65 Lynndale Road, Lancaster, PA 17603, Pequea Township, **Lancaster County**. Reliance Environmental, Inc., 130 East Chestnut Street, Lancaster, PA 17602, on behalf of Tara Martin, 65 Lynndale Road, Lancaster, PA 17603, submitted a Notice of Intent to Remediate site soils contaminated with No. 2 fuel oil released from an underground storage tank. The site will be remediated to the Residential Statewide Health standard and remain residential. The Notice of Intent to Remediate was published in the *Intelligencer Journal-New Era* on November 29, 2013.

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

**Former Rouseville Refinery Plant 1 Aboveground Storage Tank Farm**, 2,000 feet East of Intersection of Grandview Road & Tank Farm Road, Cornplanter Township, **Venango County**. URS Corporation, 12420 Milestone Center Drive, Suite 150, Germantown, MD 20876, on behalf of Shell Oil Products US, 17 Junction Drive, PMB #399, Glen Carbon, IL 62034, submitted a Notice of Intent to Remediate. Environmental investigation findings indicate that historic site operations likely resulted in the release of petroleum constituents. The primary contaminant to be addressed in soil is benzene. The



primary contaminants in groundwater are 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, benzene, ethylbenzene, and naphthalene. The intended future use of the property is non-residential. The Notice of Intent to Remediate was published in *The Derrick* on November 16, 2013.

**Former Rouseville Refinery Plant 2 Aboveground Storage Tank Farm**, 300 feet South of the Southernmost end of McClintockville Road, Cornplanter Township, **Venango County**. URS Corporation, 12420 Milestone Center Drive, Suite 150, Germantown, MD 20876, on behalf of Shell Oil Products US, 17 Junction Drive, PMB #399, Glen Carbon, IL 62034, submitted a Notice of Intent to Remediate. Historic site operations likely resulted in the release of petroleum constituents. The primary contaminants to be addressed in soil and groundwater are benzene, 1,2,4-trimethylbenzene, and 1,3,5-trimethylbenzene. The intended future use of the property is non-residential. The Notice of Intent to Remediate was published in *The Derrick* on November 16, 2013.

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

**Aspinwall Waterworks Site**, Waterworks Drive and River Avenue, Aspinwall, PA 15215, **Allegheny County**. Tetra Tech, Inc., 661 Andersen Drive, Pittsburgh, PA 15215 on behalf of the Borough of Aspinwall, 217 Commercial Ave., Aspinwall, PA 15215 has submitted a Notice of Intent to Remediate on December 17, 2013 to meet the residential Site Specific Standards concerning the remediation of volatile/semi-volatile organic compounds and metals. This notice was published in the *Tribune-Review* on November 27, 2013.

**Mid Mon Valley Transit Authority North Charleroi Park & Ride** (formerly Stout's Discount Carpet), 1301 Lincoln Ave., North Charleroi 15022, **Washington County**. Allegheny Global Environmental, Inc., 416 Anthony Street, Carnegie, PA 15106 on behalf of Mid Mon Valley Transit Authority, 1300 McKean Ave., Charleroi, PA 15022 has submitted a Notice of Intent to Remediate on December 17, 2013; concerning the remediation of soil contaminated with hydraulic oil. The proposed future use of the property is a parking lot. The Notice of Intent to Remediate was published in the *Tribune-Review* on October 23, 2013.

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

**Applications received, under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and Regulations to Operate or for the closure and post-closure care of a Hazardous Waste Treatment, Storage or Disposal Facility.**

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

**Permit ID No. PAD000797548. Nexeo Solutions, LLC.**, 5200 Blazer Parkway, Dublin, OH 43017 for the Nexeo Solutions, LLC., Freedom Facility, 150 West Fourth Avenue, Freedom Borough, PA 15042. A permit renewal application for the continued operation of the hazardous waste container storage facility located in Freedom Borough, **Beaver County** was received at the Southwest Regional Office on November 18, 2013.

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

**Application(s) received Under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site. Northwest Region: Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481**

**Permit Application No. 101622. Waste Treatment Corporation**, 341 West Hamar Street, P.O. Box 1550, Warren, PA 16365, City of Warren, **Warren County**. An application for a permit renewal was received by Northwest Region Office on December 17, 2013. The company is seeking to operate for another the years under the same permit terms and conditions. No water discharge to the Allegheny River is association with this permit.

#### **AIR QUALITY**

##### **PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS**

##### **NEW SOURCES AND MODIFICATIONS**

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

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

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

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

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

Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the source is

constructed and operating in compliance with applicable requirements in 25 Pa. Code Chapters 121—143, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

#### PLAN APPROVALS

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

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

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

**18-00011J: Croda, Inc.** (8 Croda Way, Mill Hall, PA 17751) for modifications to their facility's Super Refined Oil (SRO) process, which include construction of an additional oil processing column, replacement of several existing process tanks with tanks of larger capacity, and replacement of certain air cleaning devices associated with the SRO process with a regenerative thermal oxidizer, at their Mill Hall Facility in Bald Eagle Township, **Clinton County**.

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

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

**10-285C: Waste Management Disposal Services of Pennsylvania, Inc.—Northwest Sanitary Landfill** (1436 West Sunbury Road, West Sunbury, PA 16061) for increased usage of odor neutralizer at their facility in Clay Township, **Butler County**. This is a Title V facility.

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

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

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

**23-0003X: Monroe Energy, LLC** (4101 Post Road, Trainer, PA 19061) for installation of an emergency generator at 4101 Post Road, Trainer Borough, **Delaware County**. This plan approval will authorize the construction of the generator, and the transfer and use of nitrogen oxides (NO<sub>x</sub>) emission reduction credits (ERCs). The emergency generator is described in the Applicant's application of October 31, 2013, and subsequent submissions.

Based on the information provided by the Applicant and DEP's own analysis, the project will increase emissions of 1.19 ton NO<sub>x</sub> per year. The required ERCs are 146.2 tons NO<sub>x</sub> to offset the contemporaneous net emission increases of 112.45 tons.

Copies of the application, draft Plan Approval and other documents used in evaluation of the application are available for public inspection during normal business hours at the address shown below.

In order to assure compliance with the applicable standards, DEP will place the following conditions in the plan approval:

25 Pa. Code § 127.208—ERC use and transfer requirements

The permittee shall use and transfer ERC in accordance with 25 Pa. Code § 127.208.

25 Pa. Code § 127.210—Offset ratios

Before commencement operation, the permittee shall provide NO<sub>x</sub> ERC at a 1.3:1.0 ratio to offset the NO<sub>x</sub> net emissions increase of 112.45 tons as per 25 Pa. Code §§ 127.203(b)(1)(ii), 127.205(3), and 127.210. The required amount of NO<sub>x</sub> ERC is 146.2 tons.

Source Level Plan Approval Requirements

Source ID: 091 Source Name: NEW EMERGENCY GENERATORS (CI IC <30LITER)

RESTRICTIONS.

Emission Restriction(s).

25 Pa. Code § 123.13—Processes

The permittee shall not emit into the outdoor atmosphere of particulate matter from this source in a manner that the concentration of particulate matter in the effluent gas exceeds 0.04 grain per dry standard cubic foot.

25 Pa. Code § 123.21—General

No person may permit the emission into the outdoor atmosphere of sulfur oxides from this source in a manner that the concentration of the sulfur oxides, expressed as SO<sub>2</sub>, in the effluent gas exceeds 500 parts per million, by volume, dry basis.

25 Pa. Code § 123.41—Limitations

The permittee shall not emit into the outdoor atmosphere of visible air contaminants from this source in such a manner that the opacity of the emission is either of the following:

(1) Equal to or greater than 20% for a period or periods aggregating more than three minutes in any 1 hour.

(2) Equal to or greater than 60% at any time.

40 CFR Part 60 Standards of Performance for New Stationary Sources 40 CFR 60.4205

(a) The permittee must comply with the emission standards for all pollutants as specified in 40 CFR 60.4202(a)(2), as per 40 CFR 60.4205(b).

(b) As per 40 CFR 60.4202(a)(2), the emission from this engine shall not exceed the exhaust emission standards as follows:

(1) NMHC + NO<sub>x</sub>: 4.0 g/kW-hr

(2) CO: 3.5 g/kW-hr

(3) PM: 0.20 g/kW-hr

40 CFR Part 60 Standards of Performance for New Stationary Sources 40 CFR 60.4206

The permittee must operate and maintain stationary CI ICE that achieves the emission standards as required in 40 CFR 60.4205 over the entire life of the engine.

Fuel Restriction

40 CFR Part 60 Standards of Performance for New Stationary Sources 40 CFR 60.4207

Beginning October 1, 2010, the permittee must use diesel fuel that meets the requirements of 40 CFR 80.510(b) for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to October 1, 2010, may be used until depleted.

### Recordkeeping Requirements

40 CFR Part 60 Standards of Performance for New Stationary Sources 40 CFR 60.4214

The permittee must record the time of operation of the engine(s) and the reason the engine was in operation during that time each time the engine was operated.

### Work Practice Requirements

40 CFR Part 60 Standards of Performance for New Stationary Sources 40 CFR 60.4211

(a) The permittee must

(1) Operate and maintain the stationary CI internal combustion engine according to the manufacturer's emission-related written instructions;

(2) Change only those emission-related settings that are permitted by the manufacturer; and

(3) Meet the requirements of 40 CFR 89.112.

(b) The permittee must comply by purchasing an engine certified to the emission standards in 40 CFR 60.4205(b) for the same model year and maximum engine power. The engine must be installed and configured according to the manufacturer's emission-related specifications.

(c) The permittee must operate the emergency stationary ICE according to the requirements in paragraphs (c)(1) through (3) below. In order for the engine to be considered an emergency stationary ICE under this subpart, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (c)(1) through (3) below, is prohibited. If the engine is not operated according to the requirements in paragraphs (c)(1) through (3) below, the engine will not be considered an emergency engine and must meet all requirements for non-emergency engines in 40 CFR 60 Subpart III.

(1) There is no time limit on the use of emergency stationary ICE in emergency situations.

(2) The permittee may operate the emergency stationary ICE for any combination of the purposes specified in paragraphs (c)(2)(i) below for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraph (c)(3) below counts as part of the 100 hours per calendar year allowed by this paragraph (c)(2).

(i) Emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by Federal, State or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The permittee may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the permittee maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year.

(3) Emergency stationary ICE may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in paragraph (c)(2) above. The 50 hours per calendar year for nonemergency situations cannot be

used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

### Additional Requirements

40 CFR Part 60 Standards of Performance for New Stationary Sources 40 CFR 60.4218

The permittee must comply with the applicable parts of the General Provisions in §§ 60.1 through 60.19.

40 CFR Part 63 NESHAPS for Source Categories 40 CFR 63.6590

(a) The engine under this source ID must meet the requirements of 40 CFR Part 63 by meeting the requirements of 40 CFR part 60 subpart III, for compression ignition engines.

(b) The New Emergency Generator firing diesel fuel under this Plan Approval is:

Caterpillar 400kW; Model No. C15; EPA Certification No.: DCPXL15.2NYS-023; 619HP; 2.53 liter per cylinder displacement.

Any person wishing to provide DEP with additional information they believe should be considered prior to the issuance of the Plan Approval may submit the information to the address shown below. Each written comment must include the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval No. 23-0003X and concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

Requests for a public fact finding conference or hearing may also be made by writing DEP at the address shown below. A public conference may be held, if DEP in its discretion decides that such a conference is warranted on the basis of the information received. All persons who have submitted comments or have requested a conference will be notified of the decision to hold such a conference by publication in this newspaper or the *Pennsylvania Bulletin*, or by telephone, where DEP determines such notification by telephone is sufficient.

James Rebarchak, Regional Manager, Air Quality, Department of Environmental Protection, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401

For additional information, please contact Mr. James Beach at 484-250-7501.

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

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

**36-03187A: Allied Veterinary Cremation, Ltd.** (1966 Mastersonville Road, Manheim, PA 17545) for operation of four (4) cremation units at their facility located in Rapho Township, **Lancaster 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.

Each cremation unit's secondary combustion chamber will control the emissions. The company shall be subject to and comply with 25 Pa. Code § 123.21 for sulfur emission limits. The plan approval will contain additional recordkeeping and operating restrictions designed to keep



the facility operating within all applicable air quality requirements. The expected actual air emissions from the units are not expected to exceed 5.64 tpy of PM, 8.07 tpy of CO, 1.44 tpy of NO<sub>x</sub> and 0.77 tpy of VOCs.

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.

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

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.

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

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

**53-00004M: Dominion Transmission, Inc.** (Martindale Street, Suite 400, Pittsburgh, PA 15212-5817) to establish performance or emission standards for the boilers at the Harrison Compressor Station located in Harrison Township, **Potter County**. The Department has incorporated the major source boiler MACT requirements as codified in 40 CFR Part 63 Subpart DDDDD applicable to the boilers at the facility in the proposed plan approval. All other air quality regulatory requirements remain in effect for the boilers under the facility's operating permit. There will be no increase in emissions of air contaminants associated with this plan approval.

Based on the above, the Department intends to issue a plan approval for the incorporation of boiler MACT requirements for the facility's boilers listed in the application. The facility will continue to be a major (Title V) facility. Additionally, if the Department determines that the proposed sources are operating in compliance with all of the plan approval conditions, the conditions established in the plan approval will be incorporated into a Title V Operating Permit by means of an administrative amendment pursuant to 25 Pa. Code § 127.450 and pursuant to the operating permit requirements of 25 Pa. Code Subchapter F. The following is a summary of the conditions that the Department included in the proposed plan approval to ensure compliance with the applicable air quality regulatory requirements:

1. a) No later than 180 days after the compliance date of January 31, 2016, the permittee shall demonstrate compliance for Source IDs 045, 057 and 058 by complet-

ing an initial tune-up by following the procedures described in § 63.7540 and a one-time energy assessment as specified in Table 3 to 40 CFR Part 63 Subpart DDDDD.

b) Subsequent tune-ups shall be performed on Source IDs 045 and 058 every five (5) years, no more than 61 months after the previous tune-up.

c) Subsequent tune-ups shall be performed on Source ID 057 every year, no more than 13 months after the previous tune-up.

2. At all times, the permittee shall operate and maintain Source IDs 045, 057 and 058, and any associated air pollution control and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions.

3. a) By the compliance date of January 31, 2016, the permittee shall demonstrate compliance with the emission limitations, fuel specifications, and work practice standards established for Source IDs 045, 057 and 058 in 40 CFR Part 63 Subpart DDDDD as specified in § 63.7530.

b) After the compliance date, the permittee shall demonstrate continuous compliance via the methods specified in 40 CFR 63.7540.

4. The permittee shall submit a complete plan no later than 12 months prior to the compliance date of 40 CFR Part 63 Subpart DDDDD in order to satisfy the Department of their intent to comply with the provisions of Subpart DDDDD.

5. The permittee shall comply with all applicable recordkeeping requirements specified in 40 CFR § 63.7555 and 40 CFR 63.7560 pertaining to Source IDs 045, 057 and 058.

6. The permittee shall submit the required notifications specified in 40 CFR 63.7545 pertaining to Source IDs 045, 057 and 058.

7. The permittee shall submit all required reports specified in 40 CFR 63.7550 pertaining to Source IDs 045, 057 and 058

8. (a) Source IDs 045, 057 and 058 are subject to 40 CFR Part 63 Subpart DDDDD—National Emissions Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters. Source ID 045/057/058 shall comply with all applicable requirements of Subpart DDDDD.

(b) Pursuant to 40 CFR 63.7495, for Source IDs 045, 057 and 058 the compliance date for Subpart DDDDD is January 31, 2016.

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 Muhammad Zaman, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Air Quality Program, 208 West Third St., Suite 101, Williamsport, Pa. 17701. 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. 53-



00004M) 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.

**08-00016C: Dalrymple Gravel and Contracting Co., Inc.** (2105 South Broadway, Pine City, NY 14871) to remove the pounds per ton (lbs/ton) emissions limits established under plan approval 08-0016B for the existing drum and batch mix asphalt plants at their Chemung Plant in Athens Township, **Bradford County**. As a result of this change, the facility's net potential emissions will remain same. The facility's net potential emissions are limited under synthetic minor throughput limitations. The air contaminant emissions from the drum mix plant and the batch mix plant will be controlled by the existing fabric collector on each respective plant.

The Department's review of the information contained in the application submitted by Dalrymple Gravel and Contracting Co., Inc. indicates that the sources and the air-cleaning devices will comply with all applicable air quality requirements pertaining to air contamination sources and the emission of air contaminants, including the best available technology (BAT) requirements of 25 Pa. Code §§ 127.1 and 127.12, the fugitive air contaminant emission requirement of 25 Pa. Code § 123.1, the visible emission limitation of 25 Pa. Code § 123.41, and 40 CFR 60, Subpart I requirements related to Standards of Performance for Hot Mix Asphalt Facilities. The plan approval, if issued, will subsequently be incorporated in an operating permit via an administrative amendment in accordance with 25 Pa. Code § 127.450 at a later date.

Based upon this finding, the Department proposes to issue a plan approval for the existing drum and batch mix asphalt plants. The following is a summary of the types of conditions the Department intends to place in the plan approval to ensure compliance with applicable regulatory requirements.

1. This condition supersedes condition #003 of Section D Source ID P101 of plan approval 08-00016B. Pursuant to the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the NO<sub>x</sub> emissions from Source ID P101 shall not exceed the following limitations for each of the fuels specified below.

<i>Fuel</i>	<i>NO<sub>x</sub> (ppmvd @ 15% O<sub>2</sub>)</i>
• Natural gas	32
• #2 fuel oil	56
• Waste oil	79

Additionally, the annual NO<sub>x</sub> emissions from the plant shall not exceed 15.6 tons during any 12 consecutive month period.

2. This condition supersedes condition #004 of Section D Source ID P101 of plan approval 08-00016B. Pursuant to the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the SO<sub>x</sub> emissions from

Source ID P101 shall not exceed the following limitations for each of the fuels specified below.

<i>Fuel</i>	<i>SO<sub>x</sub> (ppmvd @ 15% O<sub>2</sub>)</i>
• Natural gas	0.00
• #2 fuel oil	23
• Waste oil	40

Additionally, the annual SO<sub>x</sub> emissions from the plant shall not exceed 11.2 tons during any 12 consecutive month period.

3. This condition supersedes condition #005 of Section D Source ID P101 of plan approval 08-00016B. Pursuant to the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the CO emissions from Source ID P101 shall not exceed the following limitations for each of the fuels specified below.

<i>Fuel</i>	<i>CO (ppmvd @ 15% O<sub>2</sub>)</i>
• Natural gas	165
• #2 fuel oil	198
• Waste oil	214

Additionally, the annual CO emissions from the plant shall not exceed 25.8 tons during any 12 consecutive month period.

4. This condition supersedes condition #006 of Section D Source ID P101 of plan approval 08-00016B. Pursuant to the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the VOCs (expressed in propane) emissions from Source ID P101 shall not exceed the following limitations for each of the fuels specified below.

<i>Fuel</i>	<i>VOCs (ppmvd @ 15% O<sub>2</sub>)</i>
• Natural gas	35
• #2 fuel oil	35
• Waste oil	35

These limitations apply to Source ID P101 including processing recycled asphalt pavement (RAP). Additionally, the annual VOCs emissions from the plant shall not exceed 6.4 tons during any 12 consecutive month period.

5. This condition supersedes condition #003 of Section D Source ID P102 of plan approval 08-00016B. The NO<sub>x</sub> emissions from Source ID P102 while firing waste oil shall not exceed 79 parts per million by volume dry (ppmvd) at 15% oxygen (O<sub>2</sub>). Additionally, the NO<sub>x</sub> emissions from Source ID P102 shall not exceed 7.8 tons during any 12 consecutive month period.

6. This condition supersedes condition #004 of Section D Source ID P102 of plan approval 08-00016B. The SO<sub>x</sub> emissions from Source ID P102 while firing waste oil shall not exceed 40 parts per million by volume dry (ppmvd) at 15% oxygen (O<sub>2</sub>). Additionally, the SO<sub>x</sub> emissions from Source ID P102 shall not exceed 5.6 tons during any 12 consecutive month period.

7. This condition supersedes condition #005 of Section D Source ID P102 of plan approval 08-00016B. The CO emissions from Source ID P102 while firing waste oil shall not exceed 214 parts per million by volume dry (ppmvd) at 15% oxygen (O<sub>2</sub>). Additionally, the CO emissions from Source ID P102 shall not exceed 12.9 tons during any 12 consecutive month period.

8. This condition supersedes condition #006 of Section D Source ID P102 of plan approval 08-00016B. The VOCs emissions from Source ID P102 while firing waste oil shall not exceed 35 parts per million by volume dry (ppmvd) at 15% oxygen (O<sub>2</sub>) (expressed in propane).

Additionally, the VOCs emissions from Source ID P102 shall not exceed 3.2 tons during any 12 consecutive month period.

9. For each plant, the permittee shall keep records of supporting calculations to verify compliance with annual NO<sub>x</sub>, SO<sub>x</sub>, CO and VOCs emissions limits. Annual NO<sub>x</sub>, SO<sub>x</sub> and CO emissions shall be verified using EPA Method 19 "F-factor" specified under 40 CFR Part 60, Appendix A. The above records shall be retained for a minimum of five (5) years and shall be made available to the Department upon request.

10. All conditions contained in State Only (Synthetic Minor) operating permit 08-00016 and plan approval 08-00016B remain in effect unless superseded or amended by conditions contained in this plan approval. If there is a conflict between a condition or requirement contained in this plan approval and a condition or requirement contained in State Only (Synthetic Minor) operating permit 08-00016 or plan approval 08-00016B, the permittee shall comply with the condition or requirement contained in this plan approval rather than the conflicting condition or requirement contained in State Only (Synthetic Minor) operating permit 08-00016 or plan approval 08-00016B.

A copy of the plan approval application is available for public review between 8 a.m. and 4 p.m. at the Department's Northcentral Regional Office. Appointments for scheduling a review may be made by calling the Department at 570-327-3693. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Air Quality 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, PA15222-4745*

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

**63-00983A: Columbia Gas Transmission Co.** (1700 MacCorkle Avenue, Charleston, WV 25314-1518) for construction and temporary operation of two (2) new natural gas-fired compressor turbines at their Redd Farm Compressor Station in Amwell Township, **Washington County**.

In accordance with 25 Pa. Code §§ 127.44, the Pennsylvania Department of Environmental Protection (DEP) is providing notice that it intends to issue a Plan Approval to Columbia Gas Transmission Company (1700 MacCorkle Avenue, Charleston, WV 25314-1518) for the construction and temporary operation of two (2) new natural gas-fired compressor turbines at its Redd Farm Compressor Station located in Amwell Township, Washington County. Equipment at this facility includes two (2) natural gas fired Solar Turbines each rated at 4,700 bhp, one (1) natural gas fired emergency generator rated at 440 bhp, one (1) indirect-fired Heat Exchanger rated at 0.75 MMBtu/hr, and forty (40) Catalytic Space Heaters each rated at 72,000 Btu/hr or Bruest 12-60 each rated at 30,000 Btu/hr. Potential emissions from the emission sources at this facility are based on operation for 8,760 hours per year for all sources except the emergency diesel generator which has a limit of 500 hours per year.

This facility has the potential to emit the following type and quantity of air contaminants (on an annual basis): 45.0 tons of NO<sub>x</sub>, 96.5 tons of CO, 5.0 tons of VOC, 3.0 tons of PM<sub>10</sub>, 3.0 tons of PM<sub>2.5</sub>, 0.30 ton of SO<sub>x</sub>, 0.4 ton of HCHO, 0.7 ton of HAP, and 52,500 tons of greenhouse gases. The facility is subject to applicable requirements of

40 CFR Part 60, Parts 63 and 98, and 25 Pa. Code Chapters 121—145. The proposed Plan Approval contains applicable emission limits, as well as testing, monitoring, record keeping, 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 (PA-63-00983A) 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 Jesse Parihar, Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222. For additional information concerning the permit or the issuance procedure, contact Mr. Parihar at (412) 442-4030.

**04-00446F: AES Beaver Valley, LLC** (394 Frankfort Road, Monaca, PA 15061) Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection (Department) intends to issue Air Quality Plan Approval: PA-04-00446F to allow the installation and initial temporary operation of burner inserts in boilers 032 through 035 to allow combustion of gaseous fuels in addition to coal at Beaver Valley Cogeneration Facility located in Potter Township, **Beaver County**.

Potential to emit (PTE) during this alternate operating scenario will decrease for all pollutants with the exception of volatile organic compounds (VOC) (potential 27.9 tpy increase in VOC). PTE during this alternate operating scenario will be 847.5 tons of CO, 1,695 tons of NO<sub>x</sub>, 88 tons of PM, 5 tons of SO<sub>x</sub>, 51.5 tons of VOC, and 997,094 tons of CO<sub>2</sub>e per year. AES will retain the ability to combust coal and PTE while combusting coal will remain unchanged. The authorization is subject to State regulations including 25 Pa. Code §§ 123.1, 123.2, 123.11, 132.22, 123.31, and good operating practices per § 127.25. This Plan Approval has been conditioned to ensure

compliance with all applicable rules. This includes CO, VOC, and PM<sub>2.5</sub> testing, visible emission limits, work practice, monitoring, recordkeeping, and reporting conditions. Once compliance with the Plan Approval is demonstrated, the applicant will subsequently submit a Title V Operating Permit administrative amendment application in accordance with 25 Pa. Code Subchapters F and G. AES Beaver Valley remains a Title V facility based upon the potential to emit. PTE from the facility will be 2,193 tons of CO, 5,933 tons of NO<sub>x</sub>, 974 tons of PM, 4,349 tons of SO<sub>x</sub>, 51.52 tons of VOC, 2.04 tons of total HAP including 0.49 ton of hydrochloric acid, 121.1 pounds of hydrogen fluoride, 157.7 pounds of lead and 67 pounds of mercury, and 2,287,830 tons of CO<sub>2e</sub> per year.

A person may oppose the proposed plan approval by filing a written protest with the Department through Alexander Sandy, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222. Additional written comments may also be submitted. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-04-00446F) and concise statements regarding the relevancy of the information or objections to issuance of the Plan Approval.

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

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 submitting comments or requesting a hearing will be notified of the decision to hold a hearing in writing or by publication in the newspaper and the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

For additional information you may contact Alexander Sandy at 412-442-4028.

**26-00413B: Texas Eastern Transmission, L.P.** (PO Box 1642, Houston, TX 77251) Notice is hereby given in accordance with 25 Pa. Code §§ 127.44–127.46 that the Department of Environmental Protection (Department) intends to issue Air Quality Plan Approval: PA-26-00413B to allow the uprate and initial temporary operation of the two existing Solar Mars natural gas-fired compressor turbines from 12,600 bhp to 13,330 bhp each and to equip each with oxidation catalysts at the Uniontown Compressor Station located in North Union Township, **Fayette County**.

Facility-wide potential to emit (PTE) as a result of this project will be 81.51 tons of nitrogen oxides (NO<sub>x</sub>), 51.79 tons of carbon monoxide (CO), 48.5 tons of volatile organic compounds (VOC), 5.75 tons of particulate matter less than 10 microns in diameter (PM<sub>10</sub>), 5.75 tons of particulate matter less than 2.5 microns in diameter (PM<sub>2.5</sub>), 2.90 tons of sulfur oxides (SO<sub>x</sub>), 0.38 ton of formaldehyde, 5.06 tons of total hazardous air pollutants (HAP), and 129,851 tons of carbon dioxide equivalents (CO<sub>2e</sub>) per year. The authorization is subject to State regulations including 25 Pa. Code §§ 123.1, 123.2 and 123.31; and Federal New Source Performance Standards (NSPS) including 40 CFR Part 60 Subpart KKKK for stationary combustion turbines. The reporting of greenhouse gas (GHG) emissions in the form of CO<sub>2e</sub> and on a mass basis has also been included in this Plan Approval. Plan Approval has been conditioned to ensure compliance with all applicable rules. This includes NO<sub>x</sub>, CO, VOC, and visible emission limits, limitation of fuel sulfur

content, and testing, work practice, monitoring, recordkeeping, and reporting conditions. Additional requirements include limiting the combined natural gas usage by the two Solar Mars turbines to 1,666 MMscf/yr on a 12-month rolling basis. Once compliance with the Plan Approval is demonstrated, the applicant will subsequently submit a Title V Operating Permit administrative amendment application in accordance with 25 Pa. Code Subchapters F and G. Uniontown Compressor Station remains a Title V facility based upon its potential to emit GHG emissions

A person may oppose the proposed plan approval by filing a written protest with the Department through Alexander Sandy, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222. Additional written comments may also be submitted. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-26-00413B) and concise statements regarding the relevancy of the information or objections to issuance of the Plan Approval.

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

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 submitting comments or requesting a hearing will be notified of the decision to hold a hearing in writing or by publication in the newspaper and the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

For additional information you may contact Alexander Sandy at 412-442-4028.

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

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

**10-265D: Iron Mountain Information Management, LLC** (P.O. Box 6, Boyers, PA 16020) for thirteen (13) existing emergency generators at their facility in Cherry Township, **Butler County**.

Pursuant to 25 Pa. Code §§ 127.44(b) and 127.424(b), the Pennsylvania Department of Environmental Protection (DEP) intends to issue Plan Approval 10-265D to Iron Mountain for thirteen (13) existing emergency generators at their facility located at 1137 Branchton Rd., Cherry Township, Butler County. The Plan Approval will subsequently be incorporated into the facility's Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 10-265D is for the thirteen (13) existing diesel fired emergency generators, ranging from 168 to 2346 BHP, which were previously permitted under Plan Approval 10-265B. The proposed plan approval will increase the permitted hours of operation for Source ID 104, modify emission limits for Source IDs 105 and 106, incorporate applicable requirements of 40 CFR 63, Subpart ZZZZ, and authorize Source IDs 101, 102, 110, 111, 112, 113, 114, and 115 to be operated for emergency demand response purposes. Based on the information provided by the applicant and DEP's own analysis, the subject sources will have the potential to emit approximately 26.99 tons of nitrogen oxides, 10.43 tons of carbon monoxide, 1.17 tons of volatile organic compounds (VOCs), 0.73 ton of particulate matter, 0.71 ton of which



will be particulate matter less than 10 microns (PM-10), 0.09 ton of sulfur oxides, and 0.01 ton of total Hazardous Air Pollutants (HAP) per year.

The Plan Approval will contain additional fuel and operating hours restrictions, and testing, monitoring, recordkeeping and work practice requirements designed to keep the facility operating within all applicable air quality requirements. Portions of the facility will also be subject to the requirements of New Source Performance Standards, 40 CFR Part 60, Subpart IIII [Standards of Performance for Stationary Compression Ignition Internal Combustion Engines], and/or 40 CFR Part 60, Subpart ZZZZ [National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines].

Copies of the application, DEP's analysis, and other documents used in the evaluation are available for public inspection between the hours of 8 a.m. and 4 p.m. weekdays at the address shown below. To make an appointment, contact Records Management at 814-332-6340.

Anyone wishing to provide DEP with additional information they believe should be considered may submit the information to the address shown below. Comments must be received by the Department within 30 days of the last day of publication. Written comments should include the name, address, and telephone number of the person submitting comments, identification of the proposed Plan Approval; No. 10-265D and a concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted on the comments received during the public comment period. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a local newspaper of general circulation or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to John Guth, Regional Air Quality Manager, Department of Environmental Protection, Northwest Regional Office, 230 Chestnut St., Meadville, PA 16335, 814-332-6940.

**42-00011-MACT: International Waxes, Inc.** (45 Route 446, Smethport, PA 16749) for the initial notification that that facility contains sources in Keating Township, **McKean County** subject to the Boiler MACT [40 CFR 63 Subpart DDDDD (National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters)]. This is a Title V facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450 or § 127.505, be incorporated into the State Only operating permit at a later date.

Plan approval No 42-00011-MACT requires the facility to submit documentation that the facility will be in compliance with the Boiler MACT prior to the compliance date of January 31, 2016, for existing sources. This Plan Approval will contain emission restriction, testing, recordkeeping, work practice standard and additional requirement conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology (BAT) for the source including, but are not limited to, the following:

- The facility shall submit a plan approval application, no later than September 30, 2014, in order to satisfy the Department of their intent to comply with the requirements in 40 CFR 63 Subpart DDDDD.

- The plan approval application shall contain the facility's complete plan for compliance with the requirements in 40 CFR 63 Subpart DDDDD.

In accordance with 25 Pa. Code § 127.44(f)(1), all the pertinent documents regarding this application (applications, review memos, and draft approvals) are also available for review from 8:00 a.m. to 4:00 p.m. at the Meadville Regional DEP office (Air Quality). Appointments for scheduling a review must be made by calling the DEP at (814) 332-6340.

In accordance with 25 Pa. Code § 127.44(f)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval [42-00011-MACT] and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Regional Air Quality Program Manager, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332-6940.

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

If a plan approval has not undergone the above public notice process, the change to an operating permit must be treated as a significant modification. In these situations the Department should follow the procedures described in §§ 127.421 to 127.431 for state only operating permits or §§ 127.521 to 127.524 for Title V operating permits.

**42-147C: W.R. Case & Sons Cutlery Co.** (P.O. Box 4000, Owens Way, Bradford, PA 16701-0940) for modification of existing sources and construction of a new bag house in Bradford Township, **McKean County**. This project is the result of a reorganization program to increase efficiency.

Pursuant to 25 Pa. Code §§ 127.44(a) and 127.424, the Pennsylvania Department of Environmental Protection (DEP) intends to issue Plan Approval 42-147C to W.R. Case & Sons Cutlery Company for the modification of existing sources and the construction of a new baghouse. This facility is located in Bradford Township, McKean County. The Plan Approval will subsequently be incorporated into the facility Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 42-147C is for the modification of existing sources and the construction of a new baghouse.



Based on the information provided by the applicant and DEP's own analysis, the combined subject sources will have the projected actual emissions of approximately 10.0 tons per year (tpy) of particulate matter.

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

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at 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. 42-147C, W.R. Case & Sons Cutlery Company 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 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.

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

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

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

**36-03101: Wenger's Feed Mill, Inc.** (101 West Harrisburg Avenue, Rheems, PA 17570) for the operation of their feed mill in West Hempfield Township, **Lancaster County**. This is a renewal of their State-Only Operating Permit issued in 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 issue an Air Quality Operating Permit for the abovementioned facility.

Past actual emissions for 2012 are estimated to be 0.80 tpy CO, 0.95 tpy NO<sub>x</sub>, 18.91 tpy PM<sub>10</sub>, 0.01 tpy SO<sub>x</sub>, and

0.05 tpy 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 63, Subpart DDDDDDD—National Emission Standards for Hazardous Air Pollutants for Area Sources: Prepared Feeds Manufacturing & 40 CFR 63, Subpart JJJJJJ—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources.

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, a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

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

**28-03039: Warrior Roofing Manufacturing of PA, LLC** (323 Development Avenue, Chambersburg, PA 17201) for operation of their asphalt roofing manufacturing plant in Greene Township, **Franklin County**. This is a renewal of the facility's state-only air quality operating permit.

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.

The subject facility employs two high-velocity air filters and a regenerative thermal oxidizer to control particulate matter (PM) emissions and odors from the facility. Facility operations are subject to 40 CFR Part 63 Subpart AAAAAA—National Emission Standards for Hazardous Air Pollutants for Area Sources: Asphalt Processing and Asphalt Roofing Manufacturing and 40 CFR Part 60 Subpart UU—Standards of Performance for Asphalt Processing and Asphalt Roofing Manufacture. The facility has the potential to emit around 5 tons per year of particulate matter (PM) and 6 tons per year of volatile organic compound (VOC) emissions. Actual operating hours and emissions are well below maximum estimated levels.

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 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.

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.

William R. Weaver, Regional Air Quality 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.

**28-03043: CAM Superline, Inc.** (4763 Zane A Miller Drive, Waynesboro, PA 17268) for operation of their surface coating facility in Washington Township, **Franklin 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 annual emissions in year 2012 were 33.14 tons of VOC, and 15.53 tons of Total HAPs. The facility is subject to 25 Pa. Code §§ 129.52 and 129.63. 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.

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

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

**41-00026: General Cable Industries, Inc.** (409 Reighard Avenue, Williamsport, PA 17701) a state only operating permit renewal for their aluminum wire and cable manufacturing facility in the City of Williamsport, **Lycoming County**.

In accordance with 25 Pa. Code § 127.425, the Department of Environmental Protection (DEP) has received an application and intends to renew State Operating Permit 41-00026 for the above mentioned facility. The facility's sources include a natural gas fired burn off oven, an electrical cable manufacturing process, ink jet printers, grinding and sandblasting operations, and a number of small natural gas and propane fired heaters. The facility has potential emissions of 94.08 tons per year of carbon monoxide, 19.15 tons per year of nitrogen oxides, 0.05 ton per year of sulfur oxides, 39.88 ton per year of particulate matter, 21.39 ton per year of volatile organic compounds, and 0.1 ton per year of total HAPs. The Department has determined that the sources at the facility meet all state and federal regulatory requirements. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the state only operating permit have been derived from the applicable requirements as specified in 40 CFR Parts 52, 60, 63, 64, 68, 72, 73, 74, 75, 76, 96, 97, 98 as well as Title 25, Article III of the rules and regulations of the Department of Environmental Protection.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's North Central Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570.327.0550.

Any person(s) wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the Department of Environmental Protection at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the following:

Name, address and telephone number of the person submitting the comments; Identification of the proposed permit (specify Permit No. 41-00026); 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, North Central Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570.327.3648.

**41-00060: Frito Lay, Inc.** (220 North Reach Road, Williamsport, PA 17701-9101) to issue a renewal state only operating permit for their Williamsport Facility in

the City of Williamsport, **Lycoming County**. The facility's sources include several small propane and/or natural gas-fired combustion sources, corn meal storage, handling, and processing equipment, and a small emergency generator. The facility has potential emissions of 12.4 tons per year of carbon monoxide, 15.1 tons per year of nitrogen oxides, 0.1 ton per year of sulfur oxides, 4.9 tons per year of particulate matter, 0.8 ton per year of volatile organic compounds, 0.3 ton per year of total HAPs, and 17,658 tons per year of carbon dioxide equivalents (greenhouse gases). No emission or equipment changes are being proposed by this action. The proposed state only 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 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 3693.

Any person(s) wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the Department of Environmental Protection at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the following: name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify Permit No. 41-00060) 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.

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

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

**03-00250:** In accordance with 25 Pa. Code §§ 127.424 and 127.425, the Pennsylvania Department of Environmental Protection (DEP) is providing notice that it intends to issue an Operating Permit to **Rosebud Mining** (301 Market Street, Kittanning, PA 16201) for the operation of a coal preparation plant at their Long Run Mine located in West Franklin Township, **Armstrong County**. Equipment at this facility includes Pit Conveyor, Radial Stackers, Screens, Front-end Loader, Emergency diesel engine Cummins Onan 350 DFEF rated at 520 bhp, and

Truck loadout. Potential emissions from the emission sources at this facility are based on operation for 300 days per year for all sources except the emergency diesel generator which have a 500 hours limit per year. Stockpiles emissions are based on 8,760 hours per year.

This facility has the potential to emit the following type and quantity of air contaminants (on an annual basis): 18.5 tons of PM, 5.5 tons of PM<sub>10</sub>, 0.9 ton of NO<sub>x</sub>, 0.2 ton of Carbon Monoxide, and 0.2 ton of SO<sub>x</sub>. The facility is subject to applicable requirements of 40 CFR Part 60 and 25 Pa. Code Chapters 121—145. The proposed Operating Permit contains applicable emission limits, as well as testing, monitoring, record keeping, 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 03-00250) 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 Jesse Parihar, Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222. For additional information concerning the permit or the issuance procedure, contact Mr. Parihar at (412) 442-4030.

**11-00242: Westmont Hilltop School District** (827 Diamond Blvd., Johnstown, PA, 15905) Operating Permit renewal for the Westmont Hilltop High School in Upper Yoder Township, **Cambria County**. Equipment at this facility includes two 7.74 mmBtu/hr tri-fuel boilers and a diesel-fired, 150 kilowatt emergency generator. However, the permittee has committed to burning only natural gas in those boilers in the future. Potential emissions from the emission sources at this facility are therefore based on burning natural gas in the boilers for 8,760 hours per year and low sulfur diesel fuel in the emergency generator. Emissions are estimated to be 6.8 tons NO<sub>x</sub>, 0.4 ton VOCs, 5.7 tons CO, and 0.5 ton particulate matter. Actual



emissions from the facility are even lower considering the boilers do not operate at full rated capacity. 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 11-00242) 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.

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

*Contact: Matthew M. Williams—Telephone: 814-332-6131*

**25-00591: Seaway Manufacturing Corporation—Erie** (2250 East 33rd Street, Erie, PA 16510-2556) to re-issue the referenced permit for this manufacturer of windows, doors, and enclosures, in the City of Erie, **Erie County**. This facility is subject to permitting because of their surface coating operations.

The potential annual emissions from the natural gas combusted in the process and space heaters (11 MMBtu/hr total) are as follows: NO<sub>x</sub>—4.9 tons, SO<sub>x</sub>—2.9 tons, CO—4.0 tons, VOC—0.27 ton, and PM—0.37 ton. The theoretical maximum potential VOC emissions from the surface coating operations at this facility are 49.9 tons per year. Actual VOC emissions during the past five years have been about 2 tons per year or less.

## 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*

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

**Permit No. 32030103 and NPDES No. PA0249416. Britt Energies, Inc.**, 2450 Philadelphia Street, Indiana, PA 15701, permit renewal for reclamation only of a bituminous surface and auger mine in Center Township, **Indiana County**, affecting 175.6 acres. Receiving streams: Tearing Run to Two Lick Creek to Black Lick Creek to Conemaugh River classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: October 29, 2013.



**Permit No. 56940106 and NPDES No. PA0212903. Fieg Brothers**, 3070 Stoystown Road, Stoystown, PA 15563, revision of an existing bituminous surface mine to change the land use from Pastureland to Light Industrial and Woodland to Pastureland, Cropland and Wildlife Habitat in Brothersvalley and Somerset Townships, **Somerset County** affecting 77.4 acres. Receiving streams: unnamed tributaries to/and Buffalo Creek classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: October 31, 2013.

**Permit No. 56930112 and NPDES No. PA0212636. Rosebud Mining Company**, P.O. Box 187, Meyersdale, PA 15552, permit renewal for reclamation only of a bituminous surface mine in Black Township, **Somerset County**, affecting 316.0 acres. Receiving streams: unnamed tributaries to/and Rhoads Creek classified for the following use: warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: November 4, 2013.

**Permit No. 56030105 and NPDES No. PA0249726. PBS Coals, Inc.**, 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, revision of an existing bituminous surface and auger mine to change the land use from woodland to crop land in Brothersvalley Township, **Somerset County**, affecting 317.2 acres. Receiving streams: unnamed tributaries to/and Blue Lick Creek, unnamed tributaries to/and Buffalo Creek classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received November 4, 2013.

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

**19980101R3. Kovalchick Coal Company**, (PO Box 251, Mt. Carmel, PA 17851), renewal of an existing anthracite surface mine operation in Conyngham Township, **Columbia County** affecting 215.0 acres, receiving stream: Mahanoy Creek, classified for the following use: cold water fishes. Application received: November 12, 2013.

**19980101C. Kovalchick Coal Company**, (PO Box 251, Mt. Carmel, PA 17851), correction of an existing anthracite surface mine operation to update the post-mining land use to unmanaged natural habitat in Conyngham Township, **Columbia County** affecting 215.0 acres, receiving stream: Mahanoy Creek, classified for the following use: cold water fishes. Application received: November 12, 2013.

**54830101T3: Premium Fine Coal, Inc.**, (PO Box 268, Tamaqua, PA 18252), transfer of an existing anthracite surface mine and coal refuse disposal operation from B &

M Coal Company in Blythe Township, **Schuylkill County** affecting 176.0 acres, receiving stream: unnamed tributary to Schuylkill River, classified for the following use: cold water fishes. Application received: November 12, 2013.

**54830101R6: Premium Fine Coal, Inc.**, (PO Box 268, Tamaqua, PA 18252), renewal of an existing anthracite surface mine and coal refuse disposal operation in Blythe Township, **Schuylkill County** affecting 152.1 acres, receiving stream: unnamed tributary to Schuylkill River, classified for the following use: cold water fishes. Application received: November 12, 2013.

**54830101C. Premium Fine Coal, Inc.**, (PO Box 268, Tamaqua, PA 18252), correction of an existing anthracite surface mine and coal refuse disposal operation for a boundary correction to decrease the permitted acres from 176.0 to 152.1 acres in Blythe Township, **Schuylkill County**, receiving stream: unnamed tributary to Schuylkill River, classified for the following use: cold water fishes. Application received: November 12, 2013.

#### *Noncoal Applications Returned*

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

**NPDES PA 0237825 (Permit No. 14980301) Graymont (PA) Inc.** (965 East College Avenue Pleasant Gap, PA 16823) Revision to combine NPDES permit with NPDES PA0220248 (Permit No. 1474301) to operate as a single, continuous unit therefore eliminating NPDES PA 0220248. The permits are located in Spring Township, **Centre County**. Receiving streams: Logan Branch to Spring Creek to Bald Eagle Creek to West Branch, classified for the following use: Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. NPDES revision application received: May 13, 2013. Application withdrawn: December 10, 2013.

**NPDES PA 0118001 (Permit No. 1479401) Graymont (PA) Inc.** (965 East College Avenue Pleasant Gap, PA 16823) Revision to add North Cave Outfall to the NPDES permit located in Spring Township, **Centre County**. Receiving streams: Logan Branch and Nittany Creek to Spring Creek followed by the Bald Eagle Creek to the Susquehanna River, classified as Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. NPDES revision application received: May 13, 2013. Application withdrawn: December 10, 2013.

#### *Noncoal Applications Received*

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

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

\* The parameter is applicable at all times.

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

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

**43950303. H & H Materials, Inc.** (190 Canon Road, Stoneboro, PA 16153) Revision to an existing large industrial minerals mine to add 3.0 acres in Lake Township, **Mercer County**, affecting a total of 60.0 acres. Receiving streams: Unnamed tributaries to Little Shenango River, classified for the following uses: TSF. There are no potable surface water supply intakes within 10 miles downstream. Application received: December 12, 2013.

**2097-43950303-E-2. H & H Materials, Inc.** (190 Canon Road, Stoneboro, PA 16153) Application for a stream encroachment to conduct surface mining activities within 100 feet of an unnamed tributary to Little Shenango River. Receiving streams: Unnamed tributaries to Little Shenango River, classified for the following uses: TSF. There are no potable surface water supply intakes within 10 miles downstream. Application received: December 12, 2013.

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

**58010833. O'Hara, Samson Natural Stone, LLC**, (1181 White Creek Road, Meshoppen, PA 18630), Stage I & II bond release of a quarry operation in Franklin Township, **Susquehanna County** affecting 1.0 acre on property owned by John Harding. Application received: November 15, 2013.

**58050858. Kenneth J. Kublo**, (2660 John C. McNamara Drive, Brackney, PA 18812), Stage I & II bond release of a quarry operation in Silver Lake Township, **Susquehanna County** affecting 5.0 acres on property owned by Kenneth J. Kublo. Application received: November 15, 2013.

**8175SM3A1C12 and NPDES Permit No. PA0613797. Warner Company**, (1000 New Ford Mill Road, Morrisville, PA 19067), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in East Whiteland and Tredyffrin Townships, **Chester County** affecting 376.5 acres, receiving stream: unnamed tributary to Valley Creek, classified for the following use: warm water fishes. Application received: November 15, 2013.

**35090801. Donald J. Vaverchack, Jr.**, (907 Route 6, Mayfield, PA 18433), Stage I & II bond release of a quarry operation in Mayfield Borough, **Lackawanna County** affecting 1.0 acre on property owned by Donald J. Vaverchack, Jr. Application received: December 2, 2013.

#### MINING ACTIVITY NPDES DRAFT PERMITS

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

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

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

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

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

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

\* The parameter is applicable at all times.

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

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

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

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

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

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

\* The parameter is applicable at all times.

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

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

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

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

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

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

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

#### *Coal NPDES Draft Permits*

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

**NPDES No. PA0215171 (Mining Permit No. 63981301), Consolidation Coal Company**, (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317-6506). A renewal NPDES and mining activity permit for the Shoemaker Mine in West Finley Township, **Washington County**. Surface Acres Affected 6.0, Underground Acres Affected 497.39. Receiving stream: Enlow Fork of Wheeling Creek, classified for the following use: TSF. The application was considered administratively complete on December 11, 2013. Application received October 9, 2013.

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

*Outfall 001* discharges to: Enlow Fork of Wheeling Creek

The proposed effluent limits for *Outfall 001* (Lat: 39° 57' 48" Long: 80° 30' 59") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	0.0084	-
Iron	(mg/l)	3.0	6.0	7.0
Manganese	(mg/l)	2.0	4.0	5.0
Aluminum	(mg/l)	2.0	4.0	5.0
Suspended Solids	(mg/l)	35	70	90
Osmotic Pressure	(mos/kg)	-	-	REPORT
Sulfates	(mg/l)	-	-	REPORT
Total Dissolved Solids	(mg/l)	-	-	REPORT
Chlorides	(mg/l)	-	-	REPORT

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

**NPDES No. PA0125466 (Mining permit no. 56813006), PBS Coals, Inc.,** P.O. Box 260, 1576 Stoystown Road, Friedens, PA 15541, renewal of an NPDES permit for surface mining activities in Stonycreek Township, **Somerset County**, affecting 285.9 acres. Receiving streams: unnamed tributaries to/and Clear Run and to Boone Run, classified for the following use: cold water fishery. Application received: October 2, 2013.

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

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

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

The proposed effluent limits for the above listed outfalls are as follows:

<i>Outfalls: 002, 006, 008, &amp; 009</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

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

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
003	N
004	N
005	N
007	N
010	N

The proposed effluent limits for the above listed outfalls are as follows:

<i>Outfalls: 003, 004, 005, 007 &amp; 010</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be not less than 6.0 standard units nor greater than 10.5 standard units at all times			
Alkalinity must exceed acidity at all times			

The outfall listed below discharges to Clear Run:

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

The proposed effluent limits for the above listed outfalls are as follows:

<i>Outfall: 001</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	1.0	2.0	3.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

#### *Noncoal NPDES Draft Permits*

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

**NPDES No. PA0259454 (Permit No. 20910303). Don & Randy Ferris Incorporated.** (23773 Mackey Hill Road, Cambridge Springs, PA 16403) New NPDES permit for a large industrial minerals surface mine in Rockdale Township, **Crawford County**, affecting 38.2 acres. Receiving streams: Kelly Run, classified for the following

uses: HQ-CWF; and unnamed tributary to French Creek, classified for the following uses: WWF. TMDL: None. Application received: October 24, 2013.

There is no discharge from this site.

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

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water



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

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

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

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**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.**

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**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E46-1098. 600 Righters Ferry Associates, L.P.**, 2701 Renaissance Blvd, King of Prussia, Lower Merion Townships, **Montgomery County**. ACOE Philadelphia District

To perform the following water obstruction and encroachment activities associated with the construction of 593 Units Luxury Apartment in two buildings and associated parking in the floodway of the Schuylkill River:

1. To construct and maintain an average of 11 feet wide multipurpose foot trail approximately 1,294 linear feet (16,117 square feet) in the floodway of the Schuylkill river

2. To construct and maintain three outfall structures and the removal of 8 existing outfall structures to facilitate the stormwater management BMP discharge system of the project.

The project impacts 0.3815 acre of the stream floodway. The project site southern edge is approximately 160 feet north of the intersection where the Schuylkill Express way passes over the Righters Ferry Road in Lower Merion Township, Montgomery County (Latitude 40° 01' 06"; Longitude 75° 12' 30.55").

**E09-981. Historic Bristol Borough**, 250 Pond Street, Bristol, PA 19007, Bristol Borough, **Bucks County**, ACOE Philadelphia District.

To construct and maintain an access pier and day docks in and along the Delaware River. The access pier will be "L-shaped." The portion of the access pier perpendicular to the shoreline will be approximately 111-feet long and will be 12-feet wide. The portion of the access pier that will be parallel to the shoreline will be approximately 200-feet long and will be 15-feet wide.

Two (2) floating day docks will be installed from two (2) points of the perpendicular access pier.

The inshore day dock will be approximately 247-feet long and will be 18 1/2-feet wide. The approximate number of boats to use this day dock will be fourteen (14) with a maximum length of 25-feet.

The outshore day dock will be approximately 280-feet long and 18 1/2-feet wide. The approximate number of boats to use this day dock area will be seven (7) with a maximum length of 40-feet. The piers and day docks will be constructed of steel pipe piles and pre-cast concrete platform sections.

The site is located near Otter and Mill Streets (Bristol, PA-NJ Quad map; Lat. 40° 05' 37"; Long. 74° 51' 20").

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

**E41-652. Plunketts Creek Township—Dunwoody Road**, 179 Dunwoody Road, Williamsport, PA 17701-8355. Dunwoody Road Rehabilitation Project in Plunketts Creek Township, **Lycoming County**, ACOE Baltimore District (Hills Grove, PA Quadrangle Lat: 41° 22' 35"; Long: -76° 45' 13").

To restore, construct and maintain Dunwoody Road in Plunketts Creek Township, Lycoming County, which is located over Bear Creek. The previous roadway and structures were destroyed during Tropical Storm Lee in September 2011. The road has been closed as a result of the damage. The scope of the repairs is to reconstruct the road with generally the same geometry horizontal and vertical cross sections.

The restoration project will consist of a combination of bank grading, stabilization & armoring, channel relocation and culvert replacements of Bear Creek. The total estimated stream impacts for the project are approximately 14,674 ft<sup>2</sup> of permanent and 10,649 ft<sup>2</sup> of temporary. The total estimated wetland impacts for the project are approximately 8,712 ft<sup>2</sup> of permanent and 13,068 ft<sup>2</sup> of temporary. The proposed crossings will not permanently impact cultural or archaeological resources, national/state/local parks, forests recreational areas, landmarks wildlife refuge or historical sites. Bear Creek is classified with a designated use of High Quality-Cold Water Fishery (HQ-CWF) and with an existing use of Exceptional Value (EV).

**E49-330. Borough of Northumberland**, 175 Orange Street, Northumberland, PA 17857-1669. Northumberland Waste Water Treatment Plant Upgrade in Northumberland Borough, **Northumberland County**, ACOE Baltimore District (Northumberland, PA Quadrangle Latitude: 40° 53' 5"; Longitude: -76° 47' 40").

The applicant is applying for a Chapter 105/Chapter 106 authorization to demolish and remove the existing wastewater treatment tanks located in the floodway of the Susquehanna River. The structure removal is in-

tended to yield a total of 4,096 cubic yards of material removed from the floodway. The excavated area is intended to have soil placed at grade and the area seeded and mulched to remain yard area. The new construction is intended to result in 12,410 cubic yards of material placed to create the new tank field along with final grading. The intended net change in the Floodplain area is intended to be 8,312.14 cubic yards. There are no impacts to wetlands associated with this project. This project is located at the confluence of the West Branch of the Susquehanna River and the Susquehanna River at the physical address of 100 Water Street, Northumberland, PA 17857.

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

**E56-374. PennDOT District 9-0**, 1620 North Juniata Street, Hollidaysburg, PA 16648; Summit Township, **Somerset County**; ACOE Pittsburgh District. Applicant proposes to do the following:

1. Remove the existing SR 2004, two lane, 26.7 ft width, two span bridge, having a total span length of 79.22 ft, and having a minimum underclearance of 8.84 ft;

2. Construct and maintain a single span, two lane, 38 ft width replacement bridge, having a total span length of 102.75 ft, and having a minimum underclearance of 8.86 ft, shifted approximately 34 ft downstream over Elk Lick Creek (CWF), with a drainage area of 18.1 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 is in Summit Township, northwest of Meyersdale, PA (Meyersdale Quadrangle; N: 12.5 inches; W: 5.5 inches; Latitude 39° 49' 9"; Longitude -79° 2' 20"), in Somerset County.

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

**E10-450A, Buffalo Township**, 109 Bear Creek Road, Sarver, PA 16055. Buffalo-Freeport Trail Extension in Buffalo Township and City of Butler, **Butler County** ACOE Pittsburgh District (N: 40° 51' 19.50"; W: -79° 52' 52").

To amend permit E10-450, issued 8/10/2009, which authorized the applicant to conduct the following activities associated with the construction of an extension to the Butler-Freeport Trail following approximately 4 miles of an existing abandoned Pennsylvania Central Railroad grade extending west from Bonniebrook Road to a point approximately 0.3 mile east of the intersection of Ziegler Avenue and Kaufman Drive in Summit Township, Butler County.

1. To realign a total of 1,900 linear feet of two (2) UNT of Coal Run.

2. To modify and maintain two (2) existing culverts on UNT of Coal Run (Butler & Saxonburg, PA Quadrangle, N: 40° 51' 14.28"; W: -79° 52' 10.14" and N: 40° 51' 17.21"; W: -79° 52' 34.26").

3. To construct and maintain two (2) new culverts on UNT of Coal Run (Butler & Saxonburg, PA Quadrangle, N: 40° 50' 07.66"; W: -79° 49' 32.24" and N: 40° 50' 09.78"; W: -79° 49' 39.17").

4. To maintain five (5) existing cross culverts on UNT of Coal Run at various locations along the 4 mile trail.

Applicant proposes to complete the final 460 linear feet of 10 feet wide asphalt pedestrian/bike connecting trail to the City of Butler including the construction of a 129' long by 12' wide bridge consisting of concrete abutments, decking and steel beams and providing a clear span of 26 feet over Coal Run (N: 40° 51' 19.50"; W: -79° 52' 52"). This trail section was truncated from the original application due to the discovery of high levels of arsenic at the site. Remediation was necessary prior the trail crossing this area.

**E25-660A, North East Borough Water Authority**, 31 West Main Street, North East, PA 16428. North East Borough Water Authority Lake Erie Intake Waterline Protection, in North East Township, **Erie County**, ACOE Pittsburgh District (North East, PA Quadrangle N: 42° 14', 39.4"; W: -79°, 50', 38.6").

Joint Permit number E25-660 authorized, among other things, the construction and maintenance of a 36 inch diameter ductile iron water intake line extending approximately 2,700 feet into Lake Erie west of the mouth of Sixteenmile Creek. The North East Borough Water Authority now proposes to amend this permit to allow construction and maintenance of additional anchoring/protection on approximately 1500 feet of the water intake line consisting of heavy-duty chain tethering of the existing concrete anchor blocks and placement over the line of articulated concrete mats each measuring approximately 20 feet by 8 feet.

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

**E5829-062. Williams Field Services Company, LLC**; Park Place Corporate Center 2, 2000 Commerce Park Drive, Pittsburgh, PA 15275; Springville Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

- 1) a 16-inch diameter natural gas pipeline and timber mat crossing impacting 1,035 square feet (0.02 acre) of PEM wetlands (Springville, PA Quadrangle; N 41° 39' 09" Lat., W -75° 52' 54" Long.),

- 2) a 16-inch diameter natural gas pipeline and timber mat crossing impacting 78 linear feet of an unnamed tributary to Monroe Creek (CWF-MF) (Springville, PA Quadrangle; N 41° 39' 09" Lat., W -75° 52' 54" Long.),

- 3) a 16-inch diameter natural gas pipeline and timber mat crossing impacting 3,046 square feet (0.07 acre) of PEM wetlands (Springville, PA Quadrangle; N 41° 39' 03" Lat., W -75° 53' 11" Long.),

- 4) a 16-inch diameter natural gas pipeline and timber mat crossing impacting 23 square feet (0.01 acre) of PEM wetlands (Springville, PA Quadrangle; N 41° 39' 19" Lat., W -75° 53' 24" Long.),

- 5) a 16-inch diameter natural gas pipeline and timber mat crossing impacting 185 square feet (0.01 acre) of PEM wetlands (Springville, PA Quadrangle; N 41° 39' 21" Lat., W -75° 53' 23" Long.),

- 6) a 16-inch diameter natural gas pipeline and timber mat crossing impacting 1 linear foot of an unnamed

tributary to Pond Brook (CWF-MF) (Springville, PA Quadrangle; N 41° 39' 21" Lat., W -75° 53' 23" Long.),

7) a timber mat crossing impacting 133 square feet (0.01 acre) of PEM wetlands (Springville, PA Quadrangle; N 41° 39' 34" Lat., W -75° 53' 35" Long.),

8) a 16-inch diameter natural gas pipeline and timber mat crossing impacting 102 linear feet of Pond Brook (CWF-MF) (Springville, PA Quadrangle; N 41° 39' 46" Lat., W -75° 53' 40" Long.).

The project consists of constructing approximately 13,063 lineal feet of 8" transitioning to 16" natural gas gathering line, within a 50 to 75 foot permanent right of way, routed to connect the Garrison Road Pipeline and the Pijanowski well pad located in Springville Township, Susquehanna County. The project will result in 181 lineal feet of temporary stream impacts, 0.10 acre of temporary wetland impacts, all for the purpose of conveying Marcellus Shale natural gas to market.

## ACTIONS

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

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

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

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

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

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

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

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

#### I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0065102 (Sewage)	Ahjum, Sohail 369 Bossardsville Road Stroudsburg, PA 18360	Monroe County Hamilton Township	Unnamed Tributary to Lake Creek (1-E)	Y



## NOTICES

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0032859 (Sewage)	PA DOT Site 41 Rest Area I-80 Eastbound Tannersville, PA 18372	Monroe County Pocono Township	Pocono Creek (1-E)	Y
PA0063088 (Sewage)	Landon Single Family Residence STP 2020 Raubsville Road Hellertown, PA 18055	Northampton County Williams Township	Unnamed Tributary of East Branch Saucon Creek (2-C)	Y
PA0061204 (Sewage)	Little Washington Wastewater Company (Lake Harmony Area Community Wastewater System) Between Routes 940 And 80 Lake Harmony, PA 18624	Carbon County Kidder Township	Shingle Mill Run (2-A)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
A0087912 (IW)	Mechanicsburg Terminals Corporation PO Box 2621 Harrisburg, PA 17105	Cumberland County/ Silver Spring Township	Drainage swales to Hogestown Run and Trindle Spring Run	Y
PA0083674 (IW)	Rainworth, Inc. Christopher Hinton 1979 Biglerville Road Gettysburg, PA 17325	Adams County / Straban Township	UNT White Run / 13-D	Y
PA0246620 (IW)	Gaymeon Gibson Norfolk Southern Railway Company 1200 Peachtree Street NE Box 13 Atlanta, GA 30309	Dauphin County / Swatara Township	UNT Spring Creek / 7-C	Y
PA0086860 (Sew)	Stanley Escher Springfield Township Sewer Authority PO Box 75 Seven Valleys, PA 17360	York County / Springfield Township	UNT East Branch Codorus Creek / 7-H	Y
PA0029297 (Sew)	Dennis Fleagle PA DPW South Mountain Restoration Center 10058 S Mountain Road South Mountain, PA 17261	Franklin County / Quincy Township	Rocky Mountain Creek / 13-C	Y
PA0088747 (IW)	Mount Union Municipal Authority 9 W. Market Street Mount Union, PA 17066	Huntingdon County / Shirley Township	Singer's Gap Run / 12-C	Y
PA0082996 (Sew)	Summit School of Ministry Ella Lamarre 74 Harrison School Road Grantville, PA 17028	Lebanon County / East Hanover Township	UNT Indian Run / 7-D	Y
PA0087882 (Sew)	William Lamadue Visaggio's Restorante 6990 Wertzville Road Enola, PA 17025	Cumberland County/ Silver Spring Township	Simmons Creek / 7-B	Y
PA0083721 (Sew)	Thomas S. Rodas Paradise MHP 1190 Wyndsong Drive York, PA 17403	York County / Paradise Township	UNT Beaver Creek / 7-F	Y
PA0026727 (Sew)	Timothy Nulton Tyrone Borough 1100 Logan Avenue Tyrone, PA 16686	Blair County / Snyder Township	Little Juniata River / 11-A	Y



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

Draft:

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0039489 (Sewage)	Garrett Borough STP Berlin Street Sr 2037 Garrett, PA 15542	Somerset County Garrett Borough	Casselman River (19-F)	Y
PA0219321 (Sewage)	Shanksville Borough STP 1235 Main St., PO Box 127 Shanksville, PA 15560-0058	Somerset County Stonycreek Township	Stony Creek (18-E)	N

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0100757 (Sewage)	Country Corner RV Park Georgetown Road & Route 173 New Lebanon, PA 16145	Mercer County New Lebanon Borough	Mill Creek (16-D)	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. PA0055263**, Sewage, **Executive Center Condo Association, c/o B.C. Property Management, Inc.**, 350 S. Main Street, Suite 211, Doylestown, PA 18901.

This proposed facility is located in Plumstead 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 Executive Center Condo Association STP to Unnamed Tributary of North Branch Neshaminy Creek in Watershed 2-F.

**NPDES Permit No. PA0027103 A-1**, Sewage, **Delaware County Regional Water Quality Control Authority (DELCOA)**, 100 East Fifth Street, P. O. Box 999, Chester, PA 19016-0999.

This proposed facility is located in City of Chester, **Delaware County**.

Description of Proposed Action/Activity: Approval for the amendment of an NPDES permit to discharge treated sewage from a facility known as DELCOA STP to the Delaware River Estuary Zone 4 in Watershed 3-G.

**NPDES Permit No. PA0011681**, Industrial, **PECO Energy Co.**, 300 Front Street, West Conshohocken, PA 19428-2723.

This proposed facility is located in West Conshohocken Borough, **Montgomery County**.

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge wastewater from a facility known as PECO West Conshohocken Gas Plant to Schuylkill River and Gulph Creek in Watershed 3F.

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

**NPDES Permit No. PA0262099**, Sewage, **Brett W. Miller**, 10275 Clear Ridge Road, Everett, PA 15537.

This proposed facility is located in West Providence Township, **Bedford County**.

Description of Proposed Action/Activity: Permit approval for authorization to discharge to UNT Clear Creek in Watershed 11-C.

**NPDES Permit No. PA0262102**, Sewage, **Jack A. Larkin**, 275 Pilgert Street, Alburtis, PA 18011.

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

Description of Proposed Action/Activity: Permit approval for authorization to discharge to UNT Little Lehigh Creek in Watershed 2-C.

**NPDES Permit No. PA0262129**, Sewage, **Gerald Mishler**, 1040 Manada Bottom Road, Harrisburg, PA 17112.

This proposed facility is located in East Hanover Township, **Dauphin County**.

Description of Proposed Action/Activity: Permit approval for the authorization to discharge to Manada Creek in Watershed 7-D.

**NPDES Permit No. PA0087195, Amendment #2**, Sewage, **Thomas Rodas**, TKSM, LLC, 1190 Wyndsong Drive, York, PA 17043.

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

Description of Size and Scope of Proposed Operation/Activity: Permit approval for the authorization to discharge to Yellow Breeches Creek in Watershed 7-E.

**NPDES Permit No. PA0246484**, Sewage, **Anthony Donatoni, Aqua PA Wastewater, Inc. (Links of Gettysburg)**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010.

This proposed facility is located in Mount Joy Township, **Adams County**.

Description of Size and Scope of Proposed Operation/Activity: Permit approval for the authorization to discharge to Rock Creek in Watershed 13-D.

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

**NPDES Permit No. PA0101702**, Sewage, Amendment No. 1, **Rocky Ridge Village LLC**, 172 Oak Grove Circle, Franklin, PA 16323.

This existing facility is located in Sandy Creek Township, **Venango County**.

Description of Proposed Action/Activity: Transfer of existing NPDES permit from Castle Haven, Inc to Rocky Ridge Village LLC.

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

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

**WQM Permit No. 0911402**, Sewage, **Buckingham Township**, P. O. Box 413, Buckingham, PA 18912.

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

Description of Action/Activity: Modifications to the Buckingham Township Wastewater Treatment Plant.

**WQM Permit No. 2313402** Sewage, **Nether Providence Township**, 214 Sykes Lane, Wallingford, PA 19086.

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

Description of Action/Activity: Construction of a new gravity sanitary sewer to serve 6 residential properties.

**WQM Permit No. 2387433**, Sewage, Amendment #3, **Springhill Farm WWTF Association**, P. O. Box 756, Chadds Ford, PA 19317.

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

Description of Action/Activity: Approval for amending (No. 3) that will allow the installation of a chemical feed system for phosphorus removal.

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

**WQM Permit No. 4013402**, Sewage, SIC Code 4952, **Freeland Borough Municipal Authority**, 711 Birkbeck Street, Freeland, PA 18224.

This proposed facility is located in Freeland Borough & Foster Township, **Luzerne County**.

Description of Proposed Action/Activity: Wyoming Street Pump Station Force Main and Gravity Main replacement.

**WQM Permit No. 4506402**, Sewage, SIC Code 8811, **Ahjum Sohail**, 369 Bossardsville Road, Stroudsburg, PA 18360.

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

Description of Proposed Action/Activity: Transfer of a single family sewage treatment facility from Bittenbender to Sohail Ahjum.

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

**WQM Permit No. 5071401 Amendment No. 1**, Sewerage, **Newport Borough Municipal Authority Perry County**, 231 Market Street, Newport, PA 17074-1533.

This proposed facility is located in Newport Borough, **Perry County**.

Description of Proposed Action/Activity: Permit amendment approving the construction of sewerage facilities consisting of the addition of chemical for de-chlorination and air to increase DO in the effluent of the chlorine contact tank to achieve NPDES compliance.

**WQM Permit No. 0113401**, Sewerage, **Gettysburg Borough Municipal Authority Adams County**, PO Box 3307, 59 East High Street, Gettysburg, PA 17325-0307.

This proposed facility is located in Gettysburg Borough, **Adams County**.

Description of Proposed Action/Activity: Permit approval for the construction of sewerage facilities consisting of the Gettysburg Municipal Authority's Sanitary Sewer Interceptor Upgrade.

**WQM Permit No. 0513401**, Sewerage, **Brett W. Miller**, 10275 Clear Ridge Road, Everett, PA 15537

This proposed facility is located in West Providence Township, **Bedford County**.

Description of Proposed Action/Activity: Permit approval for the construction / operation of a two compartment 1250-Septic Tank with effluent filter. Ecoflo peat filter and a UV for disinfection to serve their single family residence.

**WQM Permit No. 0613404**, Sewerage, **Jack Larkin**, 275 Pilgert Street, Alburtis, PA 18011.

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

Description of Proposed Action/Activity: Permit approval for the construction / operation of 1,000 - gallon septic tank; 800 - gallon recirculating tank with Orenco AdvanTex Treatment System, including UV disinfection (i.e. AdvanTex AX20-RTUV); and an outfall structure and other associated appurtenances to serve their single family residence.

**WQM Permit No. 2213404**, Sewerage, **Gerald Mishler**, 1040 Manada Bottom Road, Harrisburg, PA 17112.

This proposed facility is located in East Hanover Township, **Dauphin County**.

Description of Proposed Action/Activity: Permit approval for the construction / operation of a two compartment 1500-Septic Tank with Pekasys Clearrex Bubbler Unit and a UV unit for disinfection to serve their single family residence.

**WQM Permit No. 2813403**, Sewerage, **Dwain Koser**, Cumberland Franklin Joint Municipal Authority, 725 Municipal Road, Shippensburg, PA 17257.

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

Description of Proposed Action/Activity: Permit approval for the construction / operation of the replacement of a portion of existing 8" diameter sanitary sewer with a 12" diameter sanitary sewer. Project is located along Pineville Road.

**WQM Permit No. WQG01211301**, Sewerage, **Josephine Snead**, 1465 Raven Hill Road, Mechanicsburg, PA 17055.

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

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

**WQM Permit No. WQG01061301**, Sewerage, **Walter & Nancy Rotkiski, c/o Crystal Rotkiski**, 2406 Elizabeth Avenue, Temple, PA 19560.

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

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

**WQM Permit No. 2185425, Transfer #2**, Sewerage, **Thomas Rodas, TKSM, LLC**, 1190 Wyndsong Drive, York, PA 17043.

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

Description of Proposed Action/Activity: Permit approval for Permit Transfer.

**WQM Permit No. 0102404, Amendment #1**, Sewerage, **Aqua PA Wastewater, Inc. (Links of Gettysburg)**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3489.

This proposed facility is located in Mount Joy Township, **Adams County**.

Description of Proposed Action/Activity: Permit approval for Transfer of Permit.

*Southwest Region: Water Standards & Facility Regulation Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

**WQM Permit No. 5603402**, Industrial Waste 4952, **Borough of Shanksville**, 1235 Main Street, PO Box 127, Shanksville, PA 15560-0058.

This existing facility is located in the Borough of Shanksville, **Somerset County**.

Description of Proposed Action/Activity: The application is to expand the Shanksville Borough STP.

**WQM Permit No. 5613402, David C VanGilder, DoVan Farms**, 582 Rocky Lane, Berlin, PA 15530.

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

Description of Proposed Action/Activity: Construction of a 1.5 MG HDPE lined manure storage facility to serve DoVan Farms.

**WQM Permit No. 3281205, Amendment No. 11**, Industrial Waste, SIC Code 4911, **Homer City Generation LP**, 1750 Power Plant Road, Homer City, PA 15748-8009.

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

Description of Proposed Action/Activity: Construction and operation of a pump station and force main to transfer storm water runoff collected in an onsite pond to the facility's make-up water system.

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

**WQM Permit No 6176401**, Sewage, Transfer No. 1, **Rocky Ridge Village LLC**, 172 Oak Grove Circle, Franklin, PA 16323.

This existing facility is located in Sandy Creek Township, **Venango County**.

Description of Proposed Action/Activity: Transfer of existing WQM permit from Castle Haven, Inc to Rocky Ridge Village LLC.

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Watershed
PAI133514	Terri Martini Silver Spring Township 8 Flowers Drive Mechanicsburg, PA 17050	Cumberland	Silver Spring Township	7-B

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Watershed</i>
PAI133513	Jeremy Miller Hampden Township 230 S. Sporting Hill Road Mechanicsburg, PA 17050	Cumberland	Hampden Township	7-B and 7-E

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


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


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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 1513002(1)	Mr. James A. Nolen, IV 77 Farrier Lane Newtown Square, PA 19703	Chester	Willistown Township	Unnamed Tributary to Ridley Creek HQ
PAI01 1513025	Immaculata University 1145 King Road Immaculata, PA 19345	Chester	East Whiteland Township	Valley Creek EV
PAI01 1513024	First Resource Bank 101 Marchwood Road Exton, PA 19341	Chester	West Brandywine Township	West Branch Brandywine HQ—TSF—MF
PAI01 1513020	Hankin Group 707 Eagleview Boulevard Exton, PA 19341	Chester	Uwchlan Township	Unnamed Tributary to Pickering Creek HQ—TSF
PAI01 1513018	Ms. Hope Batchelor 1765 Spring House Road Chester Springs, PA 19425	Chester	West Pikeland Township	Unnamed Tributary to Pine Creek HQ—TSF
PAI01 2313005	Sunoco Partners Marketing & Terminals, L.P. 4041 Market Street Aston, PA 19014	Delaware	Marcus Hook Borough	Delaware River WWF—MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023913009	Castle Holdings, Inc. c/o Matthew Sorrentino 6616B Ruppssville Road Allentown, PA 18106	Lehigh	North Whitehall Township	UNT to Mill Creek (CWF, MF); EV Wetlands
PAI023913007	ANR III, LLC c/o Monty Kalsi 4500 Falmer Drive Bethlehem, PA 18020	Lehigh	Upper Macungie Township	Schaefer Run (HQ-CWF, MF)
PAI024513015	UGI Utilities, Inc. c/o Mr. Michael Landis 225 Morgantown Road Reading, PA 19611	Monroe	Coolbaugh Township	Tobyhanna Creek (HQ-CWF, MF), Hummler Run (HQ-CWF, MF)

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


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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).

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


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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 &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Bensalem Township Bucks County	PAG0200 0913061	Pennsylvania Department of Transportation 7000 Geerdes Boulevard King of Prussia, PA 19406	Neshaminy Creek WWF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Warrington Township Bucks County	PAG0200 09043R	Gavin J. Lingo 1170 Timber Lane Chalfont, PA 18914	Unnamed Tributary to Neshaminy Creek TSF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Chadds Ford Township Delaware County	PAG0200 2311013R	Rocco D'Antonio 116 Martins Run Media, PA 19063	Tributary No. 1 to Harvey Run WWF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Concord Township Delaware County	PAG0200 2313031	Chetty Builders, Inc. 511 Schoolhouse Road Kenneth Square, PA 19348	West Branch Chester Creek TSF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Aston Township Delaware County	PAG0200 2313001(1)	Metra Industries 50 Muller Place Little Falls, NJ 07424	Baldwin Run and Minshalls Run WWF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Whiteland Township Chester County	PAG0200 1513037	Boy Scouts of America Chester County Council 504 South Concord Road West Chester, PA 19382	Valley Creek CWF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Grove Borough Chester County	PAG0200 1513044	West Grove Borough 117 Rosehill Road P. O. Box 61 West Grove, PA 19390	East Branch White Clay Creek CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Providence Township Montgomery Township	PAG0200 4613048	Sparango Worcester Associates, LP 506 Bethlehem Pike Fort Washington, PA 19034	Skippack Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Whitpain Township Montgomery County	PAG0200 4612022R	Deerfield at Whitpain, Inc. 545 West Germantown Pike Plymouth Meeting, PA 19462	Prophecy Creek TSF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Worcester Township Montgomery County	PAG0200 4609063R	Kibblehouse Property Subdivision 219 Niantic Road Barto, PA 19504	Zacharias Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Merion Township Montgomery County	PAG0200 4613074	King of Prussia Associates 225 W. Washington Street Indianapolis, IN 46024	Crow Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Norristown Borough Montgomery County	PAG0200 4613079	BT Curren Terrace II L.P. 200 Witmer Road, Suite 200 Horsham, PA 19044	Saw Mill Run WWF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Plymouth Township Montgomery County	PAG0200 4613037	Danella Company, Inc. 2290 Butler Pike Plymouth Meeting, PA 19462	Schuylkill River WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lansdale Borough Montgomery County	PAG0200 4613070	Lansdale Borough One Vine Street Lansdale, PA 19446	West Branch Neshaminy WWF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Providence Township Montgomery County	PAG0200 4611070R	Horizon Services, Inc. 320 Century Boulevard Wilmington, DE 19808	Unnamed Tributary to Schuylkill WWF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 511330	HELP Development Corporation 5 Hanover Square, 17 Floor New York, NY 10004	Delaware River WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-590

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

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
North Whitehall Township Lehigh County	PAG02003909008R	John Fretz Gateway View, LLC 188 Jefferson Street Emmaus, PA 18049	Coplay Creek (CWF, MF)	Lehigh County Conservation District 610-391-9583
Hunlock Township Luzerne County	PAG02004013013	Sunoco Pipeline, L.P. 525 Fritztown Road Sinking Springs, PA 19608	UNT to Hunlock Creek (CWF, MF)	Luzerne Conservation District 570-674-7991
Union Township Luzerne County	PAG02004013014	Sunoco Pipeline, L.P. 525 Fritztown Road Sinking Springs, PA 19608	Reyburn Creek (CWF, MF)	Luzerne Conservation District 570-674-7991
Hazle Township Luzerne County	PAG02004011009R	TCNE Acquisition I, LLC Andrew Mele 300 Conshohocken Rd. Suite 250 West Conshohocken, PA 19428	UNT to Black Creek (CWF, MF)	Luzerne Conservation District 570-674-7991

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Butler Township Luzerne County	PAG02004013017	Providence Place Retirement Community David Leader 1528 Sand Hill Road Hummelstown, PA 17036	Little Nescopeck Creek (CWF, MF)	Luzerne Conservation District 570-674-7991
East Allen Township Northampton County	PAG02004813011	Check Real Estate Partnership 7171 Airport Road Bath, PA 18014	Catasauqua Creek (CWF, MF)	Northampton County Conservation District 610-746-1971
Cass Township Schuylkill County	PAG02005410014R	Schuylkill Economic Development Corporation (SEDCO) Union Street Station One Progress Circle Suite 200 Pottsville, PA 17901	West Branch of the Schuylkill River (CWF, MF)	Schuylkill County Conservation District 570-622-3742
Mahanoy Township Schuylkill County	PAG02005413011	Schuylkill County Municipal Authority 221 South Centre Street Pottsville, PA 17901	Mahanoy Creek (WWF, MF)	Schuylkill County Conservation District 570-622-3742

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

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Standing Stone Township Bradford County	PAG02000812003R	David N Hedrick Hydro Recovery Bradford LP 7 Riverside Plaza Blossburg PA 16912	King Creek WWF	Bradford County Conservation District Stoll Natural Resource Center RR 5, Box 5030C Towanda, PA 18848 (570) 265-5539, X 6
Athens Township Athens Borough Bradford County	PAG02000813023	Patrick Musto Athens Township Auth 2523 Pennsylvania Ave Sayre PA 18840	Chemung River WWF Susquehanna River WWF	Bradford County Conservation District Stoll Natural Resource Center RR 5, Box 5030C Towanda, PA 18848 (570) 265-5539, X 6
Decatur Township Clearfield County	PAG02001713011	The GEO Group 621 NW 53rd St Ste 700 Boca Raton FL 33487	Laurel Run CWF	Clearfield County Conservation District 650 Leonard Street Clearfield, PA 16830 (814) 765-2629
Danville Borough Mahoning Township Valley Township Montour County	PAG02004713006	Valley Twp Mun Auth PO Box 307 Danville PA 17821	Mahoning Creek CWF Mausers Creek CWF	Montour County Conservation District 112 Woodbine Ln Ste 2 Danville PA 17821 Phone: (570) 271-1140
Richmond Township Tioga County	PAG02005913008	Christopher Ensminger Martin Kasper 219 Ensminger Rd Mainesburg PA 16932	UNT to Tioga River CWF	Tioga County Conservation District 50 Plaza Lane Wellsboro, PA 16901 (570) 724-1801, X 3

*Northwest Regional Office—Waterways and Wetlands, 230 Chestnut Street, Meadville PA 16335**Facility Location:  
Municipality &  
County*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Eldred Township McKean County	PAG02004213003 Verizon Wireless 18 Abele Road Bridgeville PA 15017	Unt Allegheny River CWF	McKean County Conservation District 814-887-4001

*General Permit Type—PAG-03**Facility Location:  
Municipality &  
County*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Mckees Rocks Borough Allegheny County	PAR806175 YRC Inc. 1243 Thompson Avenue Mckee Rocks, PA 15136	Chartiers Creek—20-F	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Neville Township Allegheny County	PAR236106 Watson Standard Co. PO Box 11250 Pittsburgh, PA 15238	Ohio River—20-G WWF	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Harmony Township Beaver County	PAR116145 Ambridge HV LLC 2970 Duss Avenue Ambridge, PA 15003	Ohio River—20-G WWF	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Conway Borough Beaver County	PAR116144 Conway/Conway/Mars HV Inc. 1500 First Avenue Conway, PA 15027	Ohio River—20-G WWF	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
York County Springettsbury Township	PAR203610 Worthington Steelpac Systems 1201 Eden Road York, PA 17402-1965	Mill Creek / WWF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Dauphin County Lower Swatara Township	PAR803660 FedEx Freight Inc. 2200 Forward Drive, DC:2219 Harrison, AR 72601 <hr/> FedEx Freight Inc.—HSG 300 Fulling Mill Road Middletown, PA 17057	UNT to Swatara Creek / WWF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Cumberland County Silver Spring Township	PAR803714 Geodis Global Solutions USA Inc. 4660 Trindle Road, Suite 300 Camp Hill, PA 17011 <hr/> Geodis Global Solutions USA Inc.—Carlisle, PA 180 Kost Road Carlisle, PA 17015	Hogestown Run / CWF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707



*General Permit Type—PAG-4**Facility Location:  
Municipality &  
County*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
PAG042236	Miller's Country Store, LLC 1148 Old Trail Road Clarks Summit, PA 18411	UNT to Ackerly Creek—4-F	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
PAG043933	Josephine Snead 1465 Raven Hill Road Mechanicsburg, PA 17055	UNT Yellow Breeches Creek / CWF & MF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
PAG043931	Walter & Nancy Rotkiske c/o Crystal Rotkiske 2406 Elizabeth Avenue Temple, PA 19560	UNT Bernhart Creek / WWF & MF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

*General Permit Type—PAG-7**Facility Location:  
Municipality &  
County*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
PAG073515	Stewartstown Borough Authority 6 North Main Street Stewartstown, PA 17363	Stewartstown Borough Authority WWTP 3750 Stewartstown Road Stewartstown, PA 17363	DEP—SCRO—Clean Water Program 909 Elmerton Ave. Harrisburg, PA 17110-8200 717-705-4707

*General Permit Type—PAG-10**Facility Location:  
Municipality &  
County*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
PAG102299	Williams Field Services Co. LLC Park Place Corporate Center 2 2000 Commerce Drive Pittsburgh, PA 15275	Unnamed Tributary to Thomas Creek and White Creek—4-G	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
PAG102298	Williams Field Services Co. LLC 1212 South Abington Road Clarks Summit, PA 18411	Meshoppen Creek, Monroe Creek and Pond Brook—4-F and 4-G	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
PAG102297	Williams Field Services Co. LLC 2000 Commerce Drive Park Place Center 2 Pittsburgh, PA 15275	Martins Creek—4-F	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
PAG102300	Williams Field Services Co. LLC 2000 Commerce Drive Park Place 2 Pittsburgh, PA 15275	Unnamed Tributary to Butler Creek—4-F	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Chartiers Township Washington County	PAG106173	Sunoco Pipeline LP 535 Fritztown Road Sinking Spring, PA 19608	Brush Creek, Bushy Run, Chartiers Creek, Gillespie Run, Little Sewickley Creek, Monongahela River, Sewickley Creek, Turtle Creek, Unnamed Tributary of Little Sewickley Creek, Unnamed Tributary to Froman Run, Unnamed Tributary to Huston Run, Unnamed Tributary to Sewickley Creek and Youghiogheny River - 19-A, 19-C, 19-D and 20-F	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Franklin Township Greene County	PAG106171	Columbia Gas Trans LLC 5151 San Felipe Street Suite 2500 Houston, TX 77056-3639	Unnamed Tributary to Redd Run—19-B TSF	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 &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Lancaster County Mount Joy Township	PAG123626 A-1	James E. Hershey Hershey Farms 338 Sunnyburn Road Elizabethtown, PA 17022	Little Chickies Creek TSF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

*General Permit Type—PAG-13*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Clinton Township Wyoming County	PAG132310	Clinton Township Wyoming County PO Box 264 Factoryville, PA 18419-0256	South Branch Tunkhannock Creek—4-F (TSF)	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Watershed</i>
PAG133581	Kevin Hevner North York Borough 350 East Sixth Avenue York, PA 17404	York	North York Borough	7-H

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use	DEP Protocol (Y/N)
PAG138310	Sharpsville Borough Mercer County 1 South Walnut Street Sharpsville, PA 16150	Mercer County	Sharpsville Borough	Shenango River, Thornton Run, and UNT to Shenango River (Walnut Run)	Y

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

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

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

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

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

**PROPOSED NUTRIENT  
MANAGEMENT PLANS RELATED TO  
APPLICATIONS FOR NPDES  
PERMITS FOR CAFOS**

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

**Application No. PA0267708**, Concentrated Animal Feeding Operation (CAFO), **David VanGilder DoVan Farm**, 582 Rocky Lane, Berlin, PA 15530.

David VanGilder has submitted an application for an Individual NPDES permit for an existing CAFO dairy

operation known as DoVan Farm, located in Brothersvalley Township, **Somerset County**.

The CAFO is situated near Unnamed Tributary of Buffalo Creek in Watershed 19-F, which is classified for Cold Water Fishes. The CAFO will be designed to maintain an animal population of approximately 1,006.5 animal equivalent units (AEUs) consisting of 675 Milking Cows, 80 Dry Cows, 20 Prefresh Cows and 10 Calves. Manure is transferred to a digester and solids separator, and then conveyed to an approx. 3 million gallon manure storage pond. The applicant is proposing to install a second manure storage pond, with approx. 1.5 million gallon capacity, under a Water Quality Management (WQM or Part II) permit application being processed by our office. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

The Department has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to issue an NPDES permit for the operation subject to the terms and conditions and monitoring and reporting requirements specified in the permit.

The Environmental Protection Agency (EPA) permit waiver provision under 40 CFR 123.24(e) does not apply to this NPDES permit.

**PUBLIC WATER SUPPLY PERMITS**

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

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

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

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

### SAFE DRINKING WATER

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

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

**Source Water Protection Program Approval** issued to **Borough of Denver**, 501 Main Street, Denver, PA 17517, PWSID 7360017, Denver Borough, **Lancaster County** on December 11, 2013.

**Wellhead Protection Program Approval** issued to **Borough of Quarryville**, 300 Saint Catherine Street, Quarryville, PA 17566, PWSID 7360112, Quarryville Borough, **Lancaster County** on December 11, 2013.

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

**Permit No. 6013501-MA**—Construction Public Water Supply.

Applicant	<b>Pennsylvania American Water Company</b>
Township/Borough	East Buffalo Township
County	<b>Union</b>
Responsible Official	Mr. David R. Kaufman Vice President Engineering Pennsylvania American Water Company 800 West Hersheypark Drive Hershey, PA 17033
Type of Facility	Public Water Supply
Consulting Engineer	Joel A. Mitchell, P.E. Pennsylvania American Water Company 852 Wesley Drive Mechanicsburg, PA 17055
Permit Issued	12/12/13
Description of Action	Replacement of the two existing booster pumps and hydropneumatic tank in the College Park Pump Station with three new booster pumps.

**Permit No. 1813503**—Construction Public Water Supply.

Applicant	<b>Beech Creek Borough Authority</b>
Township/Borough	Beech Creek Borough
County	<b>Clinton</b>
Responsible Official	Mr. James A. Watson Beech Creek Borough Authority P. O. Box 216 51 Locust Street Beech Creek, PA 16822
Type of Facility	Public Water Supply

Consulting Engineer	K. Alan Uhler, P.E. Kerry A Uhler & Assoc. 140 West High Street Bellefonte, PA 16823
Permit Issued	12/13/13
Description of Action	Transition from greensand filtration to ortho-polyphosphate sequestration for iron and manganese treatment.

**Permit No. 1813501-MA**—Operation Public Water Supply.

Applicant	<b>First Quality Water &amp; Beverage, LLC</b>
Township/Borough	Castanea Township
County	<b>Clinton</b>
Responsible Official	Mr. Chad Trithart First Quality Water & Beverage, LLC 599 South Highland Street Lock Haven, PA 17745
Type of Facility	Public Water Supply
Consulting Engineer	Gary J. Toplak, P.E. Toplak & Associates, PC 112 Pineview Road Baden, PA 15005
Permit Issued	12/19/13
Description of Action	Operation of a 50,000 gallon ozone contact tank, with associated process piping, valves, fittings, and filler pumps.

**Permit No. 1813502**—Operation Public Water Supply.

Applicant	<b>First Quality Water &amp; Beverage, LLC</b>
Township/Borough	Castanea Township
County	<b>Clinton</b>
Responsible Official	Mr. Chad Trithart First Quality Water & Beverage, LLC 599 South Highland Street Lock Haven, PA 17745
Type of Facility	Public Water Supply
Consulting Engineer	Gary J. Toplak, P.E. Toplak & Associates, PC 112 Pineview Road Baden, PA 15005
Permit Issued	12/19/13
Description of Action	Operation of a third bottling line and a second treatment train, including corrosion control, cartridge filtration (20 micron nominal), chlorination, ultrafiltration, granular activated carbon treatment, cartridge filtration (1 micron nominal), ultraviolet irradiation, reverse osmosis, mineral addition, and ozonation.



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

**Permit No. 3013510**, Public Water Supply.

Applicant **Carmichaels Municipal Water Authority**  
104 North Pine Street  
Carmichaels, PA 15320

[Borough or Township] Cumberland Township

County **Greene**

Type of Facility Water system

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

Permit to Construct Issued December 9, 2013

**Permit No. 0413506**, Public Water Supply.

Applicant **Ambridge Water Authority**  
PO Box 257  
600 Eleventh Street  
Ambridge, PA 15003

[Borough or Township] Economy Borough

County **Beaver**

Type of Facility Charleston Hill water storage tank

Consulting Engineer NIRA Consulting Engineers, Inc.  
950 Fifth Avenue  
Coraopolis, PA 15108

Permit to Construct Issued December 17, 2013

**Permit No. 2613513MA**, Public Water Supply.

Applicant **Mountain Water Association**  
PO Box 527  
Fairchance, PA 15436

[Borough or Township] Georges Township

County **Fayette**

Type of Facility Water system

Consulting Engineer K2 Engineering, Inc.  
234 Pittsburgh Street  
Uniontown, PA 15401

Permit to Construct Issued December 16, 2013

**Operations Permit** issued to: **Somerset Township Municipal Authority**, PO Box 247, Somerset, PA 15501, (PWSID #4560002) Somerset Township, **Somerset County** on December 12, 2013 for the operation of facilities approved under Construction Permit # 5612507MA.

**Operations Permit** issued to: **Municipal Authority of the Borough of West View**, 210 Perry Highway, Pittsburgh, PA 15229, (PWSID #5020043) Kennedy Township, **Allegheny County** on December 17, 2013 for the operation of facilities approved under Construction Permit # 0213503MA.

**Operations Permit** issued to: **Municipal Authority of the Borough of Midland**, 946 Railroad Avenue, Midland, PA 15059, (PWSID #5040038) Industry Borough, **Beaver County** on December 17, 2013 for the operation of facilities approved under Construction Permit # 0413505MA.

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

**Operation Permit** issued to **Mr. Jack Berkovitz d/b/a Imperial Development Co.**, PWSID #6430014, Pine Township, **Mercer County**. Permit Number 4313505 issued December 12, 2013 for the operation of Glen Lake Estates Mobile Home Park's 4-log treatment of viruses system. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on December 2, 2013.

**Operation Permit** issued to **Pennsylvania American Water Company**, PWSID #6370011, Ellwood City Borough, **Lawrence County**. Permit Number 3790501-MA6 issued December 13, 2013 for the operation of the 200,000 gallon glass lined bolted steel standpipe water storage tank known as the "Ellwood City Skyline Drive Water Storage Tank" located in Ellwood City Borough, Lawrence County, PA. This permit is issued in response to the submission on November 4, 2013 of the Certificate of Construction/Modification Completion form, bacteriological test results, and VOC test results.

**Operation Permit** issued to **Old Orchard Subdivision**, PWSID #6250038, Fairview Township, **Erie County**. Permit Number 2513501 issued December 18, 2013 for the operation of the Old Orchard Subdivision Public Water Supply. This permit is issued in response to an inspection conducted by the Department of Environmental Protection personnel on December 5, 2013.

**Operation Permit** issued to **Greene Township**, PWSID #6250077, Greene Township, **Erie County**. Permit Number 2578503-T1-MA2 issued December 18, 2013 for the operation of 4-Log treatment of viruses for Entry Point 100. This action is taken under the requirements of the Groundwater Rule.

**Emergency Operation Permit** issued to **FHO Corporation**, PWSID #6420845, Bradford Township, **McKean County** on December 19, 2013. This permit is issued for the construction and operation of the Sodium Hypochlorite chlorination facilities for the "Main Spring" system at the Lodge at Glendorn. This permit expires on April 18, 2014.

**Operation Permit** issued to **Waterford Borough Municipal Authority**, PWSID #6250065, Waterford Borough, **Erie County**. Permit Number 2512510 issued December 19, 2013 for the operation of the public water supply. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on November 25, 2013.

## 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 41-1002**, Water Allocations. **Lycoming County Water and Sewer Authority**, P. O. Box 186, Montoursville, PA 17754, Fairfield Township, **Lycoming County**. This Water Allocation Permit grants the Lycoming County Water and Sewer Authority (LCWSA) the right to withdraw a maximum of 540,000 gallons per day from The West Branch Susquehanna River in Clinton Township, Lycoming County.

**WA 19-144C**, Water Allocations. **United Water Pennsylvania**, 90 Irondale Road, Bloomsburg, PA 17815, Town of Bloomsburg, **Columbia County**. This Water Allocation Permit grants the United Water Pennsylvania the right to withdraw up to a maximum of 3,845,000 gallons per day (gpd) from Fishing Creek, with no passby requirement, until January 1, 2019; and for the remainder of this permit, the right to withdraw up to a maximum of 4,500,000 gpd from Fishing Creek, when a passby flow of 91.0 cubic feet second (cfs) is available at the USGS Stream Gage Station 01539000 (Fishing Creek Near Bloomsburg). The allocation granted takes into account reasonable projections of future use that can be supported by past data and documentation and the existing treatment plant capacity.

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

**WA26-846C**, Water Allocations. **Pleasant Valley Water Authority**, 2320 Moyer Road, Connellsville, PA 15425, Fayette County. Purchase of 600,000 gallons of water per day (peak month, 30-day average) from the Municipal Authority of **Westmoreland County**.

#### SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

##### Plan Location:

Township	Township Address	County
Westtown	P. O. Box 79 Westtown, PA 19395	Chester

On December 17, 2013, the Southeast Regional Office approved the Act 537 Special Study (APS ID 28370, AUTH ID 1006451) for the West Wynn I Area, Westtown Township, Chester County. The Update provides for the following:

A sewage management program will be implemented for the West Wynn I Area, and for all properties relying on on-lot sewage disposal systems via Ordinance No. 2013-3. This ordinance provides for the regulation, inspection, maintenance and rehabilitation of on-lot sewage disposal systems; allows for intervention in situations which may constitute a public nuisance or hazard to public health; and establishes penalties and appeal procedures necessary for the proper administration of a sewage management program.

Flows in key main interceptor segments will be metered to clearly identify average and peak flows. The Township will establish an accurate baseline for needed upgrades to facilitate future planning.

The Township will provide an updated Act 537 Special Study for the West Wynn I Area by October 31, 2016. The submission will include data collected as a result of the sewage management program and from the interceptor metering project and will address long-term sewage needs of this area.

The Township will provide a comprehensive, Township-wide Act 537 Plan Update by July 1, 2023. Items 3-5 of the Consent Order and Agreement executed on August 16, 2011, are terminated in accordance with Paragraph 18 of that document.

## HAZARDOUS SITES CLEANUP UNDER THE ACT OF OCTOBER 18, 1988

### Public Notice of Proposed Consent Order and Agreement AZC Township Soil Area Smith Township, Washington County

Pursuant to Section 1113 of the Pennsylvania Hazardous Sites Cleanup Act, Act of October 18, 1988, P. L. 756, No. 108, 35 P. S. §§ 6020.101—6020.1305 (“HSCA”), notice is hereby given that the Department of Environmental Protection (“Department”) has entered into a proposed Consent Order and Agreement (“CO&A”) with Cyprus Amax Minerals Company (“Cyprus”) for the environmental investigation and cleanup of Township Soils (“Site”) located near the former American Zinc and Chemical Company Smelter. The Site is located in Smith Township, Washington County.

The terms of the settlement are set forth in the CO&A, which is available for review at the Department’s Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA. The Department will receive and consider comments relating to the CO&A for sixty (60) days from the date of this Public Notice. Comments may be submitted, in writing, to Terry Goodwald, Department of Environmental Protection, Hazardous Sites Cleanup, 400 Waterfront Drive, Pittsburgh, PA 15222. Further information may be obtained by contacting Mr. Goodwald at 412-442-4000. TDD users may contact the Department through the Pennsylvania Relay Services at 800-645-5984.

In addition, persons may present oral comments for inclusion in the administrative record at a public hearing scheduled for January 23, 2014 at 6:30 PM at the Smith Township Municipal Building, located at 1848 Smith Township State Road, Slovan, PA 15078. There will be a 5 minute time limit for each person who wishes to present testimony at the hearing. Persons wishing to present comments must register with John Poister at the Department’s Southwest Regional Office, in writing at: 400 Waterfront Drive, Pittsburgh, PA 15222 or by telephone at (412) 442-4203 before noon, January 23, 2014.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodations to participate in the proceeding, should contact John Poister at (412) 442-4203 or through the Pennsylvania AT&T Relay Service at (800) 654-5954 (TDD) to discuss how the Department may accommodate their needs.

The Department has reserved the right to withdraw its consent to the CO&A if comments concerning the CO&A disclose facts or considerations which indicate that the CO&A is inappropriate, improper, or not in the public interest. A person adversely affected by the settlement may file an appeal with the Pennsylvania Environmental Hearing Board.

### Notice of Proposed Interim Response Hilltop TCE HSCA Site, Limerick Township, Montgomery County

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.102—6020.1303), is hereby reopening the Administrative Record for the Hilltop TCE HSCA Site in order to seek public comment on a proposed modification of the response action previously selected for the Site.

The Hilltop TCE HSCA Site is located along portions of School Road, North Limerick Road, Koch Drive, and Haines Drive, located in Limerick Township. The Site consists of private wells impacted with Volatile Organic Compounds. The Department has been monitoring the affected properties since 2000.

In a Statement of Decision (SOD) signed on October 7, 2011, the Department selected the installation and/or maintaining of carbon filtration systems on the water supplies at properties where concentrations of Trichloroethene (TCE) and/or Tetrachloroethene (PCE) were at/or above their respective Maximum Contaminant Levels. The selected alternative was determined to comply with Applicable, Relevant and Appropriate Requirements (ARARs), be feasible, and cost-effective.

The Department has recently been approached by a local water supplier, regulated by Public Utility Commission, which has offered to share significant costs in the construction of a waterline and further offered to reduce the overall costs through a more efficient realignment of such a waterline. As a result of this potentially significant reduction in the amount of public monies necessary under that response alternative, the Department has re-evaluated the potential response action alternatives presented in the original Administrative Record. Based on this re-evaluation, the Department now proposes the installation of a public water line, including the extension of nearby Water main, construction of laterals to connect homes to the public water supply and abandonment of their current supply wells to mitigate cross contamination. Other possible alternatives include no action or the installation of point-of-entry whole house carbon filtration systems.

This notice is being provided pursuant to Section 506(h) of HSCA. The administrative record is available for public review and comment. The administrative record is located at the Department's office at 2 East Main Street, Norristown, PA 19401 and is available for review Monday through Friday from 8:00 am until 4:00 pm. Those interested in examining the Administrative Record at the Department's office should contact Lena Harper at 484.250.5721 to arrange for an appointment. Additional copies of the Administrative Record are available for review at the Limerick Township Municipal Building.

The administrative record will be open for public comments from January 4, 2014 until March 5, 2014. Person may submit written comments into the record by sending them to Lena Harper at the Pennsylvania Department of Environmental Protection, 2 East Main Street, Norristown, PA 19401 or by email at lharper@pa.gov.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 2

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

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at

a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

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

**Proposed AutoZone, (former filling station/DeAngelis Donut Shop), 2575 Constitution Blvd., Chipewewa Township, Beaver County.** Mannik & Smith Group 23225 Mercantile Road, Beachwood, OH 44122 on behalf of Beaver Falls Investors LLC 1585 Frederick Boulevard, Akron, Ohio 44320 has submitted a Final Report concerning the remediation of site soils and groundwater contaminated with benzene, toluene, ethylbenzene and xylene. The intent of the final report is to show attainment of the non-residential Statewide Health Standard. Notice of the final report was published in the *Beaver County Times* on November 22, 2013.

## 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 environ-



mental 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:

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

**Faulkner Hyundai of Harrisburg / Former Faulkner Pontiac/GMC**, 2060 Paxton Street, Harrisburg, PA 17111, Swatara Township, **Dauphin County**. Hafer Environmental Services, Inc., PO Box 4418, Reading, PA 19606, on behalf of Faulkner Hyundai of Harrisburg, 2060 Paxton Street, Harrisburg, PA 17111 and Henry Faulkner III Trust, 4437 Street Road, Trevoise, PA 19053, submitted a Final Report concerning the remediation of soils contaminated with hydraulic oil, diesel fuel, and gasoline from the operation of a vehicle repair facility. The Final Report did not demonstrate attainment of the Residential Statewide Health standard, and was disapproved by the Department on December 13, 2013.

**Altoona North Terminal / Mobil Altoona**, 664 Burns Avenue, Altoona, PA 16601, Allegheny Township, **Blair County**. Groundwater Services International, Inc., 443 McCormick Road, Mechanicsburg, PA 17055, on behalf of Altoona Terminals Corporation, PO Box 2621, Harrisburg, PA 17105, submitted a combined Remedial Investigation and Final Report concerning site soils and groundwater contaminated with VOCs, PAHs, and lead. The combined report demonstrated attainment of a combination of

Nonresidential Statewide Health and Site Specific standards, and was approved by the Department on December 13, 2013.

**Winter Center @ Millersville University**, 60 West Cottage Avenue, Millersville, PA 17551, Millersville Borough, **Lancaster County**. GCI Environmental Services, 1250 East King Street, Lancaster, PA 17602, on behalf of Millersville University, P. O. Box 1002, Millersville, PA 17551, submitted a Final Report concerning remediation of groundwater contaminated with No. 2 fuel. The Final Report demonstrated attainment of the Residential Statewide Health standard, and was approved by the Department on December 17, 2013.

**Teleflex / Former Arrow International Facility**, 1001 Hill Avenue, Wyomissing, PA, Wyomissing Borough, **Berks County**. Langan Engineering & Environmental Services, Inc., 30 South 17th Street, Philadelphia, PA 19103, on behalf of Arrow International, Inc., 155 South Limerick Road, Limerick, PA 19468, submitted a combined Remedial Investigation Report and Final Report concerning remediation of site soils and groundwater contaminated with VOCs, chlorinated solvents, and metals. The report is intended to document remediation of the site to meet a combination of Non-Residential Statewide Health and Site Specific standards.

**Former Pfaltzgraff West York Facility**, 1857 West King Street, York, PA 17404, West York Borough and West Manchester Township, **York County**. ARM Group, Inc., PO Box 797, Hershey, PA 17033, on behalf of 128 Lucky, LLC, 1857 West King Street, York, PA 17404, submitted a combined Remedial Investigation and Final Report concerning the remediation of site soils and groundwater contaminated with lead. The combined report demonstrated attainment of the Residential Statewide Health and Site Specific standards, and was approved by the Department on December 19, 2013.

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

**Former Northern Pipeline Property (Crystal Junction)**, 400 feet northwest of the intersection of SRS 8 & Waitz Road, Cornplanter Township, **Venango County**. URS Corporation, 12420 Milestone Center Drive, Germantown, MD 20876, on behalf of Shell Oil Products US, 4094 Majestic Lane PMB 224, Fairfax, VA 22033, submitted a Final Report concerning the remediation of site soils contaminated with Benzene, Cyclohexane, Ethyl benzene, Hexane, Toluene, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, Xylenes (total), Acenaphthene, Anthracene, Benzo[a]anthracene, Benzo[a]pyrene, Benzo[b]fluoranthene, Benzo[ghi]perylene, Chrysene, Fluoranthene, Fluorine, Indeno[1,2,3-cd]pyrene, 2-methylnaphthalene, Phenanthrene, and Pyrene. The Final Report demonstrated attainment of the Statewide Health standard, and was approved by the Department on November 26, 2013.

**Ruan Transportation Diesel Spill July 27, 2013**, North side of SR 948 approximately one mile west of SR 66, Highland Township, **Elk County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412, on behalf of Ruan Transportation Corporation, 3100 Ruan Center, 666 Grand Avenue, Des Moines, IA 50309, submitted a Final Report concerning the remediation of site soils contaminated with Benzene, Ethylbenzene, Toluene, Cumene, MTBE, 1,2,4 Trimethyl Benzene, 1,3,5 Trimethyl Benzene, and Naphthalene. The



Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on November 27, 2013.

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

**Michael Dean residence**, 1653 Westmost Avenue, Mt. Oliver Borough, **Allegheny County**. Aurora Environmental, Inc. 1031 Third Avenue, New Brighton, PA 15066 on behalf of Michael Dean, 1600 Dormont Avenue, Pittsburgh, PA 15216 submitted a Final Report concerning the remediation of site soil contaminated with home heating oil. The Final Report demonstrated attainment of the residential statewide health standard and was approved by the department on December 12, 2013.

**Seneca Street CSO Treatment Facility**, Seneca Street, North of East Schoolmaker Ave., City of Monessen, **Westmoreland County**. Gennett Fleming, Inc., 207 Senate Avenue, Camp Hill, PA 17011 on behalf of the Mon Valley Sewage Authority, 20 S. Washington Street, P. O. Box 792, Donora, PA 15033 has submitted a "Combined Remedial Investigation (RI)/ Risk Assessment (RA) Report and Cleanup Plan" concerning the remediation of site soils contaminated with semi volatile organic compounds and heavy metals and with volatile organic compounds and heavy metals in groundwater. The RI/RA/CP was approved by the department on December 17, 2013.

*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*

**US Magnet Site**, 985 North Main Street, Yardley Borough, **Bucks County**. Robert White, Redevelopment Authority of the County of Bucks, One North Wilson Avenue, Bristol, PA 19007 on behalf of Richard S. Werner, P.G., Environmental Consulting, Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406, Anthony Cino, Cold Springs Investment Group, LP, 301 Oxford Valley Road, Suite 702, Yardley, PA 19067-7713 submitted a Final Report concerning the remediation of site soil contaminated with inorganics. The Final Report was approved by the Department on November 22, 2013. PF633827

**Sunoco Inc. (R&M) Philadelphia Refinery Schuylkill River Tank A01-6**, 3144 Passyunk Avenue City of Philadelphia, **Philadelphia County**. James Oppenheim, Sunoco Inc. (R&M), 3144 Passyunk Avenue, Philadelphia, PA 19145 submitted a Remedial Investigation Report concerning the remediation of site groundwater and soil contaminated with lead and other organic. The Remedial Investigation Report was disapproved by the Department on November 27, 2013. PF769099

**2116 Chestnut Site (Former Sidney Hillman Medical Center)**, 2116-2132 Chestnut Street, City of Philadelphia, **Philadelphia County**. William F. Schmidt, PE, Pennoni Associates, Inc. 3001 Market Street, Philadelphia PA 19104 on behalf of Kristine Kelly Schaffer, The John Buck Company, One North Wacker Drive, Suite 2400, Chicago, IL 60606 submitted a Final Report concerning the remediation of site and soil contaminated with heating oil. The Final Report was approved by the Department on November 27, 2013. PF754432

**Bartram's Trail between 56th & 58th Street**, 300 South 56th Street, City of Philadelphia, **Philadelphia County**. Jennifer L. Gresh, P.G., Duffield Associates Inc., 211 North 13th Street, Suite 704, Philadelphia, PA 19107, Christopher Dougherty, Philadelphia parks & Recreation,

One Parkway Building, 1515 Building Arch Street, 10th Floor, Philadelphia PA 19102 on behalf Monica Trudeau, Philadelphia Authority for Industrial Development, 2600 Centre Square West, 1500 Market Street, Philadelphia, PA 19102 submitted a Remedial Investigation Report and Cleanup Plan concerning the remediation of site soil contaminated with pah's, arsenic and lead. The Remedial Investigation and Cleanup Plan were approved by the Department on November 18, 2013. PF768853

**Cardone Industries Plants 15 and 16**, 500-550 East Erie Avenue, City of Philadelphia, **Philadelphia County**. Glenn DePalantino, Harvest Realty 5501 Whitaker Avenue, Philadelphia PA 19124 on behalf of Mark Kuczynski, REPSG, Inc., 6901 Kingsessing Avenue, 2nd Floor, Philadelphia, PA 19142, Suzanne Shourds, REPSG, Inc., 6901 Kingsessing Avenue, 2nd Floor, Philadelphia, PA 19142 has submitted Cleanup Plan and Remedial Investigation Report concerning the remediation of site groundwater and soil contaminated with unleaded gasoline. The Cleanup Plan and Remedial Investigation were disapproved on October 10, 2013. PF758576

**Capoferri Residence**, 127 Thornridge Drive, Falls Township, **Bucks County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsylvania, PA 18073, Ty Gawlick, State Farm Insurance Company, PO Box 10611, Atlanta, GA 30348-6110 on behalf of Dennis Capoferri, 127 Thornridge Drive, Levittown, PA 19054 submitted a Final Report concerning the remediation of site groundwater and soil contaminated with no. 2 fuel oil. The Final Report was approved on November 18, 2013. PF 760488

**Mt Airy Shopping Center**, 7115-7163 Stenton Avenue and 1416-1434 Washington Lane, City of Philadelphia, **Philadelphia County**. Charlene Drake, React Environmental Professional Services, Group, Inc., PO Box 5377, 6901 Kingsessing Avenue, Suite 201, Philadelphia, PA 19142, Mark Kuczynski, React Environmental Professional Service, Group, Inc. PO Box, 5377, 6901 Kingsessing Avenue, Suite 201, Philadelphia, PA 19142 on behalf of Lee Brahlin, Brahlin Properties, 1535 Chestnut Street, Suite 200, Philadelphia, PA 19102 submitted a Remedial Investigation Report and Cleanup Plan concerning the remediation of site groundwater and soil contaminated with chlorinated solvents. The Cleanup Plan and Remedial Investigation were approved on September 11, 2013. PF735938

**Croydon Residential Property**, 616 Excelsior Avenue, Bristol Township, **Bucks County**. David L. Reusswig, P.G. Groundwater Science Corporation, 2601 Market Place Street, Suite 310, Harrisburg, PA 18110, Gerry Galster, PA REO, Inc., 759 Bristol Pike, Bensalem, PA 19020 on behalf of Fannie Mae, 1422 Dallas Parkway, Suite 100, Dallas, TX 75254 submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel. The Final Report was approved November 14, 2013. PF767754

**2351 and 2401-2405 South Swanson Street**, City of Philadelphia, **Philadelphia County**. Michael A. Christie, P.G., Penn Environmental & Remediation, 2755 Bergey Road, Hatfield, PA 19440 on behalf of Elias Stein, S&S Family Partnership of Philadelphia Pennsylvania, 230 South Broad Street, Philadelphia, PA 19102 submitted a Final Report concerning the remediation of site soil and groundwater contaminated with other organic and inorganics. The Final Report was disapproved on November 15, 2013. PF664533

**1900 & 1820 Allegheny Avenue**, City of Philadelphia, **Philadelphia County**. William F. Schmidt, P.E., 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, Paul Martino, P.G., Pennoni Associates, Inc., 3001 Market Street, Philadelphia, AP 19104 submitted a Final Report concerning remediation of site soil contaminated with pah's, pp, metals and ppvoc's. The Remedial Investigation Report and Cleanup Plan were disapproved on October 10, 2013. PF765076

**533 West Baltimore Avenue Site**, Clifton Height Borough, **Delaware County**. Chris Hirschmann, Hirschmann Consulting, LLC, 1600 Route 22 East, Union NJ 07083 on behalf of Stephen Niggerman, SN&JN, LP c/o: Metro Commercials Management Services, 303 Fellowship Road, Suite 202, Mount Laurel, NJ 08054 has submitted a Final Report concerning remediation of site groundwater contaminated with inorganics. The Final Report was disapproved on November 27, 2013. PF741977

**Cedarbrook Country Club**, Cheltenham Township, **Montgomery County**. Donald M. Epsein, Fairways at Cedarbrook Hills, LP (c/o Marix Development Group) Forsgate Drive CN4000, Cranbury, NJ 08512 on behalf of Michael Potts, ENVIRON International Corporation, 214 Carnegie Center, Princeton, NJ 08540 has submitted a Remedial Investigation/Final Report concerning remediation of site soil contaminated with arsenic. The Remedial Investigation/Final Report was disapproved on October 11, 2013. PF764937

**1940 West Allegheny Avenue**, City of Philadelphia, **Philadelphia County**. William F. Schmidt, P.E. 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, Paul Martino, PG, Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104 has submitted a Cleanup Plan and Remedial Investigation Report concerning remediation of site soil contaminated with pah's, pp and metals. The Cleanup Plan and Remedial Investigation Report were disapproved on October 10, 2013. PF765070

**Gateway Shopping Center**, 243 East Swedesford Road, Tredyffrin Township, **Chester County**. Jacqueline F. Beck, URS Corporation, 335 Commerce Drive, Suite 30, Fort Washington, PA 19034-2720 on behalf of Eric Silvers, Regency Centers, One Independent Drive Suite 114, Jacksonville, FL 32202 submitted a Final Report concerning the remediation of site groundwater contaminated with pce and associated chlorinated solvents. The Final Report was approved on November 22, 2013. PF683596

**Toner's Beef & Ale Restaurant**, 101 East Pennsylvania Avenue, Upper Dublin Township, **Montgomery County**. Phil Gray, Jr., Compliance Management International, 1350 Welsh Road, Suite 200, North Wales, PA 19454 on behalf of John Toner, Jr., Lawrence Toner, Robert Toner, Toner's Beef & Ale, 101 East Pennsylvania Avenue, Fort Washington, PA 19454 submitted a Remedial Investigation Report and Cleanup Plan concerning the remediation of site groundwater contaminated with lead and unleaded gasoline. The Remedial Investigation and Cleanup Plan were disapproved on November 14, 2013. PF764905

## OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

**Permit(s) 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 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. 301626. White Pines Corporation**, 515 State Route 442, Millville, PA 17846, Pine Township, **Columbia County**. The permit modification is for use of foundry sand as an alternate daily cover at the White Pines Landfill. The permit was issued by Northcentral Regional Office on December 11, 2013.

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.

## AIR QUALITY

**General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.**

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

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

**GP3-46-0110: Highway Materials, Inc.** (P. O. Box 1667, Blue Bell, PA 19422) On December 12, 2013, was authorized to operate a screen machine crusher in Marlborough Township, **Montgomery County**.

**GP9-46-0068: Highway Materials, Inc** (P. O. Box 1667, Blue Bell, PA 19422) On December 12, 2013, was authorized to operate two (2) diesel/No. 2 fuel-fired internal combustion engines in Marlborough Township, **Montgomery County**.

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

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

**GP1-67-03024: North Metal & Chemical Co.** (PO Box 1985, 609 E King Street, York, PA 17405) on December 12, 2013, for two (2) natural gas-fired boilers, under GP1, at the York City, **York County** facility. The general permit authorization was renewed.

**GP7-36-03083A: Pempcor Printing LLC** (2100 State Road, Lancaster, PA 17601) on December 12, 2013, for four (4) sheet-fed offset lithographic printing presses, under GP7, at their printing facility in East Hempfield Township, **Lancaster County**. The general permit authorization was renewed for two (2) units, and two (2) units were added.



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

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

**GP3-08-329C: Johnson Quarries, Inc.** (PO Box 136 Orange Street, LeRaysville, PA 18829) on December 13, 2013, to construct and operate a 2001 vintage Terex Pegson model 1100 x 650 portable crushing plant, a 2006 vintage Pegson model 1100 x 650 portable crushing plant, a 2008 vintage Tesab model 1012T portable crushing plant, a 2003 vintage Terex Pegson model 26 x 44 portable crushing plant, a 2002 vintage Extec 5000S portable screening plant, a 2008 vintage Chiefton 1400 portable screening plant, a 2006 vintage Extec E7 Scalper portable screening plant and a 2011 vintage Tesab 80 x 42 radial stacking conveyor under the General Plan Approval and/or General Operating Permit for Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at their Cobb Corners Quarry in Stevens Township, **Bradford County**.

**GP9-08-329C: Johnson Quarries, Inc.** (PO Box 136 Orange Street, LeRaysville, PA 18829) on December 13, 2013, to construct and operate a 2001 vintage 275 brake-horsepower Caterpillar model C9 MBD09923 diesel engine, a 2006 vintage 275 brake-horsepower Caterpillar model C9 MBD02462 diesel engine, a 2008 vintage 440 brake-horsepower Caterpillar model C13 LGK11810 diesel engine, a 2003 vintage 300 brake-horsepower Caterpillar model C9 CLJ04092 diesel engine, a 2008 vintage 100 brake-horsepower Deutz model TOC2012 L0424 diesel engine and a 2006 vintage 100 brake-horsepower Deutz model BF4M1012 diesel engine under the General Plan Approval and/or General Operating Permit for Diesel-Fired Internal Combustion Engines (BAQ-GPA/GP-9) at their Cobb Corners Quarry in Stevens Township, **Bradford County**.

**GP9-55-00001A: Sunbury Generation LP** (PO Box 517, Old Trail Road, Shamokin Dam, PA 17876) on September 24, 2013, to construct and operate a 252 brake-horsepower Cummins model CFP83-F# emergency diesel fire pump engine under the General Plan Approval and/or General Operating Permit for Diesel-Fired Internal Combustion Engines (BAQ-GPA/GP-9) at their facility in Shamokin Dam Borough, **Snyder County**.

**GP5-17-473B: Mountain Gathering, LLC** (810 Houston Street, Suite 2000, Fort Worth, TX 76102) on December 19, 2013, to construct and operate one 145 bhp natural-gas-fired Caterpillar model G3306NA four-stroke rich-burn compressor engine equipped with a Miratech model VXC-1610-05-C11 non-selective catalytic reduction catalyst, and for the continued operation of one 1 MMscf/day dehydrator equipped with a 0.075 MMBtu/hr reboiler, and two 6300-gallon produced water tanks under the General Plan Approval for Natural Gas Compression and/or Processing Facilities (BAQ-GPA-5) at the Brink Compressor Station in Chest Township, **Clearfield County**.

**GP5-41-720: Pennsylvania General Energy Co., LLC** (120 Market Street, Warren, PA 16365) on December 9, 2013, to construct and operate eight (8) 1,775 bhp Caterpillar model #G3606 LE natural gas-fired compressor engines, each equipped with a Powertherm catalytic oxidizer, five (5) 200 kW natural gas-fired Capstone #C200 NG MicroTurbines, two (2) 60 MMscfd TEG dehydration units each equipped with a 2.31 MMBtu/hr natural gas-fired reboiler, three (3) 16,800 gallon production water storage tanks, one (1) 1,000 gallon TEG tank

and one (1) 1,000 gallon lube oil tank pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) at the Tract 729 Compressor Station in Cummings Township, **Lycoming 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: James Beach, New Source Review Chief—Telephone: 484-250-5920*

**46-0081C: Markel Corp.** (435 School Lane, Plymouth Meeting, PA 19462) On December 16, 2013, for replacement of the Catalytic Oxidizer with a Regenerative Thermal Oxidizer (RTO) in Plymouth Township, **Montgomery County**. This facility manufactures fluoropolymer tubing and coated wire, plastic tubing, coated fiberglass sleeves, and specialty tubing products. The RTO will provide at least a 98.0% destruction efficiency of VOC emissions that are captured from all the extruders at the facility. In addition, Markel has taken operational limitations to reduce their potential VOC emissions to less than 25.0 tons per year which will change the facility status from a Title V Facility to a Synthetic Minor Facility. The Plan Approval also contains applicable requirements including: testing, monitoring, and recordkeeping and reporting to show continued compliance with the terms and conditions of the permit.

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

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

**06-05007P: Carpenter Technology Corp.** (101 Bern Street, Reading, PA 19601) on December 16, 2013, to replace the steel coil cleaning line in their specialty steel alloy manufacturing facility located in the City of Reading, **Berks County**. The new line will include salt baths for descaling coils with a scrubber to control emissions; salt bath natural gas fired process heaters; HCl acid baths controlled by a scrubber; nitric and sulfuric acid baths controlled by a scrubber; rinse and coating tanks without controls; natural gas fired furnaces for drying coils; and a natural gas fired air makeup unit. Plan Approval 06-05007P also incorporates the requirements of 40 CFR 63 Subpart DDDDD for the facility.

**06-05150A: Berks Hollow Energy Associates, LLC** (400 Chesterfield Center, Suite 110, Chesterfield, MO 63017) on December 17, 2013, for an electric generation plant to be at 5662 Leesport Avenue in Ontelaunee Township, **Berks County**. Plan Approval 06-05150A is for installation and startup of a combined-cycle natural gas fired electric generation station that is designed to generate up to 855 MW nominal, using 2 combustion turbine generators and 2 heat recovery steam generators that will provide steam to drive a single steam turbine generator. Each heat recovery steam generator will be equipped with a duct burner which may be utilized at time of peak power demands to supplement power output. The proposed project will also include a natural gas-fired fuel gas heater, a natural gas-fired auxiliary boiler; a diesel engine-driven emergency generator; a diesel engine-driven firewater pump; a multi-cell evaporative

cooling tower; a cold cleaning degreaser; and emission control systems for the turbine generators, including SCR systems and oxidation catalyst systems.

**36-05001I: Armstrong World Industries, Inc.** (1507 River Road, Marietta, PA 17547) on December 17, 2013, for the replacement of an existing spray booth at their ceiling tile plant in East Donegal Township, **Lancaster County**. Plan Approval No. 36-05001I is for the replacement of the tile finishing line's (Source ID 504) existing spray booth with a 24,000 acfm downdraft Venjakob spray booth. The fully enclosed booth will be controlled by four (4) 6,000 acfm cyclones and will apply coatings with eight (8) automated airless spray guns. Exhaust air from the cyclones will be recirculated to the hood of the booth.

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

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

**08-00045B: Panda Liberty, LLC** (4100 Spring Valley Road, Suite 1001, Dallas, TX 75244) on December 13, 2013, for the incorporation of 232.7 tons per year of nitrogen oxide (NO<sub>x</sub>) emission reduction credits (ERCs) and 33.82 tons per year of volatile organic compound (VOC) ERCs prior to the commencement of operation of Source IDs P103 and P104 at their proposed Panda Liberty Power Project facility in Asylum Township, **Bradford County**.

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

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

**10-380C: XTO Energy dba Mountain Gathering LLC—Jefferson Compressor Station** (810 Houston Street, Fort Worth, TX 76102-6203) on December 13, 2013, to modify facility-wide VOC limits, short term VOC and formaldehyde emission limits for sources 101 through 108 and the addition of a Section C condition specifying the equipment authorized for installation at the facility. These modifications were required by the December 3, 2013 Settlement Agreement by and among The Group Against Smog and Pollution, Inc. (GASP), Mountain Gathering LLC (Mountain Gathering) and the Department. This facility is a compressor station, located at 910 Saxonburg Road, Butler, PA 16002, in Jefferson Township, **Butler County**. Upon completion of this project, this facility will be issued a state only operating permit.

**10-381B: XTO Energy—dba Mountain Gathering LLC—Forward Compressor Station** (810 Houston Street, Fort Worth, TX 76102-6203) on December 13, 2013, for modification of facility wide VOC limits, short term VOC and formaldehyde emission limits for sources 101 through 108 and the addition of a Section C condition specifying the equipment authorized for installation at their facility in Forward Township, Butler County. These modifications were required by the December 3, 2013 Settlement Agreement by and among The Group Against Smog and Pollution, Inc. (GASP), Mountain Gathering LLC (Mountain Gathering) and the Department. This facility is a compressor station, located at 275 Powder Mill Road, Renfrew, PA 16053, in Forward Township, **Butler County**. Upon completion of this project, this facility will be issued a state only operating permit.

**20-304A: Ernst Biomass LLC** (9006 Mercer Pike, Meadville, PA 16335) on December 19, 2013, effective December 31, 2013, will issue a plant approval extension

for the construction of a wood and switchgrass pellet manufacturing plant at their facility in Union Township, **Crawford County**.

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

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

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

**46-0124A: Montgomery Chemicals, LLC.** (901 Conshohocken Road, Conshohocken, PA 19428) on December 11, 2013, for operation of a scrubber system in Plymouth Township, **Montgomery County**.

**09-0037H: CMS Gilbreth Packaging Systems, Inc.** (3001 State Road, Croydon, PA 19021) on December 11 2013, for operation of a regenerative thermal oxidizer in Bristol Township, **Bucks County**.

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

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

**05-05027A: CORLE Building Systems** (114 Rosemont Lane, Imler, PA 16655) on December 16, 2013, for construction of a surface coating system, including four paint spray booths along with support facilities for paint mixing and handling, for finishing metal building panels at the facility in King Township, **Bedford County**. The plan approval was extended, with a compliance schedule.

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

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

**47-00014B: United States Gypsum Co.** (60 PPL Road, Danville, PA 17821) on December 11, 2013, to extend the authorization an additional 180 days from December 6, 2013 to June 4, 2014 in order to continue the compliance evaluation and permit operation pending issuance of an operating permit for their facility in Derry Township, **Montour County**. The plan approval has been extended.

**08-00043A: Glenn O. Hawbaker, Inc.** (711 East College Avenue Bellefonte, PA 16823) on December 16, 2013, to extend the authorization an additional 180 days from January 9, 2014 to July 8, 2014 in order to continue the compliance evaluation of the sources constructed pursuant to the plan approval in Athens Township, **Bradford County**. The plan approval has been extended.

**59-00017C: Hitachi Metals Automotive Components USA, LLC** (18986 Route 287, Tioga, PA 16946-8815) on November 4, 2013, to extend the authorization to operate an iron foundry at their facility in Lawrence Township, **Tioga County** on a temporary basis to May 3, 2014. The plan approval has been extended.

**08-00044B: Barefoot Pellet Co.** (PO Box 96 Troy, PA 16947) on December 10, 2013, to extend the authorization an additional 180 days from December 10, 2013 to June 8, 2014 in order to continue the compliance and performance evaluation of the natural gas fired rotary dryer at its facility in Troy Borough, **Bradford County**. The plan approval has been extended.



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

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

**65-00101C: MAX Environmental Technologies, Inc.** (1815 Washington Road, Pittsburgh, PA 15241) on December 13, 2013, to extend the period of temporary operation of the electric arc furnace dust treatment system and dust collector authorized under plan approval PA-65-00101C until June 15, 2014, at the Yukon Facility located in South Huntingdon Township, **Westmoreland County**.

**32-00055H: Homer City Generation, L.P.** (1750 Power Plant Rd., Homer City, PA 15748) on December 16, 2013 for a plan approval extension and minor modification to more accurately define the Unit 1 and 2 startup period to begin upon firing fuel after a shutdown and ending upon reaching the minimum effective operating temperature of the Novel Integrated Desulfurization (NID) systems for Homer City Generating Station located in Black Lick and Center Townships, **Indiana County**. This plan approval has also been extended to allow for staggered startup of the NID systems and to coincide with the Mercury Air Toxics Standards compliance deadline of April 16, 2016, for this facility.

**30-00170A: Laurel Mountain Midstream, LLC** (Park Place 2, 2000 Commerce Drive, Pittsburgh, PA 15275) on December 17, 2013, to begin the period of temporary operation of one of two Caterpillar G3612 lean burn natural gas-fired compressor engines rated at 3,550 bhp at the existing Brown Compressor Station located in Greene Township, **Greene County** and modify the permittee's contact address. The new expiration date is May 20, 2014.

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

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

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

**28-05028: Allegheny Energy Supply Co. LLC** (800 Cabin Hill Drive, C109, Greensburg, PA 15601) on December 13, 2013 for the electric generating facility in Guilford Township, **Franklin County**. The Title V permit was renewed.

**21-05031: Community Refuse Services, Inc.** (135 Vaughn Road, Shippensburg, PA 17257-9727) on December 17, 2013, for the Cumberland County Landfill in Hopewell Township, **Cumberland County**. The Title V permit was renewed.

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

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

**41-00025: Lycoming County Resource Management Services** (PO Box 187 Montgomery PA 17752) on December 16, 2013, was issued a renewal Title V operating permit for their facility in Brady Township, **Lycoming County**. The facility's main sources include the waste disposal area, portable material sizing equipment and the open flares used for landfill gas destruction. The facility also utilizes several emergency generators throughout the facility. The Title V operating permit

contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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

*Contact: Norman Frederick, Facilities Permitting Chief—Telephone: 570-826-2409*

**54-00070: H.M.M.K., LLC—d/b/a Foster Materials** (P O Box 196, 2052 Lucon Road, Skippack, PA 19474) on December 16, 2013, for operation of a rock crushing operation and associated air cleaning devices at their facility in Foster Township, **Schuylkill County**. The renewed State Only Operating Permit contains applicable requirements for emissions limitations, monitoring, record keeping, reporting and work practice standards designed to ensure facility compliance with Federal and State air pollution regulations.

**52-00006: Pyre, Inc.** (405 West Harford Street, Milford, PA 18337) on December 11, 2013, for operation of two human and one animal crematory at the facility in Milford Township, **Pike County**. Emissions from the source will be controlled through the use of an afterburner for each unit. This is a new State-Only operating permit. The State-Only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**48-00093: Oldcastle APG Northeast, Inc.** (800 Uhler Road, Easton, PA 18040-6617) on December, 11, 2013, for operation of a concrete block and brick manufacturing facility in Forks Township, **Northampton County**. The operation consists of the concrete block plant and fabric collectors for control of the particulate emissions. This is a renewal of a State-Only operating permit. The State-Only operating permit includes emission limits, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

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

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

**22-03092: PA DGS Annex Complex** (4 Cherry Road, Harrisburg, PA 17110-2927) on December 17, 2013, for their boilers and generators at the DGS Annex Complex in Susquehanna Township, **Dauphin County**. The State-only permit was renewed.

**50-03002: Pennsy Supply, Inc.** (PO Box 3331, 1001 Paxton Street, Harrisburg, PA 17105-3331) on December 11, 2013, for the stone crushing operations at the Newport Quarry in Oliver Township, **Perry County**. The State-only permit was renewed.

**22-03048: Reiff & Nestor Co.** (PO Box 147, Lykens, PA 17048-0147) on December 16, 2013, for their tool manufacturing facility in Lykens Borough, **Dauphin County**. The State-only permit was renewed.

**36-05096: Pennsy Supply, Inc.** (PO Box 3331, 1001 Paxton Street, Harrisburg, PA 17105) on December 19, 2013, for their batch asphalt plant in Paradise Township, **Lancaster County**. The State-only permit was renewed.

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

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

**08-00042: Northeast Bradford School District** (RR #1 Box 211B Rome, PA 18837) on December 10, 2013, issued a state only operating permit for their facility in Orwell Township, **Bradford County**. The state only operating permit contains all applicable regulatory requirements including monitoring, record-keeping and reporting conditions.

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

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

**03-000229: Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201) On December 13, 2013, to issue the State Only Operating Permit for the operation of the Logansport Mine Coal Processing Plant, in Bethel Township, **Armstrong County**.

The facility contains air contamination sources consisting of a wet coal processing plant, conveyers, stockpiles, rail car loadout, paved and unpaved roadways, and 755-bhp emergency generator. Particulate emissions from the screen, conveyers, and storage piles are controlled by a baghouse and covered conveyers. Particulate emissions from road dust are controlled by watering from a pressurized water truck.

No emission or equipment changes have been approved by this action. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the SOOP have been derived from the applicable requirements of 40 CFR Parts 52 and 60 and Pa. Code Title 25, Article III, Chapters 121 through 145.

**63-00886: All Clad Metalcrafters, LLC** (424 Morganza Road, Canonsburg, PA 15317) On December 19, 2013 a State Only Operating Permit (SOOP) renewal to All Clad to authorize the continued operation of their clad metal sheet stock and cookware manufacturing plant located in Cecil Township, **Washington County**.

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

*Contact: Matthew M. Williams, Environmental Program Manager—Telephone: 814-332-6636*

**20-00130: Meadville Forging** (15309 Baldwin Street Extension, PO Box 459 Meadville, PA 16335) on December 13, 2013, issued the renewal of the Natural Minor Operating Permit for iron and steel forgings in Meadville City, **Crawford County**. The facility's primary emission sources include presses, hydraulic and mechanical shears, electric discharge machines (EDMs) to cut metal, heat treating units, preheating units, shot blasters, parts washers, and emergency generators. The dry abrasive blasting operations are subject to 40 CFR 63 Subpart XXXXXX—NESHAPs for Nine Metal Fabrication and Finishing Source Categories. The emergency generators are subject to 40 CFR 63 Subpart ZZZZ—NESHAPs for Stationary Reciprocating Internal Combustion Engines. The facility is an Area Source for all pollutants including HAPs. The conditions of the previous operating permit, the previous plan approvals, and the new Federal requirements are incorporated into the renewal permit.

**37-00257: Mohawk Area School District—Mohawk Elementary School** (Mohawk School Road, Bessemer, PA 16112) on December 16, 2013, to re-issue the Natural

Minor Operating Permit for this educational facility in North Beaver Township, **Lawrence County**. The facility's primary emissions are from an 8.54 MMBtu/Hr tri-fuel boiler, a 4.26 MMBtu/Hr natural gas fired boiler, and a water heater used to provide comfort heat and hot water to the school. The tri-fuel boiler is subject to the requirements of 40 CFR 63, Subpart JJJJ—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources. There is also a 75 KW Emergency Power Generator at this facility.

**43-00343: Woodcraft Industries, Inc.**, (62 Grant Road, Greenville, PA 16125) on December 17, 2013, renewed a State Only Operating Permit for the wood component production facility in Pymatuning Township, **Mercer County**. The primary sources at the facility are a 14.33 million Btu/hr wood boiler, natural gas fueled space heaters, wood dryer, kiln, and rough mill operations. Potential Emissions for the site are less than the Title V thresholds. The facility is a Natural Minor. The boiler is subject to 40 CFR Part 60 Subpart Dc, the NSPS for Small ICI Steam Generating Units, and 40 CFR Part 63 Subpart JJJJJJ, the NESHAP for Area Source Boilers. The permit contains emission restrictions, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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

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

**N13-011: PECO Main Office Building** (2301 Market St., Philadelphia, PA 19103) on December 19, 2013, for operation of an office building equipped with building support equipment, an electric transmission system control room, a cafeteria, a parking area, and a fuel island for filling company vehicles in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include three (3) 800 kW emergency generators burning diesel, one (1) 250 kW emergency generator burning diesel, one (1) 155 kW fire pump burning diesel, one (1) 8,000 gallon gasoline storage tank/pump equipped with a Stage II vapor recovery system, and one (1) 6,000 gallon gasoline storage tank/pump equipped with a Stage II vapor recovery system.

**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*

**15-00019: Exelon Generation Company, LLC** (300 Exelon Way, Suite 330, Kennett Square, PA 19348; Attn: Mr. John Tissue) On December 19, 2013, for the amendment of the Title V Operating Permit. The facility is located in East Pikeland Township, **Chester County**. The operating permit was renewed on February 15, 2013. The operating permit has been amended to reflect a change in the responsible official for operations at the electric utility power station located at 100 Cromby Road, Phoenixville, PA. The facility is a major source for all criteria pollutants. Applicable conditions were already incorporated into the permit. The following are potential site-wide emission rates for this facility: NO<sub>x</sub>—5,341.1



TPY; SO<sub>x</sub>—17,781.9 TPY; PM—2,125.1 TPY; CO—679.8 TPY; VOC—32.74 TPY; HAP—137.5 TPY; and GHG—3,149,609 TPY (reported as CO<sub>2e</sub>). Allowable emissions from the facility have not increased as a result of this permit amendment. Individual limits apply to the various sources at the facility. The operating permit contains requirements to keep the facility operating within all applicable air quality requirements for this source.

**15-00067: Herr Foods, Inc** (273 Old Baltimore Pike, Nottingham, PA 19362) On December 20, 2013, located in West Nottingham Township, **Chester County** for an administrative amendment to State Only Operating Permit 15-00067. The permit is being amended to change the Responsible Official and Permit Contact. The amended State Only Operating Permit did not change any permit conditions, only the cover page of the permit to reflect the new Responsible Official and Permit Contact.

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

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

**08-00016: Dalrymple Gravel & Contracting Co., Inc.** (2105 South Broadway, Pine City, NY 14871), issued a revised operating permit, on November 7, 2013, for their facility located in Athens Township, **Bradford County**. This revision authorizes the use of reclaimed/recycled asphalt pavement (RAP) in the batch mix asphalt concrete plant in accordance with the provision of 25 Pa. Code Section 127.450. The State Only operating permit contains monitoring, recordkeeping and reporting conditions to ensure compliance with applicable regulatory requirements.

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

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

**11-00062: Quaker Sales Corporation / Northern Cambria Plant** (336 Shawna Road Northern Cambria, PA 15714) on December 18, 2013 the Department Administratively Amended the State Only Operating Permit renewal that was issued on December 9, 2013 for the operation of a hot mix asphalt plant located in Susquehanna Township, **Cambria County**. The Department corrected the typographical error of the mailing address.

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

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

**N12-029: US Postal Service** (at 7500 Lindbergh Boulevard, Philadelphia, PA 19176) on December 19, 2013, for the operation of a United States Postal Service facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include three (3) boilers less than 8 MMBTU/hr firing natural gas, one (1) emergency generator firing diesel fuel oil, six (6) hot water and air heaters less than 0.5 MMBTU/hr firing natural gas, fifty-six (56) air heaters less than 75,000 BTU/hr firing natural gas.

The modification includes the following changes in the operating permit:

- Three 199,000 BTU/hr heaters moved from "Group 01—Combustion Units" to "Group IN—Insignificant Activities" as they are below the natural gas-fired heating system requirement of 250,000 BTU/hr or greater.

- One 60,000 BTU/hr boiler has been removed, and six 30,000 BTU/hr boilers have been added to "Group IN—Insignificant Activities."

- Two 390,000 BTU/hr boilers have been corrected to reflect a capacity of 400,000 BTU/hr, and the 300,000 BTU/hr air heating unit has been corrected to reflect a capacity of 400,000 BTU/hr.

The operating permit will be issued under the Pennsylvania Code Title 25, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (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.

## 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*

**56743704 and NPDES No. PA0214931. Robindale Energy Services, Inc.**, (224 Grange Hall Road, PO Box 228, Armagh, PA 15920). To renew the permit for the Penn Pocahontas Coal Refuse Site in Brothersvalley Township, **Somerset County** and related NPDES permit. Receiving Stream: Buffalo Creek, classified for the following use: CWF. The application was considered administratively complete on September 7, 2011. Application received January 27, 2011. Permit issued December 11, 2013.

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

**Permit No. 56120201 and NPDES No. PA0268933. Robindale Energy Services, Inc.**, 224 Grange Hall Road, Armagh, PA 15920, commencement, operation and

restoration of a bituminous surface refuse reprocessing and beneficial use of coal ash mine in Conemaugh Township, **Somerset County**, affecting 48.4 acres. Receiving streams: unnamed tributaries to/and Kaufman Run and Stonycreek River classified for the following use: cold water fishery; warm water fishery. There are no potable water supply intakes within 10 miles downstream. The permit includes Chapter 105 stream encroachment authorizations along an unnamed tributary to Kaufman Run and the Stonycreek River to reprocess coal refuse, install an access/haul road and to construct erosion and sedimentation controls. Application received January 25, 2012. Permit Issued December 10, 2013.

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

**65-13-01 and NPDES Permit No. PA0252280. David L. Patterson, Jr.** (12 Short Cut Road, Smithfield, PA 15478). Government Financed Construction Contract issued for reclamation activities located in Loyalhanna Township, **Westmoreland County**, affecting 20.1 acres. Receiving streams: unnamed tributaries to Getty Run. GFCC application received: May 14, 2013. GFCC contract issued: December 11, 2013.

**03050101 and NPDES Permit No. PA0250597. AMFIRE Mining Co., LLC** (One Energy Place, Latrobe, PA 15650). Renewal permit for reclamation only issued to an existing bituminous surface mine, located in Gilpin Township, **Armstrong County**, affecting 62.1 acres. Receiving streams: unnamed tributary to Allegheny River. Application received: April 26, 2013. Permit issued: December 13, 2013.

**63020102 and NPDES Permit No. PA0250309. S & K Energy, Inc.** (5945 Pudding Stone Lane, Bethel Park, PA 15102). Permit renewal issued for continued operation and reclamation to an existing bituminous surface mine, located in Smith Township, **Washington County**, affecting 147.6 acres. Receiving streams: unnamed tributaries to Raccoon Run and Raccoon Creek. Application received: September 11, 2013. Permit issued: December 13, 2013.

**03100102 and NPDES Permit No. PA0252042. Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201). Permit issued for commencement, operation and reclamation of a bituminous surface mine, located in Redbank Township, **Armstrong County**, affecting 81.8 acres. Receiving stream: unnamed tributary to Pine Run. Application received: November 24, 2010. Permit issued: December 19, 2013.

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

**16090101. RFI Energy, Inc.** (P. O. Box 162, Sligo, PA 16255) Renewal of an existing bituminous surface mine in Perry Township, **Clarion County**, affecting 28.0 acres. Receiving streams: Two unnamed tributaries to the Clarion River. This renewal is issued for reclamation only. Application received: October 28, 2013. Permit Issued: December 17, 2013.

**24080101 and NPDES Permit No. PA0258555. RES Coal, LLC** (P. O. Box 228, Armagh, PA 15920) Renewal of an existing bituminous surface and auger mine in Fox Township, **Elk County** affecting 225.0 acres. Receiving streams: Unnamed tributaries to Kyler Run and Kyler Run. Application received: September 16, 2013. Permit Issued: December 16, 2013.

**61980103 and NPDES Permit No. PA0227846. Bed-rock Mines, LP** (111 Freeport Road, Aspinwall, PA

15215) Renewal of an existing bituminous surface, limestone removal & limestone processing mine in Irwin Township, **Venango County**, affecting 111.0 acres. Receiving streams: Unnamed tributaries to Scrubgrass Creek. Application received: August 20, 2013. Permit Issued: December 18, 2013.

*Noncoal Permits Issued*

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

**33020303. Glen Gery Corporation** (P. O. Box 7001, Wyomissing, PA 19610) Renewal of NPDES Permit No. PA0242144 in Oliver Township, **Jefferson County**. Receiving streams: Unnamed tributaries to Little Sandy Creek. Application received: August 14, 2013. Permit Issued: December 17, 2013.

**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*

**23134110. Brubacher Excavating, Inc.,** (P. O. Box 528, Bowmansville, PA 17507), construction blasting for Rose Tree Development in Middletown Township, **Delaware County** with an expiration date of December 1, 2014. Permit issued: December 17, 2013.

**48134109. Maurer & Scott Sales, Inc.,** (122 Thomas Street, Coopersburg, PA 18036), construction blasting for Chrin Commerce Center in Tatamy Borough and Palmer Township, **Northampton County** with an expiration date of December 31, 2014. Permit issued: December 17, 2013.

**48134110. Maurer & Scott Sales, Inc.,** (122 Thomas Street, Coopersburg, PA 18036), construction blasting for Chrin Commerce Center Phase II in Lower Nazareth and Palmer Townships, **Northampton County** with an expiration date of December 31, 2014. Permit issued: December 17, 2013.

**35134112. Maine Drilling & Blasting, Inc.,** (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Susquehanna Roseland 1 transmission line in Archbald Borough, **Lackawanna County** with an expiration date of December 3, 2014. Permit issued: December 18, 2013.

**40134119. Maine Drilling & Blasting, Inc.,** (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Centerpoint East & West in Pittston and Jackson Townships, **Luzerne County** with an expiration date of December 31, 2014. Permit issued: December 18, 2013.

**52134108. Maine Drilling & Blasting, Inc.,** (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Susquehanna Roseland 2 transmission line in Palmyra Township, **Pike County** with an expiration date of December 31, 2014. Permit issued: December 18, 2013.

**FEDERAL WATER POLLUTION CONTROL ACT SECTION 401**

The Department has taken the following actions on previously received permit applications, requests for Envi-



ronmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

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

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

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

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

**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.**

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

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E48-423. Pennsylvania Department of Transportation**, Engineering District 5-0, 1002 Hamilton Street, Allentown, PA 18101-1013. Williams Township, **Northampton County**, Army Corps of Engineers Philadelphia District.

To remove the existing structure; and to construct and maintain a 165-foot long, 10-foot high soldier pile wall in the Delaware Canal which is located in the Delaware River (WWF, MF) floodway. The project is located along S.R. 611, Segment 0040, Offset 1345 (Easton, PA Quadrangle Latitude: 40°37'32"; Longitude: 75°11'26")

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

**E0829-023: Chesapeake Appalachia, LLC**, 4 Chesapeake Lane, Sayre, PA 18840, Wilmot Township, **Bradford County**, ACOE Baltimore District.

To construct, operate, and maintain:

1. a 16 inch temporary waterline and a timber mat bridge impacting 67 linear feet of an unnamed tributary to Sugar Run (CWF, MF) and impacting 2,505 square feet of an adjacent Palustrine Emergent Wetland and Palustrine Forested Wetland (Colley, PA Quadrangle, Latitude: 41°33'08", Longitude: -76°19'58");

2. a 16 inch diameter temporary waterline and a timber mat bridge impacting 28 linear feet of an unnamed tributary to North Branch Mehoopany Creek (CWF, MF) (Colley Quadrangle 41°33'07"N 76°19'58"W),

3. a 16 inch diameter temporary waterline over an existing culvert on an unnamed tributary to North Branch Mehoopany Creek (CWF, MF) impacting 3 linear feet (Colley Quadrangle 41°33'05"N 76°20'10"W),

4. a 16 inch diameter temporary waterline and a timber mat impacting 2,420 square feet of Palustrine Emergent Wetland (Colley Quadrangle 41°33'19"N 76°19'43"W),

The project will result in 98 linear feet and 240 square feet of temporary stream impacts and 4,925 square feet (0.11 acre) of temporary PEM wetland impacts from temporary waterlines and timber mat bridge crossings all for the purpose of establishing a temporary water supply for Marcellus well development in Wilmot Township, Bradford County.

**E0829-076: Chesapeake Appalachia, LLC**, 14 Chesapeake Lane, Sayre, PA 18840, Wilmot Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 16 inch diameter temporary waterline and a timber mat bridge impacting 26 linear feet of an unnamed tributary to Foster Branch Sugar Run (CWF, MF) (Colley, PA Quadrangle, Latitude: 41°35'29", Longitude: -76°18'16").

2. a 16 inch temporary waterline impacting 2 linear feet of an unnamed tributary to Foster Branch Sugar Run (CWF, MF) (Colley, PA Quadrangle, Latitude: 41°35'17", Longitude: -76°18'32");

3. a 16 inch diameter temporary waterline and a timber mat bridge impacting 609 square feet of a Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°35'26", Longitude: -76°18'59").

The project will result in 28 linear feet and 269 square feet of temporary stream impacts and 609 square feet (0.01 acre) of temporary PEM wetland impacts from temporary waterlines and timber mat bridge crossings all for the purpose of establishing a temporary water supply for Marcellus well development in Wilmot Township, Bradford County.

**ENVIRONMENTAL ASSESSMENT**

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

**EA14-008. Beech Creek Watershed Association, Inc.**, PO Box 286, Mill Hall, PA 17751. Contrary Run SM7-8 in Snow Shoe Township, **Centre County**, ACOE Baltimore District.

To: 1) Place and maintain fill in 0.39 acre of wetlands in an effort to recreate pre-mining contours and to

construct an acid mine drainage treatment system; 2) Removal of mining spoil materials from the floodplain of Contrary Run; 3) fill or reroute 926 feet of tributaries to Contrary Run; 4) Construct and maintain 950 feet of new stream channel to convey a tributary of Contrary Run around and through the project area. The purpose of the project is to remediate acid mine drainage in Contrary Run by constructing a passive treatment system and to reclaim hazardous highwall areas. The project will permanently impact 0.39 acre of wetlands and 926 linear feet of stream channel, which are classified as Cold Water Fisheries. Environmental restoration benefits resulting from the project are proposed to mitigate for the wetland and stream impacts. This approval is under Chapter 105, Section 105.12(a)(16) also includes 401 Water Quality Certification.

(Snow Shoe, PA Quadrangle N: 41°04'32"; W: -77°56'15.6").

### EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

*Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335*

ESCGP-1 #ESX13-085-0027—Shenango Radkowski Central Facility  
Applicant Hilcorp Energy Company  
Contact Stephanie McMurray  
Address 1201 Louisiana Street, Suite 1400  
City Houston State TX Zip Code 77002  
County Mercer Township(s) Shenango(s)  
Receiving Stream(s) and Classification(s) Shenango River  
WWF

ESCGP-1 #ESX13-019-0059—Argo Freshwater Impoundment  
Applicant EM Energy Pennsylvania, LLC  
Contact Lynne Hyatt  
Address 601 Technology Drive, Suite 300  
City Canonsburg State PA Zip Code 15317

County Butler Township(s) Allegheny(s)  
Receiving Stream(s) and Classification(s) UNT to North Branch Bear Creek

ESCGP-1 #ESX13-019-0039A—Geibel Lateral Gas Pipeline Major Modification  
Applicant Mountain Gathering, LLC  
Contact Dewey Chalos  
Address 810 Houston Street  
City Fort Worth State TX Zip Code 76102  
County Butler Township(s) Summit(s)  
Receiving Stream(s) and Classification(s) Bonnie Brook  
WWF

*Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701*

ESCGP-1 # ESX13-131-0028  
Applicant Name Appalachia Midstream Services, LLC  
Contact Person Randy DeLaune  
Address 100 Ist Center  
City, State, Zip Horseheads, NY 14845  
County Wyoming County  
Township(s) Windham Township  
Receiving Stream(s) and Classification(s) Sugar Run, Little Mehoopany Creek (CWF/MF)

ESCGP-1 # ESG13-113-0019  
Applicant Name Appalachia Midstream Services, LLC  
Contact Person Randy DeLaune  
Address 100 Ist Center  
City, State, Zip Horseheads, NY 14845  
County Bradford and Sullivan Counties  
Township(s) Elkland and Overton Townships  
Receiving Stream(s) and Classification(s) Mill Creek, Kings Creek, Lick Creek and their associated Tribs (All EV)  
Secondary: UNTs to the waters listed above.

ESCGP-1 # ESX13-115-0110  
Applicant Name SW Gathering, LLC  
Contact Person David Freudenrich  
Address 6000 Town Center Blvd., Suite 300  
City, State, Zip Canonsburg, PA 15317  
County Susquehanna County  
Township(s) Silver Lake Township  
Receiving Stream(s) and Classification(s) UNT to Choconut Creek (WWF/MF), UNTs to Little Snake Creek (CWF/MF)

ESCGP-1 # ESG13-081-0059 (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 Township  
Receiving Stream(s) and Classification(s) Left Fork Otter Run, Right Fork Otter Run (CWF);  
Secondary: Little Pine Creek (EV)

ESCGP-1 # ESG13-081-0063  
Applicant Name Anadarko Marcellus Midstream, LLC  
Contact Person Rane Wilson  
Address 33 W Third Street, Suite 200  
City, State, Zip Williamsport, PA 17701  
County Lycoming County  
Township(s) Pine Township  
Receiving Stream(s) and Classification(s) UNT to Little Pine Creek (EV/MF), UNT to Texas Creek (EV/MF), Texas Creek (EV/MF) and UNT to Blockhouse Creek (EV/MF);  
Secondary: Little Pine Creek (EV/MF)

## ESCGP-1 # ESX13-115-0138

Applicant Name Chief Oil & Gas, LLC  
 Contact Person Jeffrey Deegan  
 Address 6051 Wallace Road Ext., Suite 300  
 City, State, Zip Wexford, PA 15090  
 County Susquehanna County  
 Township(s) Harford and Lenox Townships  
 Receiving Stream(s) and Classification(s) Sterling Brook  
 (CWF/MF), Nine Partners Creek (CWF/MF)

## ESCGP-1 # ESX13-115-0140

Applicant Name Cabot Oil & Gas Corporation  
 Contact Person Kenneth Marcum  
 Address Five Penn Center West, Suite 401  
 City, State, Zip Pittsburgh, PA 15276  
 County Susquehanna County  
 Township(s) Brooklyn Township  
 Receiving Stream(s) and Classification(s) Hortons Creek  
 (CWF/MF)

## ESCGP-1 # ESX13-033-0005

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 Township  
 Receiving Stream(s) and Classification(s) Clearfield  
 Creek, Upper West Branch Susquehanna Watershed,  
 Trib 26223 to Clearfield Creek, Upper Branch  
 Susquehanna Watershed (All WWF), Upper Morgan  
 Run (CWF)/Upper West Branch Susquehanna River  
 Watershed;  
 Secondary: West Branch Susquehanna River (WWF)

## ESCGP-1 # ESX13-117-0029

Applicant Name Southwestern Energy Production Com-  
 pany  
 Contact Person Dave Sweeley  
 Address 917 State Route 92 North  
 City, State, Zip Tunkhannock, PA 18657  
 County Tioga County  
 Township(s) Union Township  
 Receiving Stream(s) and Classification(s) UNT to  
 Towanda Creek CWF/MF);  
 Secondary: Towanda Creek, Susquehanna River (CWF/  
 MF)

## ESCGP-1 # ESX13-115-0144

Applicant Name Cabot Oil & Gas Corporation  
 Contact Person Kenneth Marcum  
 Address Five Penn Center West, Suite 401  
 City, State, Zip Pittsburgh, PA 15276  
 County Susquehanna County  
 Township(s) Jessup Township  
 Receiving Stream(s) and Classification(s) UNTs to Forest  
 Lake Creek (CWF/MF)

*Southwest Region: Oil & Gas Program Mgr: 400 Water-  
 front Dr. Pittsburgh PA*

## ESCGP-2 No: ESX13-005-0009

Applicant Name: EQT Production Company  
 Contact Person Mr Todd Klaner  
 Address: 455 Racetrack Road Suite 101  
 City: Washington State: PA Zip Code: 15301  
 County: Armstrong Township: Plumcreek & Kittanning  
 Townships  
 Receiving Stream (s) And Classifications: UNT to North  
 Branch Cherry Run(CWF); Other CWF

## ESCGP-2 No.: ESX13-007-0009

Applicant Name: MarkWest Liberty Midstream & Re-  
 sources LLC

Contact Person: Mr Rick Lowry  
 Address: 4600 J Barry Court Suite 500  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Beaver Township(s): Independence  
 Receiving Stream(s) and Classifications: UNT to UNT  
 37482 to Raccoon Creek/Raccoon Creek; Other Warm  
 Water Fishery (WWF)

## ESCGP-2 No.: ESG13-059-0027

Applicant Name: EQT Gathering LLC  
 Contact Person: Ms Hanna McCoy  
 Address: 625 Liberty Avenue Suite 1700  
 City: Pittsburgh State: PA Zip Code: 15222  
 County: Greene Township(s): Morris  
 Receiving Stream(s) and Classifications: Bates Fork/  
 Tenmile Creek Watershed; HQ; Other WWF; Siltation-  
 Impaired

## ESCGP-2 No.: ESX13-125-0042

Applicant Name: CNX Gas Company LLC  
 Contact Person: Ms Sarah Baughman  
 Address: 200 Evergreene Drive  
 City: Waynesburg State: PA Zip Code: 15370  
 County: Washington Township(s): East Finley  
 Receiving Stream(s) and Classifications: UNT Templeton  
 Fork; Other Trout Stocking (TSF); Siltation-Impaired

## ESCGP-2 No.: ESX11-125-0026 Major Revision

Applicant Name: Chevron Appalachia LLC  
 Contact Person: Mr Branden Weimer  
 Address: 800 Mountain View Drive  
 City: Smithfield State: PA Zip Code: 15478  
 COUNTY Washington Township(s): Deemston Boro  
 Receiving Stream(s) and Classifications: UNT to Plum  
 Run / Tenmile Creek Watershed; Other TSF; Siltation-  
 Impaired

## ESCGP-2 No.: ESX13-059-0029

Applicant Name: EQT Gathering LLC  
 Contact Person: Ms Hanna McCoy  
 Address: 625 Liberty Avenue Suite 1700  
 City: Pittsburgh State: PA Zip Code: 15222  
 County: Greene Township(s): Washington  
 Receiving Stream(s) and Classifications: UNTs to Ruff  
 Creek; Ruff Creek; UNTs to Boyd Run; South Fork  
 Tenmile Creek Watershed; Other WWF

## ESCGP-2 No.: ESG13-063-0004

Applicant Name: CONE Gathering LLC  
 Contact Person: Ms Tara Meek  
 Address: 200 Evergreene Drive  
 City: Waynesburg State: PA Zip Code 15370  
 County: Indiana Township(s): North Mahoning  
 Receiving Stream(s) and Classifications: Leasure Run and  
 UNTs to Mudlick Run & Little Mahoning Creek—All  
 are designated HQ-CWF, MF in Ch 93; HQ

## ESCGP-2 No.: ESX13-125-0032

Applicant Name: CONE Gathering LLC  
 Contact Person: Ms Tara Meek  
 Address: 200 Evergreene Drive  
 City: Waynesburg State: Pa Zip Code: 15370  
 County: Washington Township(s): Morris  
 Receiving Stream(s) and Classifications: Rocky Run,  
 Short Creek, Crafts Creek, Tenmile Creek and their  
 UNTs—All are designated TSF in Ch 93; Other Trout  
 Stocked Fishery

## ESCGP-2 No.: ESX13-125-0003

Applicant Name: Noble Energy Inc  
 Contact Person: Dee Swiger  
 Address: 333 Technology Drive Suite 116  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Washington Township(s): West Finley



Receiving Stream(s) and Classifications: Robinson Fork and Spottedtail Run/Upper Ohio-Wheeling Watershed; Other WWF

ESCGP-2 NO.: ESG13-005-0021  
 Applicant Name: PennEnergy Resources LLC  
 CONTACT PERSON: Mr Robert Crissinger  
 ADDRESS: 1000 Commerce Park Place One, Suite 100  
 City: Pittsburgh State: PA Zip Code: 15275  
 County: Armstrong Township(s): West Franklin  
 Receiving Stream(s) and Classifications: Two UNTs to Buffalo Creek HQ-TSF/Lower Allegheny Watershed; HQ

ESCGP-2 NO.: ESX13-059-0016  
 Applicant Name: PVR NEPA Gas Gathering LLC  
 CONTACT: Mr Nicholas J Bryan  
 ADDRESS: 101 West Third Street  
 City: Williamsport State: PA Zip Code: 17701  
 County: Greene Township(s): Gilmore  
 Receiving Stream(s) and Classifications: UNT to Pennsylvania Fork Dunkard Creek, UNT to Garrison Fork, & UNT to Hennen Run; Other WWF, MF

ESCGP-2 NO.: ESG13-059-0021  
 Applicant Name: Alpha Shale Resources LP  
 CONTACT: Mr Danny Rice  
 ADDRESS: 171 Hillpointe Drive Suite 301  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Greene Township(s): Wayne  
 Receiving Stream(s) and Classifications: UNT to Hargus Creek/South Fork Tenmile Creek; Pursley Creek/South Fork Tenmile Creek; UNT to Tustin Run/South Fork Tenmile Creek; UNT to Hoovers Run/South Fork Tenmile Creek; HQ; Other WWF

ESCGP-2 NO.: ESX13-125-0018  
 Applicant Name: MarkWest Liberty Midstream & Resources LLC  
 CONTACT: Mr Rick Lowry  
 ADDRESS: 4600 J Barry Court Suite 500  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Washington Township(s): Hanover  
 Receiving Stream(s) and Classifications: UNTs to Ward Run (WWF), Ward Run (WWF) UNTs to Kings Creek (CWF) Kings Creek (CWF); Other CWF, WWF

ESCGP-2 NO.: ESX13-125-0072  
 Applicant Name: Rice Drilling B LLC  
 CONTACT: Mr Joe Mallow  
 ADDRESS: 171 Hillpointe Drive Suite 301  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Washington Township(s): Somerset  
 Receiving Stream(s) and Classifications: UNTs to S. Branch of Pigeon Creek / Monongahela River: Other Warm Water Fishes (WWF)

ESCGP-2 NO.: ESG13-125-0070  
 Applicant Name: MarkWest Liberty Midstream & Resources LLC  
 CONTACT: Mr Rick Lowry  
 ADDRESS: 4600 J Barry Court Suite 500  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Washington Township(s): Donegal  
 Receiving Stream(s) and Classifications: UNTs to Bonar Creek, Bonar Creek, UNTs to Middle Wheeling Creek, UNTs to Dutch Fork; HQ; Other WWF

ESCGP-2 NO.: ESX13-007-0011  
 Applicant Name: PENNENERGY RESOURCES LLC  
 CONTACT: Mr Robert A Crissinger  
 ADDRESS: 1000 Commerce Drive Park Place One Suite 100  
 City: Pittsburgh State: PA Zip Code: 15275  
 County: Beaver Township(s): New Brighton

Receiving Stream(s) and Classifications: UNTs to Con-nouguenessing Creek (WWF) Slippery Rock Creek Watershed; Other WWF

### OIL AND GAS MANAGEMENT

The following Well Permits have been issued with a waiver under 58 Pa.C.S. § 3215(b)(4) (relating to well location restrictions).

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 which 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 pro bono representation. Call the Secretary to the Board at (717) 787-3483.

*Southwest District Oil and Gas Operations, Program Manager, 400 Waterfront Drive Pittsburgh, PA 15222-4745*

Well Permit #: 059-26116-00-02  
 Well Farm Name: Miller Unit 76H  
 Applicant Name: Chevron Appalachia, LLC  
 Contact Person: Branden Weimer  
 Address: 800 Mountain View Drive Smithfield, PA 15478  
 County: Greene  
 Municipality Name/City, Borough, Township: Dunkard  
 Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Unnamed Tributary to Meadow Run

### SPECIAL NOTICES

#### Notice of Suspension of Certification to Perform Radon-Related Activities in Pennsylvania; In the Matter of Thomas O'Connor

On December 20, 2013, the Pennsylvania Department of Environmental Protection ("Department"), under the authority contained in the Radon Certification Act (63 P. S. §§ 2001—2014) and the regulations promulgated thereunder at 25 Pa. Code § 240.203(b), suspended Thomas O'Connor's certification to perform radon testing activities in Pennsylvania. The Department suspended Mr. O'Connor's radon testing individual certification #1169 for his failure to submit the required 45-day reporting and late reporting fee in violation of 25 Pa. Code § 240.303(a), 25 Pa. Code Ch. 240 Appendix A, and 25 Pa. Code § 240.203(a)(3). Copies of Mr. O'Connor's



Suspension are available from Kelley Oberdick, Department of Environmental Protection, 400 Market Street, 13th Floor, Harrisburg, PA 17101, (717) 783-3594.

*Name*

Thomas O'Connor

*Address*

8620 Rochester Road  
Pittsburgh, PA 15237-4167

*Type of Radon Certification*

Testing individual

**Surface Mine Reclamation Project**

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

Act 181 Notification: **Black Dog Mining, Inc. PBF 05773002.1** Surface Mine Reclamation Project; Broad Top Twp., **Bedford County**. The work is limited to topsoiling & seeding, repair of gullies, planting of trees, and treatment rehabilitation. This project issues on January 11, 2014. A mandatory pre-proposal meeting will be conducted on January 23, 2014, at 10:30 a.m. at the DEP office at 286 Industrial Park, Ebensburg, PA 15931. For information call Malcolm Crittenden DEP 814-472-1908 or email mcrittendepa.gov. Proposal documents will be available after January 11, 2014 and at the pre-proposal meeting. Contractors must obtain a Coal Mining License in order to qualify for the final award as per Pa. Code Title 25 Chapter 86.189.

**Environmental Good Samaritan Act; Reclamation and Abatement Projects**

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

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

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

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

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

**EGS 18001. Trout Unlimited** (1300 N. 17th Street, Arlington, VA 22209). Middle Branch Passive Treatment System. A project to abate mine drainage pollution in Leidy Township, **Clinton County** affecting 4.75 acres. Receiving stream: Middle Branch, classified for the following use(s): TSF. Project proposal received: November 19, 2010.

**EGS 18002. Trout Unlimited** (1300 N. 17th Street, Arlington, VA 22209). Robbins Hollow Headwaters Passive Treatment System Complex. A project to abate mine drainage pollution in Leidy and Noyes Townships, **Clinton County** affecting 2.94 acres. Receiving stream: Two Mile Run, classified for the following use(s): TSF. Project proposal received: November 19, 2010.

**EGS 18003. Trout Unlimited** (1300 N. 17th Street, Arlington, VA 22209). Robbins Hollow Pipes 1-4 Passive Treatment System. A project to abate mine drainage pollution in Noyes Township, **Clinton County** affecting 0.9 acre. Receiving stream: Two Mile Run, classified for the following use(s): TSF. Project proposal received: November 21, 2013.

**EGS 18004. Trout Unlimited** (1300 N. 17th Street, Arlington, VA 22209). Swamp Area Passive Treatment System. A project to abate mine drainage pollution in Leidy and Noyes Townships, **Clinton County** affecting 9.0 acres. Receiving stream: Two Mile Run, classified for the following use(s): TSF. Project proposal received: November 21, 2013.

**EGS 18005. Trout Unlimited** (1300 N. 17th Street, Arlington, VA 22209). Robbins Hollow 10A-10B Passive Treatment System. A project to abate mine drainage pollution in Noyes Township, **Clinton County** affecting 0.9 acre. Receiving stream: Two Mile Run, classified for the following use(s): TSF. Project proposal received: November 21, 2013.

**EGS17001. Clearfield County Conservation District** (650 Leonard Street, Clearfield, PA 16830). MR TUFF Passive Treatment System. A project to abate mine drainage pollution in Decatur Township, **Clearfield County** affecting 5.0 acres. Receiving stream: Morgan Run, classified for the following use(s): CWF. Project proposal received: October 24, 2007.

**EGS17002. Clearfield County Conservation District** (650 Leonard Street, Clearfield, PA). MR FROG Passive Treatment System. A project to abate mine drainage pollution in Decatur Township, **Clearfield County** affecting 3.5 acres. Receiving stream: Morgan Run, classified for the following use(s): CWF. Project proposal received: October 24, 2007.

**Request for Comments and Notice of Public Meeting for the Proposed Total Maximum Daily Loads (TMDLs) Developed for the Octoraro Creek Watershed**

The Pennsylvania Department of Environmental Protection (PADEP) and the Susquehanna River Basin Commission (SRBC) held a public meeting on June 18th, 2013, at 2:30 p.m., at the East Drumore Township Building, 1246 Robert Fulton Highway, Quarryville, PA 17566. The purpose of the meeting was to discuss and accept comments on the proposed TMDL developed for the Octoraro Creek Watershed. In accordance with the requirements of Section 303(d) of the Clean Water Act, stream segments in the Octoraro Creek Watershed have been identified as impaired due to high levels of nutrients and sediment, as a result of agricultural land use.

The proposed TMDLs set allowable loadings to meet water quality standards at specified points in the Octoraro Creek Watershed for nutrients and sediment. Loads have been allocated to nonpoint sources. The TMDLs were established using ArcView Generalized Watershed Loading Function (AVGWLF) and Load Duration, PADEP-approved methods.

The data and all supporting documentation used to develop the proposed TMDLs are available from PADEP.

The proposed TMDL and information on the TMDL program can be viewed on PADEP's website ([www.dep.state.pa.us/watermanagement\\_apps/tmdl/](http://www.dep.state.pa.us/watermanagement_apps/tmdl/)). To request a copy of any of the TMDLs, contact Bill Brown, PADEP, Water Quality Assessment and Standards, 400 Market Street, P. O. Box 8467, Harrisburg, PA 17105, (717) 783-2951.

Written comments will be accepted at the above address and must be postmarked no later than February 4th, 2014. PADEP will consider all comments in developing the final TMDL, which will be submitted to the U.S. Environmental Protection Agency for approval.

[Pa.B. Doc. No. 14-25. Filed for public inspection January 3, 2014, 9:00 a.m.]

### **Extension of NPDES General Permit for Discharges from Small Flow Treatment Facilities (PAG-04)**

Under the authority of The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P. S. §§ 510-5, 510-17 and 510-20), the Department of Environmental Protection (Department) is, by this notice, extending for 12 months the availability of the current National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges from Small Flow Treatment Facilities (PAG-04).

The existing PAG-04 in effect at this time will expire on February 4, 2014. By this notice, the Department is administratively extending the PAG-04 General Permit to February 4, 2015. Persons that are operating under the PAG-04 General Permit may continue to operate until February 4, 2015, or the expiration date of coverage identified on the permit coverage approval page, whichever is later. The Department is extending the availability of this permit to adequately complete preparation of the renewal of the PAG-04 General Permit.

To access the General Permit and related documents, visit [www.elibrary.dep.state.pa.us](http://www.elibrary.dep.state.pa.us) and select "Permit and Authorization Packages," "Water Management," "NPDES (National Pollutant Discharge Elimination System)," "General Permits" and "PAG-04."

Questions regarding the PAG-04 General Permit for Discharges from SFTF should be directed to Dharmendra Kumar at (717) 783-2288 or [dkumar@pa.gov](mailto:dkumar@pa.gov).

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-26. Filed for public inspection January 3, 2014, 9:00 a.m.]

### **Public Notice of Draft PAG-04, National Pollutant Discharge Elimination System General Permit for Discharges from Small Flow Treatment Facilities**

The Department of Environmental Protection (Department) is announcing the availability of a draft National Pollutant Discharge Elimination System (NPDES) General Permit for discharges from Small Flow Treatment Facilities (PAG-04). To access the draft General Permit and related documents, visit [www.elibrary.dep.state.pa.us](http://www.elibrary.dep.state.pa.us)

and select "Permit and Authorization Packages," "Point and Non-Point Source Management," "National Pollutant Discharge Elimination System—NPDES," "General Permits" and "PAG-04 (Draft)."

The PAG-04 General Permit is intended to provide NPDES permit coverage to Small Flow Treatment Facilities (SFTFs), including Single Residence Sewage Treatment Plants (SRSTPs), with discharges to waters of the Commonwealth. The existing PAG-04 General Permit is scheduled to expire on February 4, 2014, but will be extended. The Department is proposing to reissue a final PAG-04 General Permit on or before the expiration date of the administratively extended permit.

The draft PAG-04 General Permit includes the following proposed changes in comparison to the existing PAG-04 General Permit:

- The permit language has been updated to conform to the Department's regulations in 25 Pa. Code Chapter 92a (relating to National Pollutant Discharge Elimination System permitting, monitoring and compliance) as published at 40 Pa.B. 5767 (October 9, 2010).

- Permittees with PAG-04 General Permit coverage must submit Annual Maintenance Reports to the Department electronically if required by the Department in writing.

The proposed Notice of Intent (NOI) fee for coverage under this General Permit is \$100 for SFTFs that are not SRSTPs. There is no NOI fee for SRSTPs.

The Department anticipates that once coverage under the General Permit is authorized, coverage will continue without the need to submit a separate, subsequent NOI for renewal of coverage unless the Department specifically requires the submission of a separate, subsequent NOI in writing. The permittee must agree and certify that the permittee has read and continues to be eligible for coverage under the most recent PAG-04 and that it will comply with any conditions and modifications to those conditions.

*Written Comments:* The Department is seeking comments on the draft PAG-04 General Permit, Document No. 3800-PM-BPNPSM0093a-f for a period of 30 days. Interested persons may submit written comments on these documents by February 3, 2014. Comments submitted by facsimile will not be accepted. The Department will accept comments submitted by e-mail. A return name and address must be included in each e-mail transmission. Written comments should be submitted to Dharmendra Kumar, Department of Environmental Protection, Bureau of Point and Non-Point Source Management, Rachel Carson State Office Building, 11th Floor, P. O. Box 8774, Harrisburg, PA 17105-8774, [dkumar@pa.gov](mailto:dkumar@pa.gov). Written comments submitted during the 30-day comment period will be retained by the Department and considered in making a final determination. The Department will provide an opportunity for any interested person or group of persons, any affected State, any affected interstate agency, United States Environmental Protection Agency or any interested agency, to request or petition for a public hearing with respect to the proposed General Permit. The request or petition for public hearing, which must be filed within the 30-day period allowed for filing of written comments, must indicate the interest of the party filing the request and the reasons why a hearing is warranted. A hearing will be held if there is significant public interest.

*Contact:* Questions regarding the draft PAG-04 General Permit should be directed to Dharmendra Kumar at [dkumar@pa.gov](mailto:dkumar@pa.gov) or (717) 787-2288.

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-27. Filed for public inspection January 3, 2014, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Application of Allegheny Valley Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Allegheny Valley Hospital has requested an exception to the requirements of 28 Pa. Code § 103.31 (relating to the chief executive officer).

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the 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. 14-28. Filed for public inspection January 3, 2014, 9:00 a.m.]

### Application of Apple Hill Surgery Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Apple Hill Surgery Center has requested an exception to the requirements of 28 Pa. Code § 551.21(a)(1) and (c)(2) (relating to criteria for ambulatory surgery).

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the 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. 14-29. Filed for public inspection January 3, 2014, 9:00 a.m.]

### Application of Apple Hill Surgery Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Apple Hill Surgery Center has requested an exception to the requirements of 28 Pa. Code § 553.3(8)(iii) (relating to governing body responsibilities).

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the 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. 14-30. Filed for public inspection January 3, 2014, 9:00 a.m.]

### Application of Children's Surgery Center, LLC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Children's Surgery Center, LLC has requested an exception to the requirements of 28 Pa. Code § 551.22(3)(ii) (relating to criteria for performance of ambulatory surgery on pediatric patients).

This request is on file with the Department. Persons may receive a copy of a request for exception by request-



ing 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. 14-31. Filed for public inspection January 3, 2014, 9:00 a.m.]

### Application of Grand View Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Grand View Hospital has requested an exception to the requirements of 28 Pa. Code § 107.62(a) and (b) (relating to oral orders).

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the 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. 14-32. Filed for public inspection January 3, 2014, 9:00 a.m.]

### Application of J.C. Blair Memorial Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that J.C. Blair Memorial Hospital has requested an

exception to the requirements of 28 Pa. Code § 107.62(a) and (b) (relating to oral orders).

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the 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. 14-33. Filed for public inspection January 3, 2014, 9:00 a.m.]

### Application of Lancaster General Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Lancaster General Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.2-2.2.6.13 and 2.1-3.2 (relating to examination/treatment room; and examination/treatment room or area).

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or



hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-34. Filed for public inspection January 3, 2014, 9:00 a.m.]

### **Application of LifeCare Hospital of Pittsburgh— Alle Kiski Campus for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that LifeCare Hospital of Pittsburgh—Alle Kiski Campus has requested an exception to the requirements of 28 Pa. Code § 107.62(a) and (b) (relating to oral orders).

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the 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. 14-35. Filed for public inspection January 3, 2014, 9:00 a.m.]

### **Application of LifeCare Hospital of Pittsburgh— Main Campus for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that LifeCare Hospital of Pittsburgh—Main Campus has requested an exception to the requirements of 28 Pa. Code § 107.62(a) and (b) (relating to oral orders).

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

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

Comments received by the Department within 10 days after the date of publication of this notice will be

reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the 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. 14-36. Filed for public inspection January 3, 2014, 9:00 a.m.]

### **Application of LifeCare Hospital of Pittsburgh— Monroeville Campus for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that LifeCare Hospital of Pittsburgh—Monroeville Campus has requested an exception to the requirements of 28 Pa. Code § 107.62(a) and (b) (relating to oral orders).

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the 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. 14-37. Filed for public inspection January 3, 2014, 9:00 a.m.]

### **Application of LifeCare Hospital of Pittsburgh— Monroeville Campus for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that LifeCare Hospital of Pittsburgh—Monroeville Campus has requested an exception to the requirements of 28 Pa. Code § 123.25(2) (relating to regulations for control of anesthetic explosion hazards).

The 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.

The facility is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

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. 14-38. Filed for public inspection January 3, 2014, 9:00 a.m.]

### **Application of LifeCare Hospital of Pittsburgh—Suburban Campus for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that LifeCare Hospital of Pittsburgh—Suburban Campus has requested an exception to the requirements of 28 Pa. Code § 107.62(a) and (b) (relating to oral orders).

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the 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. 14-39. Filed for public inspection January 3, 2014, 9:00 a.m.]

### **Application of OSS Orthopaedic Hospital for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that OSS Orthopaedic Hospital has requested an exception to the requirements of 28 Pa. Code § 107.62(a) and (b) (relating to oral orders).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of

Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the 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. 14-40. Filed for public inspection January 3, 2014, 9:00 a.m.]

### **Application of Valley Ambulatory Surgery Center for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Valley Ambulatory Surgery Center has requested an exception to the requirements of 28 Pa. Code § 551.21(d)(2) (relating to criteria for ambulatory surgery).

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. 14-41. Filed for public inspection January 3, 2014, 9:00 a.m.]

### **Approved Prearrest and Evidential Breath Testing Devices**

The Department of Health (Department) has statutory authority to approve both prearrest and evidential breath

testing devices for use by law enforcement officials to determine the alcohol content of blood by analysis of a person's breath. This notice contains the combined approved lists of prearrest breath testing devices and evidential breath testing devices.

*Prearrest breath testing devices*

The Department approves prearrest breath testing devices as required under 28 Pa. Code §§ 5.101—5.104 (relating to equipment to determine blood alcohol content under the Vehicle Code and the Fish and Boat Code). Authority to promulgate these regulations is contained in the Vehicle Code, 75 Pa.C.S. § 1547(k) (relating to chemical testing to determine amount of alcohol or controlled substance), the Fish and Boat Code, 30 Pa.C.S. § 5125(k) (relating to chemical testing to determine amount of alcohol or controlled substance), the Game and Wildlife Code, 34 Pa.C.S. § 2502(j) (relating to chemical test to determine amount of alcohol) and section 2102(g) of The Administrative Code of 1929 (71 P. S. § 532(g)).

Prearrest breath testing devices approved under this authority may be used by police officers, waterways patrolmen and officers enforcing the Vehicle Code, the Fish and Boat Code and the Game and Wildlife Code in conducting preliminary determinations of the alcohol content of blood of persons suspected of driving, boating, hunting or furtaking while under the influence of alcohol. Officers and patrolmen use these devices to assist them in determining whether or not a person should be placed under arrest for violation of 75 Pa.C.S. § 3802 (relating to driving under influence of alcohol or controlled substance), for violation of 30 Pa.C.S. § 5502 (relating to operating watercraft under influence of alcohol or controlled substance), for violation of 34 Pa.C.S. § 2501 (relating to hunting or furtaking prohibited while under influence of alcohol or controlled substance) or for any other criminal offense under the Vehicle Code, the Fish and Boat Code or the Game and Wildlife Code which involves operating a vehicle or boat, hunting or furtaking while under the influence of alcohol.

The National Highway Traffic Safety Administration (NHTSA) of the United States Department of Transportation published model specifications for Screening Devices to Measure Alcohol in Bodily Fluids at 59 FR 39382 (August 2, 1994). These specifications established performance criteria and methods for testing alcohol screening devices to measure alcohol content. The NHTSA established these specifications to support state laws and the United States Department of Transportation's workplace alcohol testing program. The Department has elected to use the NHTSA criteria for approving devices for the prearrest testing of a person's breath to determine the alcohol content of the person's blood.

The NHTSA published its first Conforming Products List (CPL) for screening devices on 59 FR 61923 (December 2, 1994), with corrections at 59 FR 65128 (December 16, 1994), identifying the devices that meet the NHTSA's Model Specifications for Screening Devices to Measure Alcohol in Bodily Fluids. Thereafter, the NHTSA updated the CPL at 60 FR 42214 (August 15, 1995), 66 FR 22639 (May 4, 2001), 70 FR 54972 (September 19, 2005), with corrections at 70 FR 72502 (December 5, 2005) and 72 FR 4559 (January 31, 2007).

The NHTSA published revised Model Specifications for Screening Devices to Measure Alcohol in Bodily Fluids at 73 FR 16956 (March 31, 2008). These specifications removed from use interpretive screening devices (ISDs) because ISDs did not provide an unambiguous test result.

These specifications also removed from use the Breath Alcohol Sample Simulator as it is not necessary for testing breath alcohol screening devices. All other performance criteria and test methods were maintained. The NHTSA published an additional update to the CPL at 74 FR 66398 (December 15, 2009). The current list was published at 77 FR 35745 (June 14, 2012).

The list at 77 FR 35745 added the following alcohol screening devices that have been evaluated and found to conform to the Model Specifications for Screening Devices to Measure Alcohol in Bodily Fluids.

(1) AK Solutions USA, LLC, submitted the AlcoMate SafeGuard (Model AL-2500, aka: AlcoScan AL-2500) alcohol screening device. This is a handheld, battery powered device with a semiconductor sensor.

(2) Alcohol Countermeasure Systems Corp., submitted the DRIVESAFE alcohol screening device. This is a handheld, battery powered device with a fuel cell sensor.

(3) KHN Solutions, LLC, submitted two screening devices for testing. Their trade names are: BACTRACK Element and the BACTRACK S75 Pro. Both devices are handheld, battery powered with fuel cell sensors.

(4) PAS Systems International, Inc. submitted the Alcovisor MARS screening device. This is a handheld, battery powered device with a fuel cell sensor.

(5) Q3 Innovations, Inc. submitted the CA2010 screening device. This is a handheld, battery powered device with a semiconductor sensor.

(6) Skyfine, Inc. Ltd. submitted three devices (AT577, AT578 and AT579). All three devices are hand-held, battery-powered and use fuel cell sensors. The AT578 is also distributed by Express Diagnostics, Int'l, Blue Earth, Minnesota under the trade name of AlcoCheck FC90, so it has been listed twice on the CPL, once under each of its distributors/manufacturers.

All of the previously listed devices meet the NHTSA Model Specifications for Screening Devices to Measure Alcohol in Bodily Fluids.

*Evidential breath testing devices*

The Department approves evidential breath testing devices under the authority of the Vehicle Code (75 Pa.C.S. § 1547(c)(1)), the Fish and Boat Code (30 Pa.C.S. § 5125(c)(1)) and the Game and Wildlife Code (34 Pa.C.S. § 2502(c)).

Evidential breath testing devices approved under this notice may be used by law enforcement officials to obtain test results which will be admissible in evidence in any summary or criminal proceeding in which the defendant is charged with a violation of 75 Pa.C.S. § 3802 or any other violation of the Vehicle Code arising out of the same action or 30 Pa.C.S. § 5502 or any other violation of the Fish and Boat Code arising out of the same action or 34 Pa.C.S. § 2501 or any other violation of the Game and Wildlife Code arising out of the same action.

The NHTSA published the Standards for Devices to Measure Breath Alcohol at 38 FR 30459 (November 5, 1973). A Qualified Products List of Evidential Breath Measurement Devices comprised of instruments that met this standard was first issued at 39 FR 41399 (November 21, 1974).

The NHTSA converted this standard to Model Specifications for Evidential Breath Testing Devices (Model Specifications) and published a CPL of instruments that were found to conform to the Model Specifications as Appendix



D to that notice at 49 FR 48854 (December 14, 1984). Those instruments are identified in this notice with an asterisk.

The NHTSA published a notice to amend the Model Specifications at 58 FR 48705 (September 17, 1993) and to update the CPL. That notice changed the alcohol concentration levels at which instruments are evaluated for precision and accuracy, from 0.000, 0.050, 0.101 and 0.151 BAC, to 0.000, 0.020, 0.040, 0.080 and 0.160 BAC, respectively. It also included a test for the presence of acetone and an expanded definition of alcohol to include other low molecular weight alcohols, for example methyl or isopropyl. Since that time, the CPL has been annotated to indicate which instruments have been determined to meet the Model Specifications published in 1984 and which have been determined to meet the Model Specifications, as revised and published in 1993. Thereafter, NHTSA has periodically updated the CPL with those breath instruments found to conform to the Model Specifications.

The list of evidential breath testing devices contains updates to the CPL published at 77 FR 35747 (June 14, 2012) for instruments that conform to the Model Specifications for Evidential Breath Alcohol Measurement Devices at 58 FR 48705 (September 17, 1993). The June 14, 2012 Federal Register added nine new instruments that have been evaluated and found to conform to the Model Specifications, as amended on September 17, 1993, for mobile and non-mobile use. In alphabetical order by company, they are:

1) The "SAFIR Evolution" manufactured by Alcohol Countermeasure Systems, Corp. Toronto, Ontario, Canada. This is a hand-held instrument intended for use in stationary or mobile operations. It uses an infrared sensor and powered by internal batteries.

2) The "Intoxilyzer 600" manufactured by CMI, Inc., Owensboro, KY. This is a hand-held instrument intended for use in stationary or mobile operations. It uses a fuel cell sensor and powered by an internal battery. The Intoxilyzer 600 is also distributed as the Alcolmeter 600 by Lion Laboratories outside the United States, so it has been listed twice on the CPL, once under each of its distributors/manufacturers.

3) The "Guth 38" manufactured by Guth Laboratories, Inc., Harrisburg, PA. This is a hand-held instrument intended for use in stationary or mobile operations. It uses a fuel cell sensor and is powered by internal batteries.

4) The "Alco-Sensor V XL" manufactured by Intoximeters, Inc., St. Louis, MO. This is a hand-held instrument intended for use in stationary or mobile operations. It uses a fuel cell sensor and is powered by internal batteries.

5) The "LifeGuard Pro" manufactured by Lifeloc Technologies, Inc., Wheat Ridge, CO. This is a hand-held instrument intended for use in stationary or mobile operations. It uses a fuel cell sensor and is powered by internal batteries.

6) The "DataMaster DMT with fuel cell option series number (SN) 555555" and the "DataMaster DMT with fuel cell option series number (SN) 100630" manufactured by National Patent Analytical Systems, Inc., Mansfield, OH. These instruments can be used in stationary and mobile operations. These instruments use both infrared and fuel cell sensors. These instruments can be powered by either 110 volts alternate current or 12 volts direct current.

7) The "Alcovisor Jupiter" and the "Alcovisor Mercury" manufactured by PAS International, Fredericksburg, VA. These are hand-held instruments intended for use in stationary or mobile operations. Both instruments use a fuel cell sensor and are powered by internal batteries.

The June 14, 2012, CPL update also removes four instruments no longer supported by the manufacturer and makes one minor change. The following instruments, manufactured by Lifeloc Technologies, Inc., Wheat Ridge, CO, are being removed from the CPL because these instruments were determined to be obsolete:

- 1) PBA 3000B.
- 2) PBA 3000-P.
- 3) PBA 3000 C.
- 4) Alcohol Data Sensor.

These instruments are no longer manufactured, in use or being maintained by the manufacturer.

The CPL update also includes a change of address for Alcohol Countermeasure Systems Corp., from Mississauga, Ontario, Canada to Toronto, Ontario, Canada.

The NHTSA also evaluates equipment to determine if it must be operated at fixed locations (that is, nonmobile equipment) or can be transported to nonfixed operational sites in the field (mobile equipment). Most equipment on the following list is approved for mobile and nonmobile operation. The instruments on the list not marked with an asterisk meet the specifications for use as prearrest or evidentiary breath testing devices. The instruments on the list marked with an asterisk may be used as evidentiary devices for blood alcohol concentrations at or above 0.050%. These instruments may also be used as prearrest breath testing devices if they are approved for mobile operations. However, these instruments may not be used for making arrests under the Vehicle Code, the Fish and Boat Code or the Game and Wildlife Code when blood alcohol concentrations below 0.050% must be determined. Nonmobile devices can only be used as evidentiary testing instruments since they are not portable. Before purchasing breath testing devices, law enforcement officials should consult with the manufacturer of the equipment they intend to purchase to verify that the devices can be used for their intended purposes.

Law enforcement agencies should determine that an approved training program in the use of the equipment is available in accordance with the previously referenced statutes before purchasing any of the devices contained on this list. Law enforcement agencies that plan to utilize a device that does not appear on the following list should contact the manufacturer of the equipment to verify that it has been evaluated by the NHTSA and found to meet the NHTSA's performance requirements. If a device is approved by the NHTSA after the date of this publication, the manufacturer of the device will need to forward documentation of the NHTSA acceptability to Dr. James R. Lute at the following address so that the Department has information sufficient to enable it to include the device in the next revision of this notice in the *Pennsylvania Bulletin*.

Some of the devices included in this notice are listed under the name of more than one manufacturer due to the fact that the name of the manufacturer has changed or the right to produce a device has been transferred to a different company. In these instances, the device is listed



under the name of every company that was ever associated with the device to allow law enforcement agencies to continue using devices bearing the name of a previous manufacturer.

To facilitate accessibility of information concerning breath alcohol testing devices which are approved for law enforcement purposes in this Commonwealth, the Department will publish revisions of this list of equipment semiannually as notices in the *Pennsylvania Bulletin*. This practice was implemented in 2009 and will proceed even if an updated conforming products list has not appeared in the *Federal Register* since the Department's last annual publication of approved breath testing devices.

Questions regarding this list should be directed to Dr. James R. Lute, Assistant Bureau Director, Department of Health, Bureau of Laboratories, P. O. Box 500, Exton, PA 19341-0500, (610) 280-3464.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape or Braille) may contact Dr. James R. Lute at the previously referenced address or phone number. Persons who are speech or hearing impaired may use V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

**CONFORMING PRODUCTS LIST OF ALCOHOL SCREENING DEVICES**

Distributors/Manufacturers	Devices
AK Solutions, USA, LLC., Palisades Park, New Jersey <sup>1</sup> . . . . .	<ul style="list-style-type: none"> <li>• AlcoScan AL—2500.</li> <li>• SafeMate.<sup>2</sup></li> <li>• SafeDrive.</li> <li>• AlcoMate.<sup>3</sup> (aka: AlcoHAWK Pro by Q3 Innovations).</li> <li>• AlcoMate Accu Cell AL-9000.</li> <li>• AlcoMate Pro.<sup>3</sup></li> <li>• AlcoMate Core.<sup>4</sup></li> <li>• AlcoMate Premium AL-7000, with replaceable Premium Sensor Modules (SM-7000).<sup>4 5</sup></li> <li>• AlcoMate Prestige AL-6000, with replaceable Prestige Sensor Modules (SM-6000).<sup>4 6</sup></li> <li>• AlcoMate SafeGuard (Model AL-2500, aka: AlcoScan AL-2500).</li> </ul>
Alco Check International, Hudsonville, Michigan . . . . .	Alco Check 3000 D.O.T. <sup>7</sup> Alco Check 9000. <sup>7</sup>
Akers Biosciences, Inc., Thorofare, New Jersey . . . . .	Breath Alcohol ✓ .02 Detection System. <sup>8</sup>
Alcohol Countermeasure Systems Corp., Toronto, Ontario, Canada . . . . .	DRIVESAFE.
BAC Solutions, Inc., Birmingham, Michigan . . . . .	BACmaster.
B.E.S.T. Labs., Boardman, Ohio . . . . .	PB 9000e.
Chematics, Inc., North Webster, Indiana . . . . .	ALCO-SCREEN 02 <sup>TM9</sup> .
CMI, Inc., Owensboro, Kentucky . . . . .	Intoxilyzer 500 (aka: Alcometer 500—Lion Laboratories).
Express Diagnostics Int'l, Inc., Blue Earth, Minnesota . . . . .	AlcoCheck FC90 (aka: AT578 by Skyfine).
First Innovative Technology Group, Ltd., Hong Kong . . . . .	AAT198—Pro.
Guth Laboratories, Inc., Harrisburg, Pennsylvania . . . . .	<ul style="list-style-type: none"> <li>• Alco Tector Mark X.</li> <li>• Mark X Alcohol Checker.</li> <li>• Alcotector WAT89EC-1.</li> <li>• Alcotector WAT90.</li> </ul>
Han International Co., Ltd., <sup>2</sup> Seoul, Korea . . . . .	A.B.I. (Alcohol Breath Indicator) (aka: AlcoHAWK ABI by Q3 Innovations).
KHN Solutions, LLC, San Francisco, California . . . . .	<ul style="list-style-type: none"> <li>• BACTRACK Select S50.<sup>10</sup></li> <li>• BACTRACK Select S80.<sup>10</sup></li> <li>• BACTRACK Element.</li> <li>• BACTRACK S 75 Pro.</li> </ul>
Lion Laboratories, Ltd., Wales, United Kingdom . . . . .	Alcometer 500 (aka: Intoxilyzer 500—CMI, Inc.).
OraSure Technologies, Inc., Bethlehem, Pennsylvania . . . . .	Q.E.D. A150 Saliva Alcohol Test.
PAS Systems International, Inc., Fredericksburg, Virginia . . . . .	<ul style="list-style-type: none"> <li>• PAS Vr.</li> <li>• Alcovisor MARS.</li> </ul>

Distributors/Manufacturers	Devices
Q3 Innovations, Inc., Independence, Iowa . . . . .	<ul style="list-style-type: none"> <li>• AlcoHAWK Precision.</li> <li>• AlcoHAWK Slim.</li> <li>• AlcoHAWK Slim 2.</li> <li>• AlcoHAWK Elite.</li> <li>• AlcoHAWK ABI (aka: A.B.I. (Alcohol Breath Indicator) by Han Intl.).</li> <li>• AlcoHAWK Micro.</li> <li>• AlcoHAWK PRO (aka: AlcoMate by AK Solutions).</li> <li>• AlcoHAWK PT 500.</li> <li>• CA2010.</li> </ul>
Repeco Marketing, Inc., Raleigh, North Carolina . . . . .	Alco Tec III.
Seju Engineering Co., Taejeon, Korea . . . . .	Safe-Slim.
Skyfine Inc., Ltd., Kwai Chung, NT, Hong Kong . . . . .	<ul style="list-style-type: none"> <li>• AT577.</li> <li>• AT578 (aka: AlcoCheck FC90).</li> <li>• AT579.</li> </ul>
Sound Off, Inc., Hudsonville, Michigan . . . . .	Digitox D.O.T. <sup>7</sup>
Varian, Inc., Lake Forest, California . . . . .	On-Site Alcohol. <sup>10</sup>

<sup>1</sup> The AlcoMate was manufactured by Han International of Seoul, Korea, but marketed and sold in the U.S. by AK Solutions.

<sup>2</sup> Manufactured by Seju Engineering, Korea.

<sup>3</sup> Han International does not market or sell devices directly in the U.S. market. Other devices manufactured by Han International are listed under AK Solutions, Inc. and Q3 Innovations, Inc.

<sup>4</sup> Manufactured by Sentech Korea Corp.

<sup>5</sup> These devices utilize replaceable semiconductor detectors. Instead of re-calibrating the device, a new calibrated detector can be installed. The device comes with 4 detectors including the one that was already installed.

<sup>6</sup> These devices utilize replaceable semiconductor detectors. Instead of re-calibrating the device, a new calibrated detector can be installed. This device comes with 5 detectors including the one that was already installed.

<sup>7</sup> While these devices are still being sold, they are no longer manufactured or supported.

<sup>8</sup> The Breath Alcohol  $\checkmark$  .02 Detection System consists of a single-use disposable breath tube used in conjunction with an electronic analyzer that determines the test result. The electronic analyzer and the disposable breath tubes are lot specific and manufactured to remain calibrated throughout the shelf-life of the device. This screening device cannot be used after the expiration date.

<sup>9</sup> While the ALCO-SCREEN 02<sup>TM</sup> saliva-alcohol screening device manufactured by Chematics, Inc. passed the requirements of the Model Specifications when tested at 40°C (104°F), the manufacturer has indicated that the device cannot exceed storage temperatures of 27°C (80°F). Instructions to this effect are stated on all packaging accompanying the device. Accordingly, the device should not be stored at temperatures above 27°C (80°F). If the device is stored at or below 27°C (80°F) and used at higher temperatures (that is, within a minute), the device meets the Model Specifications and the results persist for 10-15 minutes. If the device is stored at or below 27°C (80°F) and equilibrated at 40°C (104°F) for an hour prior to sample application, the device fails to meet the Model Specifications. Storage at temperatures above 27°C (80°F), for even brief periods of time, may result in false negative readings.

<sup>10</sup> While this device passed all of the requirements of the Model Specifications, readings should be taken only after the time specified by the manufacturer. For valid readings, the user should follow the manufacturer's instructions. Readings should be taken 1 minute after a sample is introduced at or above 30°C (86°F); readings should be taken after 2 minutes at 18°C—29°C (64.4°F—84.2°F); and readings should be taken after 5 minutes when testing at temperatures at or below 17°C (62.6°F). If the reading is taken before 5 minutes has elapsed under the cold conditions, the user is likely to obtain a reading that underestimates the actual saliva-alcohol level.

## CONFORMING PRODUCTS LIST OF EVIDENTIAL BREATH MEASUREMENT DEVICES

Manufacturer/Distributor and Model	Mobile	Nonmobile
Alcohol Countermeasure Systems Corp., Toronto, Ontario, Canada:		
Alert J3AD *	X	X
Alert J4X.ec	X	X
PBA3000C	X	X
SAF <sup>IR</sup> Evolution	X	X
BAC Systems, Inc., Ontario, Canada:		
Breath Analysis Computer *	X	X
CAMEC Ltd., North Shields, Tyne and Ware, England:		
IR Breath Analyzer *	X	X
CMI, Inc., Owensboro, Kentucky:		
Intoxilyzer Model:		
200	X	X
200D	X	X
240 (aka: Lion Alcolmeter 400+ outside the U.S.)	X	X
300	X	X
400	X	X
400PA	X	X
600 (aka: Lion Alcolmeter 600 outside the U.S.)	X	X
1400	X	X
4011 *	X	X
4011A *	X	X
4011AS *	X	X
4011AS-A *	X	X
4011AS-AQ *	X	X
4011 AW *	X	X
4011A27-10100 *	X	X
4011A27-10100 with filter *	X	X
5000	X	X
5000 (w/Cal. Vapor Re-Circ.)	X	X
5000 (w/ 3/8" ID Hose option)	X	X
5000CD	X	X
5000CD/FG5	X	X
5000EN	X	X
5000 (CAL DOJ)	X	X
5000VA	X	X
8000	X	X
PAC 1200 *	X	X
S-D2	X	X
S-D5 (aka: Lion Alcolmeter SD-5 outside the U.S.)	X	X
Draeger Safety, Inc. (aka: National Draeger) Irving, Texas:		
Alcotest Model:		
6510	X	X
6810	X	X
7010 *	X	X
7110 *	X	X
7110 MKIII	X	X
7110 MKIII-C	X	X

Manufacturer/Distributor and Model	Mobile	Nonmobile
7410 .....	X	X
7410 Plus .....	X	X
7510 .....	X	X
9510 .....	X	X
Breathalyzer Model:		
900 .....	X	X
900A * .....	X	X
900BG * .....	X	X
7410 .....	X	X
7410-II .....	X	X
EnviteC by Honeywell GmbH, Fond du Lac, Wisconsin:		
AlcoQuant 6020 .....	X	X
Gall's Inc., Lexington, Kentucky:		
Alcohol Detection System—A.D.S. 500 .....	X	X
Guth Laboratories, Inc., Harrisburg, Pennsylvania:		
Alcotector BAC-100 .....	X	X
Alcotector C2H5OH .....	X	X
Guth 38 .....	X	X
Intoximeters, Inc., St. Louis, Missouri:		
Photo Electric Intoximeter * .....	—	X
GC Intoximeter MK II * .....	X	X
GC Intoximeter MK IV * .....	X	X
Auto Intoximeter * .....	X	X
Intoximeter Model:		
3000 .....	X	X
3000 (rev B1) * .....	X	X
3000 (rev B2) * .....	X	X
3000 (rev B2A) * .....	X	X
3000 (rev B2A) w/FM option * .....	X	X
3000 (Fuel Cell) * .....	X	X
3000 D * .....	X	X
3000 DFC * .....	X	X
Alcomonitor .....	—	X
Alcomonitor CC .....	X	X
Alco-Sensor III .....	X	X
Alco-Sensor III (Enhanced with Serial Numbers above 1,200,000) ...	X	X
Alco-Sensor IV .....	X	X
Alco-Sensor IV XL .....	X	X
Alco-Sensor V .....	X	X
Alco-Sensor V XL .....	X	X
Alco-Sensor AZ .....	X	X
Alco-Sensor FST .....	X	X
Intox EC/IR .....	X	X
Intox EC/IR II .....	X	X
Intox EC/IR II (Enhanced with serial number 10,000 or higher) ....	X	X
Portable Intox EC/IR .....	—	X
RBT-AZ .....	X	X



Manufacturer/Distributor and Model	Mobile	Nonmobile
RBT-III .....	X	X
RBT III-A .....	X	X
RBT IV .....	X	X
RBT IV with CEM (cell enhancement module) .....	X	X
Komyo Kitagawa, Kogyo, K.K., Japan:		
Alcolyzer DPA-2 * .....	X	X
Breath Alcohol Meter PAM 101B * .....	X	X
Lifeloc Technologies, Inc., (formerly Lifeloc, Inc.), Wheat Ridge, Colorado:		
LifeGuard Pro .....	X	X
Phoenix .....	X	X
Phoenix 6.0 .....	X	X
EV 30 .....	X	X
FC 10 .....	X	X
FC 20 .....	X	X
Lion Laboratories, Ltd., Cardiff, Wales, United Kingdom:		
Alcolmeter Model:		
300 .....	X	X
400 .....	X	X
400+ (aka: Intoxilyzer 240 in the U.S.) .....	X	X
600 (aka: Intoxilyzer 600 in the U.S.) .....	X	X
SD-2 * .....	X	X
SD-5 (aka: S-D5 in the U.S.) .....	X	X
EBA * .....	X	X
Intoxilyzer Model:		
200 .....	X	X
200D .....	X	X
1400 .....	X	X
5000 CD/FG5 .....	X	X
5000 EN .....	X	X
Luckey Laboratories, San Bernardino, California:		
Alco-Analyzer Model:		
1000 * .....	—	X
2000 * .....	—	X
Nanopuls AB, Uppsala, Sweden:		
Evidenzer .....	X	X
National Patent Analytical Systems, Inc., Mansfield, Ohio:		
BAC DataMaster (with or without the Delta-1 accessory) .....	X	X
BAC Verifier DataMaster (w/ or without the Delta-1 accessory) .....	X	X
DataMaster cdm (w/ or without the Delta-1 accessory) .....	X	X
DataMaster DMT .....	X	X
DataMaster DMT w/ Fuel Cell option SN: 555555 .....	X	X
DataMaster DMT w/ Fuel Cell option SN: 100630 .....	X	X
Omicron Systems, Palo Alto, California:		
Intoxilyzer Model:		
4011 * .....	X	X
4011AW * .....	X	X

Manufacturer/Distributor and Model	Mobile	Nonmobile
PAS International, Fredericksburg, Virginia:		
Mark V Alcovisor .....	X	X
Alcovisor Jupiter .....	X	X
Alcovisor Mercury .....	X	X
Plus 4 Engineering, Minturn, Colorado:		
5000 Plus 4 * .....	X	X
Seres, Paris, France:		
Alco Master .....	X	X
Alcopro .....	X	X
Siemens-Allis, Cherry Hill, New Jersey:		
Alcomat * .....	X	X
Alcomat F * .....	X	X
Smith and Wesson Electronics, Springfield, Massachusetts:		
Breathalyzer Model:		
900 * .....	X	X
900A * .....	X	X
1000 * .....	X	X
2000 * .....	X	X
2000 (non-Humidity Sensor) * .....	X	X
Sound-Off, Inc., Hudsonville, Michigan:		
AlcoData .....	X	X
Seres Alco Master .....	X	X
Seres Alcopro .....	X	X
Stephenson Corp.:		
Breathalyzer 900 * .....	X	X
Tokai-Denshi Inc., Tokyo, Japan:		
ALC-PRO II (U.S.) .....	X	X
U.S. Alcohol Testing, Inc./Protection Devices, Inc., Rancho Cucamonga, California:		
Alco-Analyzer 1000 .....	—	X
Alco-Analyzer 2000 .....	—	X
Alco-Analyzer 2100 .....	X	X
Verax Systems, Inc., Fairport, New York:		
BAC Verifier * .....	X	X
BAC Verifier Datamaster .....	X	X
BAC Verifier Datamaster II * .....	X	X

\*Instruments marked with an asterisk (\*) meet the Model Specifications detailed in 49 FR 48854 (December 14, 1984) (that is, instruments tested at 0.000, 0.050, 0.101 and 0.151 BAC). Instruments not marked with an asterisk meet the Model Specifications detailed in 58 FR 48705 (September 17, 1993), and were tested at BACs = 0.000, 0.020, 0.040, 0.080 and 0.160. All instruments that meet the Model Specifications currently in effect (dated September 17, 1993) also meet the Model Specifications for Screening Devices to Measure Alcohol in Bodily Fluids.

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-42. Filed for public inspection January 3, 2014, 9:00 a.m.]

### Health Policy Board Annual Meeting Schedule for 2014

The Health Policy Board has set its calendar for the year 2014. The meeting dates are scheduled as follows:

January 22, 2014  
 April 16, 2014  
 July 23, 2014  
 October 15, 2014

All meetings will begin at 10 a.m. in Room 812, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120.

For additional information or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so contact Katrina Kyle, (717) 772-5298, V/TT (717) 783-6514 for speech and/or hearing impaired persons, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

These meetings are subject to cancellation without notice.

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-43. Filed for public inspection January 3, 2014, 9:00 a.m.]

### Laboratories Approved to Determine Analyses of Blood or Serum or Both for Controlled Substances under The Clinical Laboratory Act, the Vehicle Code, the Fish and Boat Code and the Game and Wildlife Code

The following laboratories are licensed by the Department of Health (Department) under The Clinical Laboratory Act (35 P. S. §§ 2151—2165) or section 353 of the Federal Clinical Laboratories Improvement Amendments of 1988 (42 U.S.C.A. § 263a), or both, and are currently approved by the Department under 28 Pa. Code § 5.50 (relating to approval to provide special analytical services) to perform analyses of blood and/or serum for the determination of controlled substances. This approval is based on demonstrated proficiency in periodic tests conducted by the Department's Bureau of Laboratories. These laboratories are also approved and designated for purposes of the Vehicle Code, 75 Pa.C.S. §§ 1547 and 3755 (relating to chemical testing to determine amount of alcohol or controlled substance; and reports by emergency room personnel), the Fish and Boat Code, 30 Pa.C.S. § 5125 (relating to chemical testing to determine amount of alcohol or controlled substance) and the Game and Wildlife Code, 34 Pa.C.S. § 2502 (relating to chemical test to determine amount of alcohol), as qualified to perform the types of services which will reflect the presence of controlled substances or their biotransformation products in blood and/or serum.

Depending upon their capability and performance in proficiency surveys, laboratories are approved to perform screening and/or confirmatory analyses on blood and/or serum. Laboratories approved to perform screening analyses are designated on the approval list by an "S" followed by the letters "B" for blood and/or "Se" for serum. Laboratories approved to screen both blood and serum would therefore have "SBSe" listed after their laboratory name. Laboratories approved to offer confirmatory analyses are designated on the approval list by a "C" followed

by the letters "B" for blood and/or "Se" for serum. Laboratories approved to perform confirmatory analyses on both serum and blood would therefore have "CBSe" listed after their laboratory name. Screening analyses provide a presumptive indication that a controlled substance is present. Confirmatory testing is used to substantiate screening results.

Persons seeking forensic blood and/or serum analysis services from any of the listed laboratories should determine that the laboratory employs techniques and procedures acceptable for medicolegal purposes. They should also determine that the director of the facility is agreeable to performing analyses for forensic purposes. Persons seeking blood and/or serum analyses are responsible for specifying the controlled substances for which testing is being sought. Persons seeking those analyses should first determine the purpose of the analyses, that is, whether they are for medical, legal or other purposes.

The Vehicle Code contains a provision in 75 Pa.C.S. § 1547(c)(3)(ii) that permits test results on blood or urine for alcohol or controlled substances to be introduced into evidence at legal proceedings in this Commonwealth if the laboratory is located in another state and is not licensed and approved by the Department to provide these services. This section states that the test results may be admissible into evidence at summary or criminal proceedings in which the defendant is charged with a violation of 75 Pa.C.S. § 3802 (relating to driving under influence of alcohol or controlled substance) if the laboratory that performed the test is licensed by the state in which the facility is located and licensed under the Clinical Laboratory Improvement Amendments of 1988 (Pub. L. No. 100-578, 102 Stat. 2903). A similar provision appears in the Fish and Boat Code at 30 Pa.C.S. § 5125(c)(3)(ii).

The name or location of a laboratory, as well as the personnel and testing procedures, can change. When changes of this type occur, the clinical laboratory permit number does not change. If questions arise about the identity of a laboratory due to a name or location change, the clinical laboratory permit number should be used as the primary identifier. To assist in identifying a laboratory that performed a test, the clinical laboratory permit number of the facility at the time the list was prepared is included in the list of approved laboratories before the name of the laboratory.

The list of approved laboratories will be revised approximately semiannually and published in the *Pennsylvania Bulletin*. Questions regarding this list should be directed to Dr. James R. Lute, Assistant Bureau Director, Department of Health, Bureau of Laboratories, P. O. Box 500, Exton, PA 19341-0500, (610) 280-3464.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape or Braille) should contact Dr. James R. Lute at the previously referenced address or phone number. Persons who are speech or hearing impaired may use V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

30483  
 AIT LABORATORIES—SBSe, CBSe  
 2265 EXECUTIVE DRIVE  
 INDIANAPOLIS, IN 46241  
 (317) 243-3894

00671  
ALLEGHENY COUNTY MED EX DIV OF LAB—SBS<sub>e</sub>,  
CBS<sub>e</sub>  
1520 PENN AVENUE, 2ND FLOOR  
PITTSBURGH, PA 15222  
(412) 350-4425

31871  
AMERICAN FORENSIC TOXICOLOGY SERVICES—  
SBS<sub>e</sub>, CBS<sub>e</sub>  
728 LARKFIELD ROAD  
EAST NORTHPORT, NY 11731  
(631) 923-0166

24997  
ATLANTIC DIAGNOSTIC LABORATORIES LLC—SBS<sub>e</sub>,  
CBS<sub>e</sub>  
3520 PROGRESS DRIVE UNIT C  
BENSALEM, PA 19020  
(267) 525-2470

31684  
BUCKS COUNTY CRIME LABORATORY—SBS<sub>e</sub>, CBS<sub>e</sub>  
850 EAGLE BOULEVARD  
WARMINSTER, PA 18974  
(609) 802-7399

00266  
DEPT OF PATHOLOGY & LAB MED-HUP—SS<sub>e</sub>  
3400 SPRUCE STREET  
PHILADELPHIA, PA 19104  
(215) 662-3423

00977  
DRUGSCAN INC—SBS<sub>e</sub>, CBS<sub>e</sub>  
200 PRECISION ROAD, SUITE 200  
HORSHAM, PA 19044  
(267) 960-3407

24655  
HEALTH NETWORK LABORATORIES—SBS<sub>e</sub>, CBS<sub>e</sub>  
2024 LEHIGH STREET  
ALLENTOWN, PA 18103-4798  
(610) 402-8150

20512  
LABCORP OCCUPATIONAL TESTING SER—SBS<sub>e</sub>,  
CBS<sub>e</sub>  
1904 ALEXANDER DRIVE PO BOX 12652  
RESEARCH TRIANGLE PARK, NC 27709  
(919) 572-6900

09003  
MAYO CLINIC LABS-ROCHESTER MAIN CAMPUS—  
SS<sub>e</sub>, CS<sub>e</sub>  
200 FIRST STREET SW HILTON 530  
ROCHESTER, MN 55905  
(507) 538-6449

05574  
MEDTOX LABORATORIES INC—SBS<sub>e</sub>, CBS<sub>e</sub>  
402 COUNTY ROAD D WEST  
ST PAUL, MN 55112  
(651) 286-6217

00504  
NATIONAL MED SVCS INC/DBA NMS LABS—SBS<sub>e</sub>,  
CBS<sub>e</sub>  
3701 WELSH ROAD  
WILLOW GROVE, PA 19090  
(215) 657-4900

29741  
NORTHERN TIER RESEARCH—SBS<sub>e</sub>, CBS<sub>e</sub>  
1302 MADISON AVE  
DUNMORE, PA 18509  
(570) 209-7913

30984  
OFFICE OF THE DISTRICT ATTORNEY—SS<sub>e</sub>  
37 E HIGH STREET, FORENSIC LAB  
CARLISLE, PA 17103  
(717) 240-6526

00250  
PARKWAY CLINICAL LABORATORIES—SS<sub>e</sub>  
3494 PROGRESS DRIVE, SUITE D  
BENSALEM, PA 19020  
(215) 245-5112

31399  
QUEST DIAGNOSTICS—SB, CB  
1777 MONTREAL CIRCLE ES/F1 2  
TUCKER, GA 30084  
(770) 936-5007

01136  
QUEST DIAGNOSTICS NICHOLS INSTITUTE—SBS<sub>e</sub>,  
CBS<sub>e</sub>  
14225 NEWBROOK DRIVE PO BOX 10841  
CHANTILLY, VA 20153-0841  
(703) 802-6900

00482  
QUEST DIAGNOSTICS OF PA INC—SBS<sub>e</sub>, CBS<sub>e</sub>  
875 GREENTREE ROAD 4 PARKWAY CENTER  
PITTSBURGH, PA 15220-3610  
(412) 920-7600

25461  
QUEST DIAGNOSTICS VENTURE LLC—SBS<sub>e</sub>, CBS<sub>e</sub>  
875 GREENTREE ROAD 4 PARKWAY CENTER  
PITTSBURGH, PA 15220-3610  
(412) 920-7631

00151  
ST JOSEPH QUALITY MEDICAL LAB—SBS<sub>e</sub>, CBS<sub>e</sub>  
2500 BERNVILLE ROAD  
READING, PA 19605-9453  
(610) 378-2200

00018  
WBGH COMMONWEALTH HEALTH LAB SVS—SS<sub>e</sub>  
575 NORTH RIVER STREET  
WILKES-BARRE, PA 18764  
(570) 829-8111

00141  
YORK HOSPITAL—SS<sub>e</sub>  
1001 SOUTH GEORGE STREET  
YORK, PA 17405  
(717) 851-2345

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-44. Filed for public inspection January 3, 2014, 9:00 a.m.]

**Laboratories Approved to Determine Blood Alcohol Content under The Clinical Laboratory Act, the Vehicle Code, the Fish and Boat Code and the Game and Wildlife Code**

The following laboratories are licensed by the Department of Health (Department) under The Clinical Laboratory Act (Act) (35 P. S. §§ 2151—2165) and are currently approved by the Department under 28 Pa. Code §§ 5.50 and 5.103 (relating to approval to provide special analytical services; and blood tests for blood alcohol content) to perform alcohol analyses of blood and/or serum and



plasma. This approval is based on demonstrated proficiency in periodic tests conducted by the Department's Bureau of Laboratories. These laboratories are also approved and designated under the provisions of the Vehicle Code, 75 Pa.C.S. §§ 1547 and 3755 (relating to chemical testing to determine amount of alcohol or controlled substance; and reports by emergency room personnel), the Fish and Boat Code, 30 Pa.C.S. § 5125 (relating to chemical testing to determine amount of alcohol or controlled substance) and the Game and Wildlife Code, 34 Pa.C.S. § 2501 (relating to hunting or furtaking prohibited while under influence of alcohol or controlled substance) as qualified to perform the types of specialized services which will reflect the presence of alcohol in blood and/or serum and plasma.

The Vehicle Code at 75 Pa.C.S. § 1547(c)(3)(ii) also permits test results on blood or urine for alcohol or controlled substances to be introduced into evidence in certain legal proceedings in this Commonwealth if the laboratory is located in another state and is not licensed and approved by the Department to provide forensic blood and/or serum and plasma analysis services. This section states that the test results will be admissible into evidence at summary or criminal proceedings in which the defendant is charged with a violation of 75 Pa.C.S. § 3802 (relating to driving under influence of alcohol or controlled substance) or any other violation of the Vehicle Code arising out of the same action if the laboratory that performed the test is licensed to conduct the test by the state in which the facility is located and licensed under the Clinical Laboratory Improvement Amendments of 1988 (Pub. L. No. 100-578, 102 Stat. 2903). A similar provision appears in the Fish and Boat Code at 30 Pa.C.S. § 5125(c)(3)(ii).

Since procedures for determining the alcohol content of serum and plasma are identical and results obtained from serum or plasma derived from a blood sample are the same, laboratories that demonstrate reliability in the determination of alcohol in serum are approved to analyze both serum and plasma for alcohol content.

Persons seeking forensic blood or serum and plasma analysis services, or both, from the following designated laboratories should determine that the laboratory employs techniques and procedures acceptable for forensic purposes and that the director of the facility is agreeable to performing determinations for this purpose.

The name or location of a laboratory, as well as the personnel and testing procedures, can change. When changes of this type occur, the clinical laboratory permit number does not change. If questions arise about the identity of a laboratory due to a name or location change, the clinical laboratory permit number should be used as the primary identifier. To assist in identifying a laboratory that performed a test, the clinical laboratory permit number of the facility at the time the list was prepared is included in the list of approved laboratories before the name of the laboratory.

The Department's blood alcohol and serum/plasma alcohol proficiency testing programs are approved by the United States Department of Health and Human Services in accordance with the requirements in section 353 the Clinical Laboratory Improvement Amendments of 1988 (42 U.S.C.A. § 263a) and implementing regulations 42 CFR 493.901 and 493.937 (relating to approval of proficiency testing programs; and toxicology), which are administered by the Centers for Medicare and Medicaid Services. Participation in these programs may therefore

be used to demonstrate acceptable performance for approval purposes under both Federal and Commonwealth statutes.

The list of approved laboratories will be revised approximately semiannually and published in the *Pennsylvania Bulletin*. Questions regarding this list should be directed to Dr. James R. Lute, Assistant Bureau Director, Department of Health, Bureau of Laboratories, P. O. Box 500, Exton, PA 19341-0500, (610) 280-3464.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotope or Braille) should contact Dr. James R. Lute at the previously referenced address or phone number. Persons who are speech or hearing impaired may use V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

The symbols S and B indicate the following:

S = approved for serum and plasma analyses

B = approved for blood analyses

SB = approved for serum, plasma and blood analyses

00212

ABINGTON MEMORIAL HOSPITAL—S

1200 OLD YORK ROAD

ABINGTON, PA 19001

(215) 481-2324

32917

ACCURATE DIAGNOSTIC LABS, INC—S

3000 HADLEY ROAD

SOUTH PLAINFIELD, NJ 07080

(732) 839-3300

00233

ALBERT EINSTEIN MEDICAL CENTER—S

5501 OLD YORK RD-LABS-TOWER BLDG GROUND FL

PHILADELPHIA, PA 19141-3001

(215) 456-6157

28233

ALLEGHENY GENERAL HOSP DEPT OF LAB MED—S

320 E NORTH AVENUE

PITTSBURGH, PA 15212

(412) 359-6886

00077

ALLEGHENY GENERAL HOSPITAL LAB—S

1307 FEDERAL STREET

PITTSBURGH, PA 15212

(412) 359-6886

00100

ALLEGHENY VALLEY HOSPITAL LAB—S

1301 CARLISLE STREET

NATRONA HEIGHTS, PA 15065

(724) 224-5100

00119

ALTOONA REGIONAL HEALTH SYSTEM LAB—S

620 HOWARD AVENUE

ALTOONA, PA 16601-4899

(814) 889-2340

00192

ARIA HEALTH—S

380 NORTH OXFORD VALLEY ROAD

LANGHORNE, PA 19047-8304

(215) 934-5227

00236

ARIA HEALTH—S

FRANKFORD AVE & WAKELING STREET

PHILADELPHIA, PA 19124

(215) 831-2068

00341  
ARIA HEALTH—S  
10800 KNIGHTS ROAD  
PHILADELPHIA, PA 19114  
(215) 612-4000

00041  
ARMSTRONG COUNTY MEMORIAL HOSP—S  
1 NOLTE DRIVE  
KITTINGING, PA 16201  
(724) 543-8500

00047  
ASSOCIATED CLINICAL LABORATORIES—SB  
1526 PEACH STREET  
ERIE, PA 16501  
(814) 461-2400

24997  
ATLANTIC DIAGNOSTIC LABORATORIES LLC—SB  
3520 PROGRESS DRIVE UNIT C  
BENSALEM, PA 19020  
(267) 525-2470

00251  
AYER CLINICAL LAB PENNSYLVANIA HOSPITAL—S  
800 SPRUCE STREET  
PHILADELPHIA, PA 19107  
(215) 829-3541

00320  
BARNES KASSON HOSPITAL LAB—S  
400 TURNPIKE STREET  
SUSQUEHANNA, PA 18847  
(570) 853-5059

00001  
BERWICK HOSPITAL LABORATORY—S  
701 EAST 16TH STREET  
BERWICK, PA 18603  
(570) 759-5110

00301  
BHS LABORATORY—S  
ONE HOSPITAL WAY (911 E BRADY STREET)  
BUTLER, PA 16001  
(724) 284-4513

00033  
BRADFORD REGIONAL MEDICAL CENTER—S  
116-156 INTERSTATE PKWY  
BRADFORD, PA 16701-0218  
(814) 362-8247

00296  
BRANDYWINE HOSPITAL—S  
201 REECEVILLE ROAD  
COATESVILLE, PA 19320  
(610) 383-8000

00053  
BROOKVILLE HOSPITAL LAB—S  
100 HOSPITAL ROAD  
BROOKVILLE, PA 15825  
(814) 849-2312

31684  
BUCKS COUNTY CRIME LABORATORY—SB  
850 EAGLE BOULEVARD  
WARMINSTER, PA 18974  
(609) 802-7399

00107  
CANONSBURG HOSPITAL—S  
100 MEDICAL BOULEVARD  
CANONSBURG, PA 15317  
(724) 745-3916

00131  
CARLISLE REGIONAL MEDICAL CENTER—S  
361 ALEXANDER SPRING ROAD  
CARLISLE, PA 17015-9129  
(717) 249-1212

00132  
CHAMBERSBURG HOSPITAL DEPT OF PATHOL-  
OGY—S  
112 NORTH SEVENTH STREET  
CHAMBERSBURG, PA 17201  
(717) 267-7153

00310  
CHARLES COLE MEMORIAL HOSPITAL—S  
1001 EAST SECOND STREET  
COUDERSPORT, PA 16915  
(814) 274-5510

00198  
CHESTER COUNTY HOSPITAL—S  
701 E MARSHALL ST  
WEST CHESTER, PA 19380  
(610) 431-5182

00227  
CHESTNUT HILL HOSPITAL—S  
DEPARTMENT OF PATHOLOGY  
8835 GERMANTOWN AVENUE  
PHILADELPHIA, PA 19118  
(215) 248-8113

00228  
CHILDRENS HOSP OF PHILADELPHIA—S  
3400 CIVIC CENTER BLVD.  
MAIN BLDG.-5TH FLOOR-ROOM 5135  
PHILADELPHIA, PA 19104  
(215) 590-4446

00329  
CLARION HOSPITAL—S  
1 HOSPITAL DRIVE  
CLARION, PA 16214  
(814) 221-8969

33142  
CLINICAL REFERENCE LABORATORY, INC.—S  
8433 QUIVIRA ROAD  
LENEXA, KS 66215  
(913) 492-3652

00005  
COMMUNITY MEDICAL CENTER—S  
1800 MULBERRY STREET  
SCRANTON, PA 18510  
(570) 969-8000

00125  
CONEMAUGH VALLEY MEMORIAL HOSP—SB  
LABORATORY DEPT 1086 FRANKLIN STREET  
JOHNSTOWN, PA 15905  
(814) 534-3221

00326  
CORY MEMORIAL HOSPITAL—S  
965 SHAMROCK LANE  
CORY, PA 16407  
(814) 664-4641

00201  
CROZER CHESTER MED CENTER—S  
1 MEDICAL CENTER BOULEVARD  
UPLAND, PA 19013  
(610) 447-2000

- 00209  
CROZER-CHESTER MED CTR-SPRINGFLD—S  
190 WEST SPROUL ROAD  
SPRINGFIELD, PA 19064  
(610) 447-2000
- 00204  
DELAWARE COUNTY MEMORIAL HOSP—S  
501 NORTH LANSDOWNE AVENUE  
DREXEL HILL, PA 19026-1186  
(610) 284-8100
- 00266  
DEPT OF PATHOLOGY & LAB MED-HUP—SB  
3400 SPRUCE STREET  
PHILADELPHIA, PA 19104  
(215) 662-3423
- 00194  
DOYLESTOWN HOSPITAL LABORATORY—S  
595 W STATE STREET  
DOYLESTOWN, PA 18901  
(215) 345-2250
- 00977  
DRUGSCAN INC—SB  
200 PRECISION ROAD, SUITE 200  
HORSHAM, PA 19044  
(267) 960-3407
- 00027  
DUBOIS REG MED CTR-WEST UNIT—S  
100 HOSPITAL AVE  
DUBOIS, PA 15801  
(814) 371-2200
- 00175  
EASTON HOSPITAL LABORATORY—S  
250 SOUTH 21ST STREET  
EASTON, PA 18042  
(610) 250-4819
- 00217  
EINSTEIN MEDICAL CTR MONTGOMERY—S  
559 W GERMANTOWN PIKE  
EAST NORRITON, PA 19401  
(484) 662-1000
- 00332  
ELLWOOD CITY HOSPITAL—S  
724 PERSHING ST  
ELLWOOD CITY, PA 16117  
(724) 752-0081
- 00612  
ENDLESS MOUNTAINS HEALTH SYSTEMS—S  
25 GROW AVENUE  
MONTROSE, PA 18801-1103  
(570) 278-3801
- 00164  
EPHRATA COMMUNITY HOSPITAL—S  
169 MARTIN AVE PO BOX 1002  
EPHRATA, PA 17522  
(717) 733-0311
- 00032  
ERHC ST MARYS LABORATORY—B  
763 JOHNSONBURG RD  
SAINT MARYS, PA 15857  
(814) 788-8525
- 00181  
EVANGELICAL COMMUNITY HOSPITAL—S  
1 HOSPITAL DRIVE  
LEWISBURG, PA 17837  
(570) 522-2510
- 00114  
EXCELA HEALTH LATROBE HOSPITAL—S  
ONE MELLON WAY  
LATROBE, PA 15650  
(724) 537-1550
- 00085  
FORBES HOSPITAL—S  
2570 HAYMAKER ROAD  
MONROEVILLE, PA 15146  
(412) 858-2566
- 32455  
FORENSIC LABORATORIES—B  
ROCKY MOUNTAIN TOX, LLC  
4895 JOLIET STREET, 7-G  
DENVER, CO 80239  
(720) 287-8111
- 00115  
FRICK HOSPITAL—S  
508 SOUTH CHURCH STREET  
MOUNT PLEASANT, PA 15666  
(724) 547-1500
- 00330  
FULTON COUNTY MEDICAL CENTER—S  
214 PEACH ORCHARD ROAD  
MCCONNELLSBURG, PA 17233  
(717) 485-6169
- 00002  
GEISINGER BLOOMSBURG—S  
549 E FAIR STREET  
BLOOMSBURG, PA 17815  
(570) 387-2124
- 00173  
GEISINGER MEDICAL CENTER—SB  
100 N ACADEMY AVENUE  
DANVILLE, PA 17822-0131  
(570) 271-6338
- 00019  
GEISINGER WYOMING VALLEY MED CTR—S  
1000 E MOUNTAIN DRIVE  
WILKES-BARRE, PA 18711  
(570) 808-7845
- 00122  
GETTYSBURG HOSPITAL LABORATORY—S  
147 GETTYS STREET  
GETTYSBURG, PA 17325  
(717) 337-4120
- 00152  
GNADEN HUETTEN MEMORIAL HOSP—S  
211 NORTH 12TH STREET  
LEHIGHTON, PA 18235  
(610) 377-7083
- 00299  
GOOD SAMARITAN HOSPITAL—S  
4TH & WALNUT STS PO BOX 1281  
LEBANON, PA 17042-1218  
(717) 270-7986
- 00196  
GRAND VIEW HOSPITAL—S  
700 LAWN AVE  
SELLERSVILLE, PA 18960  
(215) 453-4528
- 00061  
GROVE CITY MEDICAL CENTER—S  
631 NORTH BROAD STREET EXT  
GROVE CITY, PA 16127  
(724) 450-7125

00024  
GUTHRIE CLINIC LAB AT TROY COMM—S  
101 ELMIRA STREET  
TROY, PA 16947  
(570) 297-2121

00654  
GUTHRIE CLINIC LABORATORIES—S  
ONE GUTHRIE SQUARE  
SAYRE, PA 18840  
(570) 887-5797

00239  
HAHNEMANN UNIVERSITY HOSPITAL—S  
BROAD & VINE STS MS 113  
PHILADELPHIA, PA 19102  
(215) 762-1783

00139  
HANOVER HOSPITAL LABORATORY—S  
300 HIGHLAND AVE  
HANOVER, PA 17331  
(717) 633-2150

00155  
HARRISBURG HOSPITAL LABORATORY—SB  
100 SOUTH 2ND STREET  
HARRISBURG, PA 17101  
(717) 231-6323

00010  
HAZLETON GENERAL HOSPITAL—S  
700 EAST BROAD STREET  
HAZLETON, PA 18201  
(570) 501-4152

00169  
HEALTH NETWORK LABORATORIES—S  
1627 WEST CHEW STREET  
ALLENTOWN, PA 18102  
(610) 402-8150

00549  
HEALTH NETWORK LABORATORIES—S  
1200 SOUTH CEDAR CREST BLVD  
ALLENTOWN, PA 18103  
(610) 402-8150

00600  
HEALTH NETWORK LABORATORIES—S  
2545 SCHOENERSVILLE ROAD  
BETHLEHEM, PA 18017-7384  
(610) 402-8150

24655  
HEALTH NETWORK LABORATORIES—SB  
2024 LEHIGH STREET  
ALLENTOWN, PA 18103-4798  
(610) 402-8150

00166  
HEART OF LANCASTER REGIONAL MEDICAL CENTER—S  
1500 HIGHLANDS DRIVE  
LITITZ, PA 17543  
(717) 625-5605

00205  
HERITAGE VALLEY BEAVER—S  
1000 DUTCH RIDGE ROAD  
BEAVER, PA 15009  
(724) 728-7000

00101  
HERITAGE VALLEY SEWICKLEY LAB—S  
720 BLACKBURN RD  
SEWICKLEY, PA 15143  
(412) 741-6600

00103  
HIGHLANDS HOSPITAL—S  
401 EAST MURPHY AVENUE  
CONNELLSVILLE, PA 15425  
(724) 628-1500

00130  
HOLY SPIRIT HOSPITAL—S  
503 N 21ST STREET  
CAMP HILL, PA 17011-2288  
(717) 763-2206

00052  
INDIANA REGIONAL MEDICAL CENTER—S  
835 HOSPITAL ROAD  
PO BOX 788  
INDIANA, PA 15701-0788  
(724) 357-7167

00135  
J C BLAIR MEMORIAL HOSPITAL—S  
1225 WARM SPRINGS AVENUE  
HUNTINGDON, PA 16652  
(814) 643-8645

00054  
JAMESON MEMORIAL HOSPITAL—S  
1211 WILMINGTON AVENUE  
NEW CASTLE, PA 16105  
(724) 656-4080

00240  
JEANES HOSPITAL—S  
7600 CENTRAL AVE  
PHILADELPHIA, PA 19111  
(215) 728-2347

00038  
JEFFERSON REGIONAL MED CTR—S  
PO BOX 18119, 565 COAL VALLEY ROAD  
PITTSBURGH, PA 15236  
(412) 469-5723

00200  
JENNERSVILLE REGIONAL HOSPITAL—S  
1015 WEST BALTIMORE PIKE  
WEST GROVE, PA 19390  
(610) 869-1080

00034  
KANE COMMUNITY HOSPITAL—S  
4372 ROUTE 6  
KANE, PA 16735  
(814) 837-4570

01088  
LABCORP OF AMERICA HOLDINGS—SB  
69 FIRST AVENUE PO BOX 500  
RARITAN, NJ 08869  
(908) 526-2400

00165  
LANCASTER GENERAL HOSPITAL—S  
555 N DUKE STREET, PO BOX 3555  
LANCASTER, PA 17604  
(717) 544-4331

00167  
LANCASTER REGIONAL MED CENTER—S  
250 COLLEGE AVENUE, PO BOX 3434  
LANCASTER, PA 17604  
(717) 291-8022

00215  
LANSDALE HOSPITAL—S  
100 MEDICAL CAMPUS DRIVE  
LANSDALE, PA 19446  
(215) 481-4933



- 00138  
LEWISTOWN HOSPITAL—S  
400 HIGHLAND AVENUE  
LEWISTOWN, PA 17044  
(717) 242-7474
- 00030  
LOCK HAVEN HOSPITAL—S  
24 CREE DRIVE  
LOCK HAVEN, PA 17745  
(570) 893-5000
- 00193  
LOWER BUCKS HOSPITAL LABORATORY—S  
501 BATH ROAD  
BRISTOL, PA 19007  
(215) 785-9300
- 00213  
MAIN LINE HEALTH LAB-BRYN MAWR—S  
130 S BRYN MAWR AVENUE  
BRYN MAWR, PA 19010  
(610) 526-3554
- 00242  
MAIN LINE HOSPITALS LAB-LANKENAU—S  
100 EAST LANCASTER AVENUE  
WYNNEWOOD, PA 19096  
(610) 645-2615
- 00199  
MAIN LINE HOSPITALS LAB-PAOLI—S  
255 WEST LANCASTER AVENUE  
PAOLI, PA 19301  
(610) 648-1000
- 00206  
MAIN LINE HOSPITALS LAB-RIDDLE—S  
1068 W BALTIMORE PIKE  
MEDIA, PA 19063  
(610) 891-3339
- 09003  
MAYO CLINIC LABS-ROCHESTER MAIN CAM-  
PUS—SB  
200 FIRST STREET SW HILTON 530  
ROCHESTER, MN 55905  
(507) 538-6449
- 00049  
MEADVILLE MED CTR-LIBERTY ST—S  
751 LIBERTY STREET  
MEADVILLE, PA 16335  
(814) 336-5000
- 05574  
MEDTOX LABORATORIES INC—SB  
402 COUNTY ROAD D WEST  
ST PAUL, MN 55112  
(651) 286-6217
- 00140  
MEMORIAL HOSPITAL CLINICAL LAB—S  
325 S BELMONT STREET  
YORK, PA 17403  
(717) 843-8623
- 00023  
MEMORIAL HOSPITAL LAB—SB  
91 HOSPITAL DRIVE  
TOWANDA, PA 18848  
(570) 265-2191
- 00203  
MERCY FITZGERALD HOSPITAL—S  
1500 LANSDOWNE AVENUE  
DARBY, PA 19023  
(610) 237-4262
- 00247  
MERCY HEALTH LAB/MHOP—S  
501 S 54TH STREET  
PHILADELPHIA, PA 19143  
(215) 748-9181
- 00219  
MERCY HEALTH LAB/MSH—S  
2701 DEKALB PIKE  
EAST NORRITON, PA 19401  
(610) 292-6501
- 28436  
METHODIST DIV TJUH CLINICAL LAB—S  
2301 SOUTH BROAD STREET  
PHILADELPHIA, PA 19148  
(215) 955-3941
- 00231  
MEYERSDALE MEDICAL CENTER LABORATORY—S  
200 HOSPITAL DR  
MEYERSDALE, PA 15552  
(814) 634-5911
- 00269  
MID-VALLEY HOSPITAL—S  
1400 MAIN STREET  
PECKVILLE, PA 18452  
(570) 383-5520
- 00128  
MINERS MEDICAL CENTER—S  
290 HAIDA AVENUE PO BOX 689  
HASTINGS, PA 16646  
(814) 247-3200
- 00108  
MONONGAHELA VALLEY HOSPITAL INC—S  
1163 COUNTRY CLUB ROAD  
MONONGAHELA, PA 15063  
(724) 258-1021
- 00007  
MOSES TAYLOR HOSPITAL—S  
700 QUINCY AVENUE  
SCRANTON, PA 18510  
(570) 340-2100
- 00214  
MOSS REHAB EINSTEIN AT ELKINS PARK—S  
60 EAST TOWNSHIP LINE ROAD ATTN: LAB  
ELKINS PARK, PA 19027  
(215) 456-6150
- 00025  
MOUNT NITTANY MEDICAL CENTER—S  
1800 EAST PARK AVENUE  
STATE COLLEGE, PA 16803  
(814) 234-6117
- 00035  
MUNCY VALLEY HOSPITAL—S  
215 EAST WATER ST  
MUNCY, PA 17756  
(570) 546-8282
- 00304  
NASON HOSPITAL—S  
105 NASON DRIVE  
ROARING SPRING, PA 16673  
(814) 224-2141
- 00504  
NATIONAL MED SVCS INC/DBA NMS LABS—SB  
3701 WELSH ROAD  
WILLOW GROVE, PA 19090  
(215) 657-4900

00248  
NAZARETH HOSPITAL—S  
2601 HOLME AVE  
PHILADELPHIA, PA 19152  
(215) 335-6245

29741  
NORTHERN TIER RESEARCH—SB  
1302 MADISON AVE  
DUNMORE, PA 18509  
(570) 209-7913

30984  
OFFICE OF THE DISTRICT ATTORNEY—SB  
37 E HIGH STREET, FORENSIC LAB  
CARLISLE, PA 17013  
(717) 240-6526

00099  
OHIO VALLEY GENERAL HOSPITAL—S  
25 HECKEL RD  
MCKEES ROCKS, PA 15136  
(412) 777-6161

00334  
PALMERTON HOSPITAL—SB  
135 LAFAYETTE AVENUE  
PALMERTON, PA 18071  
(610) 826-1100

31516  
PAML LLC—SB  
110 W. CLIFF AVENUE  
SPOKANE, WA 99204  
(509) 755-8645

00258  
PENN PRESBYTERIAN MEDICAL CENTER—S  
51 NORTH 39TH ST DEPT OF PATH & LAB  
PHILADELPHIA, PA 19104-2640  
(215) 662-3435

00316  
PENN STATE MILTON S HERSHEY MED CTR—S  
500 UNIVERSITY DRIVE  
DEPT OF PATHOLOGY & LAB MEDICINE  
HERSHEY, PA 17033  
(717) 531-8353

22533  
PENNSYLVANIA DEPT OF HEALTH—SB  
110 PICKERING WAY  
EXTON, PA 19341  
(610) 280-3464

00197  
PHOENIXVILLE HOSPITAL LABORATORY—S  
140 NUTT ROAD DEPT OF PATHOLOGY  
PHOENIXVILLE, PA 19460-0809  
(610) 983-1612

00157  
PINNACLE HEALTH AT COMMUNITY GENERAL  
HOSPITAL—S  
4300 LONDONDERRY ROAD  
PO BOX 3000  
HARRISBURG, PA 17109  
(717) 782-3340

00022  
POCONO MEDICAL CENTER LAB—SB  
206 EAST BROWN STREET  
EAST STROUDSBURG, PA 18301  
(570) 476-3544

00221  
POTTSTOWN HOSPITAL COMPANY, LLC—S  
1600 EAST HIGH STREET  
POTTSTOWN, PA 19464  
(610) 327-7130

00300  
PUNXSUTAWNEY AREA HOSPITAL—S  
81 HILLCREST DRIVE  
PUNXSUTAWNEY, PA 15767  
(814) 938-1820

22715  
QUEST DIAGNOSTICS—SB  
10101 RENNER BOULEVARD  
LENEXA, KS 66219-9752  
(913) 888-1770

31399  
QUEST DIAGNOSTICS—SB  
1777 MONTREAL CIRCLE ES/F1 2  
TUCKER, GA 30084  
(770) 936-5007

27461  
QUEST DIAGNOSTICS INC—SB  
400 EGYPT ROAD  
NORRISTOWN, PA 19403  
(610) 631-4219

01136  
QUEST DIAGNOSTICS NICHOLS INSTITUTE—SB  
14225 NEWBROOK DRIVE PO BOX 10841  
CHANTILLY, VA 20153-0841  
(703) 802-6900

22376  
QUEST DIAGNOSTICS NICHOLS INSTITUTE OF  
VALENCIA—S  
27027 TOURNEY ROAD  
VALENCIA, CA 91355  
(661) 799-6543

00482  
QUEST DIAGNOSTICS OF PA INC—SB  
875 GREENTREE ROAD 4 PARKWAY CENTER  
PITTSBURGH, PA 15220-3610  
(412) 920-7600

25461  
QUEST DIAGNOSTICS VENTURE LLC—SB  
875 GREENTREE ROAD 4 PARKWAY CENTER  
PITTSBURGH, PA 15220-3610  
(412) 920-7631

00150  
READING HOSPITAL & MEDICAL CTR—S  
6TH AND SPRUCE STREETS  
WEST READING, PA 19611  
(484) 628-8615

00336  
REGIONAL HOSPITAL OF SCRANTON—S  
746 JEFFERSON AVENUE  
SCRANTON, PA 18510  
(570) 348-7100

33170  
RIVER CROSSING LABS LLC—S  
5415 MARINER STREET SUITE 103  
TAMPA, FL 33606  
(813) 884-8200

00243  
ROXBOROUGH MEMORIAL HOSPITAL—S  
5800 RIDGE AVE  
PHILADELPHIA, PA 19128  
(215) 487-4394

- 00171  
SACRED HEART HOSPITAL—S  
4TH & CHEW STS ATTN LAB DEPT  
ALLENTOWN, PA 18102  
(610) 776-4727
- 00087  
SAINT CLAIR MEMORIAL HOSPITAL—S  
1000 BOWER HILL RD  
PITTSBURGH, PA 15243  
(412) 561-4900
- 00174  
SAINT LUKES HOSPITAL—S  
801 OSTRUM STREET  
BETHLEHEM, PA 18015  
(610) 954-4558
- 00328  
SAINT MARY MEDICAL CENTER—S  
LANGHORNE-NEWTOWN RD  
LANGHORNE, PA 19047  
(215) 710-2162
- 00048  
SAINT VINCENT HEALTH CENTER—S  
232 WEST 25TH STREET  
ERIE, PA 16544  
(814) 452-5386
- 00182  
SCHUYLKILL MC E NORWEGIAN ST—S  
700 EAST NORWEGIAN STREET  
POTTSVILLE, PA 17901  
(570) 621-4032
- 00183  
SCHUYLKILL MC S JACKSON ST—SB  
420 SOUTH JACKSON STREET  
POTTSVILLE, PA 17901  
(570) 621-5262
- 00064  
SHARON REGIONAL HEALTH SYSTEM—S  
740 EAST STATE STREET  
SHARON, PA 16146  
(724) 983-3911
- 00039  
SOLDIERS & SAILORS MEM HOSP—S  
CENTRAL AVENUE  
WELLSBORO, PA 16901  
(570) 723-0133
- 00297  
SOMERSET HOSPITAL CENTER FOR HEALTH—S  
225 S CENTER AVENUE  
SOMERSET, PA 15501  
(814) 443-5000
- 00105  
SOUTHWEST REGIONAL MEDICAL CENTER—S  
350 BONAR AVENUE  
WAYNESBURG, PA 15370  
(724) 267-2640
- 00260  
ST CHRISTOPHERS HOSP FOR CHILDREN—S  
ERIE AVENUE AT FRONT STREET  
DEPT OF PATHOLOGY & LAB MEDICINE  
PHILADELPHIA, PA 19134  
(215) 427-4207
- 00151  
ST JOSEPH QUALITY MEDICAL LAB—SB  
2500 BERNVILLE ROAD  
READING, PA 19605-9453  
(610) 378-2200
- 00261  
ST JOSEPH'S HOSPITAL-DIV NPHS—S  
16TH ST & GIRARD AVENUE  
PHILADELPHIA, PA 19130  
(215) 787-9000
- 00318  
ST LUKES HOSP ALLENTOWN CAMPUS—S  
1736 HAMILTON STREET  
ALLENTOWN, PA 18104  
(610) 628-8724
- 00180  
ST LUKES MINERS MEMORIAL HOSPITAL—S  
360 WEST RUDDLE STREET PO BOX 67  
COALDALE, PA 18218  
(570) 645-8271
- 00195  
ST LUKES QUAKERTOWN HOSPITAL—S  
1021 PARK AVENUE  
QUAKERTOWN, PA 18951  
(215) 538-4681
- 32021  
ST. LUKES HOSPITAL-ANDERSON LAB—S  
1872 RIVERSIDE CIRCLE  
EASTON, PA 18045  
(484) 503-1075
- 00094  
SUBURBAN CLINICAL LABORATORY—S  
100 SOUTH JACKSON AVENUE  
BELLEVUE, PA 15202  
(412) 734-6020
- 00207  
TAYLOR HOSPITAL DIV OF CCMC—S  
175 EAST CHESTER PIKE  
RIDLEY PARK, PA 19078  
(610) 595-6450
- 00235  
TEMPLE UNIV HOSPITAL EPISCOPAL CAMPUS—S  
100 EAST LEHIGH AVENUE  
PHILADELPHIA, PA 19125-1098  
(215) 707-4353
- 00265  
TEMPLE UNIVERSITY HOSPITAL—S  
3401 N BROAD ST  
DEPT OF PATH & LAB MED-2ND FL. OPB RM 249  
PHILADELPHIA, PA 19140  
(215) 707-4353
- 00104  
THE UNIONTOWN HOSPITAL LABORATORY—S  
500 WEST BERKELEY STREET  
UNIONTOWN, PA 15401  
(724) 430-5143
- 00241  
THOMAS JEFFERSON UNIVERSITY HOSP—S  
125 SOUTH 11TH STREET 204 PAVILLION  
PHILADELPHIA, PA 19107  
(215) 955-3941
- 00051  
TITUSVILLE AREA HOSPITAL—S  
406 WEST OAK STREET  
TITUSVILLE, PA 16354  
(814) 827-1851
- 32914  
TRIDENT LABORATORIES, INC—SB  
6011 RODMAN STREET #107  
HOLLYWOOD, FL 33023  
(954) 304-1293

00313  
 TYLER MEMORIAL HOSPITAL—S  
 880 SR 6 W  
 TUNKHANNOCK, PA 18657-6149  
 (570) 836-4705

00124  
 TYRONE HOSPITAL—S  
 187 HOSPITAL DRIVE  
 TYRONE, PA 16686  
 (814) 684-6384

00121  
 UPMC BEDFORD MEMORIAL—S  
 10455 LINCOLN HIGHWAY  
 EVERETT, PA 15537  
 (814) 623-3555

32389  
 UPMC EAST PATHOLOGY LABORATORY—S  
 2775 MOSSIDE BLVD.  
 GROUND FLOOR, ROOM 0304  
 MONROEVILLE, PA 15146  
 (412) 357-3682

00046  
 UPMC HAMOT—S  
 201 STATE STREET  
 ERIE, PA 16550  
 (814) 877-2463

00059  
 UPMC HORIZON GREENVILLE—S  
 110 NORTH MAIN STREET  
 GREENVILLE, PA 16125  
 (724) 588-2100

00057  
 UPMC HORIZON SHENANGO—S  
 2200 MEMORIAL DRIVE  
 FARRELL, PA 16121  
 (724) 981-3500

00098  
 UPMC MCKEESPORT LABORATORY—S  
 1500 FIFTH AVENUE  
 MCKEESPORT, PA 15132  
 (412) 664-2233

00082  
 UPMC MERCY DEPT OF LAB MEDICINE—S  
 1400 LOCUST STREET  
 PITTSBURGH, PA 15219  
 (412) 232-7831

00084  
 UPMC PASSAVANT—S  
 9100 BABCOCK BLVD  
 PITTSBURGH, PA 15237  
 (412) 367-6700

05784  
 UPMC PASSAVANT LABORATORY CRANBERRY—S  
 ONE ST FRANCIS WAY  
 CRANBERRY TOWNSHIP, PA 16066  
 (724) 772-5370

00083  
 UPMC PRESBYTERIAN SHADYSIDE CP PUH—S  
 UPMC CLINICAL LABORATORY BUILDING  
 3477 EULER WAY  
 OAKLAND, PA 15213  
 (412) 647-5855

00091  
 UPMC SAINT MARGARET HOSPITAL—S  
 815 FREEPORT ROAD  
 LABORATORY  
 PITTSBURGH, PA 15215  
 (412) 784-4000

00092  
 UPMC SHADYSIDE—S  
 5230 CENTRE AVENUE GROUND FLOOR WEST WING  
 PITTSBURGH, PA 15232  
 (412) 623-5950

00066  
 WARREN GENERAL HOSPITAL—S  
 2 CRESCENT PARK  
 WARREN, PA 16365  
 (814) 726-3860

00111  
 WASHINGTON HOSPITAL—S  
 155 WILSON AVE  
 WASHINGTON, PA 15301  
 (724) 223-3136

00298  
 WAYNE MEMORIAL HOSPITAL—S  
 601 PARK STREET  
 HONESDALE, PA 18431  
 (570) 253-1300

00133  
 WAYNESBORO HOSPITAL—S  
 501 E MAIN STREET  
 WAYNESBORO, PA 17268  
 (717) 765-3403

00018  
 WBGH COMMONWEALTH HEALTH LAB SVS—SB  
 575 NORTH RIVER STREET  
 WILKES-BARRE, PA 18764  
 (570) 829-8111

00095  
 WESTERN PENNSYLVANIA HOSPITAL—S  
 4800 FRIENDSHIP AVE  
 PITTSBURGH, PA 15224  
 (412) 578-5779

30245  
 WESTFIELD HOSPITAL MEDICAL CENTER LABORA-  
 TORY—S  
 4815 W TILGHMAN STREET  
 ALLENTOWN, PA 18104  
 (610) 973-8425

00112  
 WESTMORELAND REGIONAL HOSPITAL—S  
 532 W PITTSBURGH STREET  
 GREENSBURG, PA 15601  
 (724) 832-4365

00037  
 WILLIAMSPORT REGIONAL MEDICAL CENTER—S  
 700 HIGH STREET  
 WILLIAMSPORT, PA 17701-3198  
 (570) 321-2300

00106  
 WINDBER HOSPITAL—S  
 600 SOMERSET AVE  
 WINDBER, PA 15963  
 (814) 467-3741



25064  
WVU HOSPITAL CLINICAL LABS—S  
1 MEDICAL CENTER DR PO BOX 8009  
MORGANTOWN, WV 26506-8009  
(304) 598-4241

00141  
YORK HOSPITAL—S  
1001 SOUTH GEORGE STREET  
YORK, PA 17405  
(717) 851-2345

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-45. Filed for public inspection January 3, 2014, 9:00 a.m.]

**Laboratories Approved to Determine Controlled Substance Content of Urine under The Clinical Laboratory Act, the Vehicle Code, the Fish and Boat Code and the Game and Wildlife Code**

The following laboratories are licensed by the Department of Health (Department) under The Clinical Laboratory Act (35 P.S. §§ 2151—2165) and are currently approved by the Department under 28 Pa. Code § 5.50 (relating to approval to provide special analytical services) to perform analyses of urine for the determination of controlled substances or their biotransformation products.

This approval is based on demonstrated proficiency in periodic tests conducted by the Department's Bureau of Laboratories. These laboratories are also approved and designated for purposes of the Vehicle Code, 75 Pa.C.S. §§ 1547 and 3755 (relating to chemical testing to determine amount of alcohol or controlled substance; and reports by emergency room personnel), the Fish and Boat Code, 30 Pa.C.S. § 5125 (relating to chemical testing to determine amount of alcohol or controlled substance) and the Game and Wildlife Code, 34 Pa.C.S. § 2502 (relating to chemical test to determine amount of alcohol), as qualified to perform the types of services which will reflect the presence of controlled substances or their biotransformation products in urine.

Depending upon their capability and performance in proficiency surveys, laboratories are approved to perform screening and/or confirmatory urine drug analyses. Laboratories approved to perform screening tests only are designated on the approval list by an "S" after the laboratory's name. Laboratories approved to perform confirmatory testing only are designated by a "C" following the laboratory's name. Those approved to perform both screening and confirmatory analyses are designated by the letters "SC." Screening analyses provide a presumptive indication that a controlled substance is present. Confirmatory testing is used to substantiate screening results.

Persons seeking forensic urine drug analysis services from any of the listed laboratories should determine that the laboratory employs techniques and procedures acceptable for the purpose. They should also determine that the director of the facility is agreeable to performing analyses for that purpose. Persons seeking the analyses are responsible for specifying the extent to which the presence of a controlled substance is to be verified. That specification should be predicated upon the purpose for which the analysis is being sought.

The Commonwealth's Vehicle Code contains a provision in 75 Pa.C.S. § 1547(c)(3)(ii) that permits test results on blood or urine for alcohol or controlled substances to be introduced into evidence at legal proceedings in this Commonwealth if the laboratory is located in another state and is not licensed and approved by the Department to provide these services. This section states that the test results may be admissible into evidence at summary or criminal proceedings in which the defendant is charged with a violation of 75 Pa.C.S. § 3802 (relating to driving under influence of alcohol or controlled substance) or any other violation of the Vehicle Code arising out of the same action if the laboratory that performed the test is licensed by the state in which the facility is located and licensed under the Clinical Laboratory Improvement Amendments of 1988 (Pub. L. No. 100-578, 102 Stat. 2903). A similar provision appears in the Fish and Boat Code at 30 Pa.C.S. § 5125(c)(3)(ii).

The name or location of a laboratory, as well as the personnel and testing procedures, can change. When changes of this type occur, the clinical laboratory permit number does not change. If questions arise about the identity of a laboratory due to a name or location change, the clinical laboratory permit number should be used as the primary identifier. To assist in identifying a laboratory that performed a test, the clinical laboratory permit number of the facility at the time the list was prepared is included in the list of approved laboratories before the name of the laboratory.

The list of approved laboratories will be revised approximately semiannually and published in the *Pennsylvania Bulletin*. Questions regarding this list should be directed to Dr. James R. Lute, Assistant Bureau Director, Department of Health, Bureau of Laboratories, P. O. Box 500, Exton, PA 19341-0500, (610) 280-3464.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape or Braille) may contact Dr. James R. Lute at the previously referenced address or phone number. Persons who are speech or hearing impaired may use V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

00212  
ABINGTON MEMORIAL HOSPITAL—S  
1200 OLD YORK ROAD  
ABINGTON, PA 19001  
(215) 481-2324

32917  
ACCURATE DIAGNOSTIC LABS, INC—S  
3000 HADLEY ROAD  
SOUTH PLAINFIELD, NJ 07080  
(732) 839-3300

27908  
ACM MEDICAL LABORATORY—SC  
160 ELMGROVE PARK  
ROCHESTER, NY 14624  
(716) 429-2264

27180  
ADVANCED TOXICOLOGY NETWORK—SC  
3560 AIR CENTER COVE, SUITE 101  
MEMPHIS, TN 38118  
(901) 794-5770

31695  
AEGIS SCIENCES CORPORATION—SC  
515 GREAT CIRCLE ROAD  
NASHVILLE, TN 37228  
(615) 255-2400

- 30483  
AIT LABORATORIES—SC  
2265 EXECUTIVE DRIVE  
INDIANAPOLIS, IN 46241  
(317) 243-3894
- 00233  
ALBERT EINSTEIN MEDICAL CENTER—S  
5501 OLD YORK RD-LABS-TOWER BLDG GROUND FL  
PHILADELPHIA, PA 19141-3001  
(215) 456-6157
- 24496  
ALERE TOXICOLOGY SERVICES—SC  
450 SOUTHLAKE BOULEVARD  
RICHMOND, VA 23236  
(804) 378-9130
- 26008  
ALERE TOXICOLOGY SERVICES INC—SC  
1111 NEWTON STREET  
GRETNA, LA 70053  
(504) 361-8989
- 00116  
ALLE KISKI MED CNTR NEW KENSINGTON—S  
651 FOURTH AVENUE  
NEW KENSINGTON, PA 15068  
(724) 226-7089
- 00671  
ALLEGHENY COUNTY MED EX DIV OF LAB—SC  
1520 PENN AVENUE, 2ND FLOOR  
PITTSBURGH, PA 15222  
(412) 350-4425
- 28233  
ALLEGHENY GENERAL HOSP DEPT OF LAB MED—S  
320 E NORTH AVENUE  
PITTSBURGH, PA 15212  
(412) 359-6886
- 00077  
ALLEGHENY GENERAL HOSPITAL LAB—S  
1307 FEDERAL STREET  
PITTSBURGH, PA 15212  
(412) 359-6886
- 00100  
ALLEGHENY VALLEY HOSPITAL LAB—S  
1301 CARLISLE STREET  
NATRONA HEIGHTS, PA 15065  
(724) 224-5100
- 31871  
AMERICAN FORENSIC TOXICOLOGY SERVICES—SC  
728 LARKFIELD ROAD  
EAST NORTHPORT, NY 11731  
(631) 923-0166
- 31814  
AMERITOX, LTD.—SC  
486 GALLIMORE DAIRY ROAD  
GREENSBORO, NC 27409  
(336) 387-7600
- 26620  
AMMON ANALYTICAL LABORATORY—S  
1622 SOUTH WOOD AVENUE  
LINDEN, NJ 07036  
(908) 862-4404
- 31148  
ANALYTICAL DIAGNOSTIC LAB—S  
2115 AVENUE X  
BROOKLYN, NY 11235  
(718) 646-6000
- 33045  
APEX DIAGNOSTIC SERVICES, INC.—S  
5111 PEGASUS CT SUITE A  
FREDERICK, MD 21704  
(240) 379-1560
- 00192  
ARIA HEALTH—S  
380 NORTH OXFORD VALLEY ROAD  
LANGHORNE, PA 19047-8304  
(215) 934-5227
- 00236  
ARIA HEALTH—S  
FRANKFORD AVE & WAKELING STREET  
PHILADELPHIA, PA 19124  
(215) 831-2068
- 00341  
ARIA HEALTH—S  
10800 KNIGHTS ROAD  
PHILADELPHIA, PA 19114  
(215) 612-4000
- 00047  
ASSOCIATED CLINICAL LABORATORIES—S  
1526 PEACH STREET  
ERIE, PA 16501  
(814) 461-2400
- 24997  
ATLANTIC DIAGNOSTIC LABORATORIES LLC—SC  
3520 PROGRESS DRIVE UNIT C  
BENSALEM, PA 19020  
(267) 525-2470
- 31171  
AVEE LABORATORIES INC—SC  
14440 MYERLAKE CIRCLE  
CLEARWATER, FL 33760  
(727) 424-4151
- 33067  
AVERTEST—S  
11 E MARKET STREET, SUITE 104  
YORK, PA 17401  
(804) 955-5246
- 31111  
AXIS DIAGNOSTICS INC.—S  
900 TOWN CENTER DRIVE SUITE H-50  
LANGHORNE, PA 19047  
(267) 212-2000
- 00251  
AYER CLINICAL LAB PENNSYLVANIA HOSPITAL—S  
800 SPRUCE STREET  
PHILADELPHIA, PA 19107  
(215) 829-3541
- 00320  
BARNES KASSON HOSPITAL LAB—S  
400 TURNPIKE STREET  
SUSQUEHANNA, PA 18847  
(570) 853-5059
- 00001  
BERWICK HOSPITAL LABORATORY—S  
701 EAST 16TH STREET  
BERWICK, PA 18603  
(570) 759-5110
- 00301  
BHS LABORATORY—S  
ONE HOSPITAL WAY (911 E BRADY STREET)  
BUTLER, PA 16001  
(724) 284-4513

27615  
BIOLOGICAL SPECIALTY CORPORATION—S  
2165 NORTH LINE STREET  
COLMAR, PA 18915  
(215) 997-8771

27616  
BIOLOGICAL SPECIALTY CORPORATION—S  
1236 NEW RODGERS RD #851  
BRISTOL, PA 19007  
(215) 826-9282

27617  
BIOLOGICAL SPECIALTY CORPORATION—S  
22 SOUTH 4TH STREET  
READING, PA 19602  
(610) 375-9862

22757  
BIOREFERENCE LABORATORIES INC—SC  
481B EDWARD H ROSS DRIVE  
ELMWOOD PARK, NJ 07407  
(201) 791-3600

00033  
BRADFORD REGIONAL MEDICAL CENTER—S  
116-156 INTERSTATE PKWY  
BRADFORD, PA 16701-0218  
(814) 362-8247

00296  
BRANDYWINE HOSPITAL—S  
201 REECEVILLE ROAD  
COATESVILLE, PA 19320  
(610) 383-8000

00472  
BROOKSIDE CLINICAL LAB INC—S  
4000 EDGMONT AVENUE  
BROOKHAVEN, PA 19015  
(610) 872-6466

31684  
BUCKS COUNTY CRIME LABORATORY—S  
850 EAGLE BOULEVARD  
WARMINSTER, PA 18974  
(609) 802-7399

32486  
BURLINGTON LABORATORIES, INC.—SC  
163 PEARL STREET  
BURLINGTON, VT 05401  
(802) 863-4105

29116  
CALLOWAY LABORATORIES—SC  
34 COMMERCE WAY  
WOBURN, MA 01801  
(781) 224-9899

00107  
CANONSBURG GENERAL HOSPITAL—S  
100 MEDICAL BOULEVARD  
CANONSBURG, PA 15317  
(724) 745-3916

00131  
CARLISLE REGIONAL MEDICAL CENTER—S  
361 ALEXANDER SPRING ROAD  
CARLISLE, PA 17015-9129  
(717) 249-1212

00751  
CEDAR CREST EMERGICENTER—S  
1101 SOUTH CEDAR CREST BOULEVARD  
ALLENTOWN, PA 18103  
(610) 435-3111

00132  
CHAMBERSBURG HOSPITAL DEPT OF PATHOL-  
OGY—S  
112 NORTH SEVENTH STREET  
CHAMBERSBURG, PA 17201  
(717) 267-7153

00310  
CHARLES COLE MEMORIAL HOSPITAL—S  
1001 EAST SECOND STREET  
COUDERSPORT, PA 16915  
(814) 274-5510

00198  
CHESTER COUNTY HOSPITAL—S  
701 E MARSHALL ST  
WEST CHESTER, PA 19380  
(610) 431-5182

00227  
CHESTNUT HILL HOSPITAL—S  
DEPARTMENT OF PATHOLOGY  
8835 GERMANTOWN AVENUE  
PHILADELPHIA, PA 19118  
(215) 248-8113

00228  
CHILDRENS HOSP OF PHILADELPHIA—S  
3400 CIVIC CENTER BLVD.  
MAIN BLDG.-5TH FLOOR-ROOM 5135  
PHILADELPHIA, PA 19104  
(215) 590-4446

00329  
CLARION HOSPITAL—S  
1 HOSPITAL DRIVE  
CLARION, PA 16214  
(814) 221-8969

27845  
CLINICAL REFERENCE LABORATORY—SC  
8433 QUIVIRA ROAD  
LENEXA, KS 66215  
(913) 492-3652

33139  
CLEARFIELD REFERENCE LABORATORY, INC—S  
8433 QUIVIRA ROAD  
LENEXA, KS 66215  
(913) 492-3652

33142  
CLINICAL REFERENCE LABORATORY, INC—SC  
8433 QUIVIRA ROAD  
LENEXA, KS 66215  
(913) 492-3652

24916  
CLINICAL SCIENCE LABORATORY INC—SC  
51 FRANCIS AVENUE  
MANSFIELD, MA 02048  
(508) 339-6106

00005  
COMMUNITY MEDICAL CENTER—S  
1800 MULBERRY STREET  
SCRANTON, PA 18510  
(570) 969-8000

00125  
CONEMAUGH VALLEY MEMORIAL HOSP—S  
LABORATORY DEPT 1086 FRANKLIN STREET  
JOHNSTOWN, PA 15905  
(814) 534-9000

- 00326  
CORRY MEMORIAL HOSPITAL—S  
965 SHAMROCK LANE  
CORRY, PA 16407  
(814) 664-4641
- 00201  
CROZER CHESTER MED CENTER—S  
1 MEDICAL CENTER BOULEVARD  
UPLAND, PA 19013  
(610) 447-2000
- 00209  
CROZER-CHESTER MED CTR-SPRINGFLD—S  
190 WEST SPROUL ROAD  
SPRINGFIELD, PA 19064  
(610) 447-2000
- 00204  
DELAWARE COUNTY MEMORIAL HOSP—S  
501 NORTH LANSDOWNE AVENUE  
DREXEL HILL, PA 19025-1185  
(610) 284-8100
- 00266  
DEPT OF PATHOLOGY & LAB MED-HUP—SC  
3400 SPRUCE STREET  
PHILADELPHIA, PA 19104  
(215) 662-3423
- 32240  
DOMINION DIAGNOSTICS, LLC—SC  
211 CIRCUIT DRIVE  
NORTH KINGSTOWN, RI 02852  
(401) 667-0891
- 00194  
DOYLESTOWN HOSPITAL—S  
595 W STATE STREET  
DOYLESTOWN, PA 18901  
(215) 345-2250
- 00977  
DRUGSCAN INC—SC  
200 PRECISION ROAD, SUITE 200  
HORSHAM, PA 19044  
(267) 960-3407
- 00175  
EASTON HOSPITAL—S  
250 SOUTH 21ST ST  
EASTON, PA 18042-3892  
(610) 250-4819
- 00217  
EINSTEIN MEDICAL CTR MONTGOMERY—S  
559 W GERMANTOWN PIKE  
EAST NORRITON, PA 19401  
(484) 662-1000
- 00332  
ELLWOOD CITY HOSPITAL—S  
724 PERSHING ST  
ELLWOOD CITY, PA 16117  
(724) 752-0081
- 31625  
EMPIRE CITY LABORATORIES—S  
4306 3RD AVENUE, 2ND FLOOR  
BROOKLYN, NY 11232  
(516) 941-7244
- 00612  
ENDLESS MOUNTAINS HEALTH SYSTEMS—S  
25 GROW AVENUE  
MONTROSE, PA 18801-1103  
(570) 278-3801
- 00164  
EPHRATA COMMUNITY HOSPITAL—S  
169 MARTIN AVE PO BOX 1002  
EPHRATA, PA 17522  
(717) 733-0311
- 000032  
ERHC ST MARYS LABORATORY—S  
763 JOHNSONBURG RD  
SAINT MARYS, PA 15857  
(814) 788-8525
- 00181  
EVANGELICAL COMMUNITY HOSPITAL—S  
1 HOSPITAL DRIVE  
LEWISBURG, PA 17837  
(570) 522-2510
- 00114  
EXCELA HEALTH LATROBE HOSPITAL—S  
ONE MELLON WAY  
LATROBE, PA 15650  
(724) 537-1550
- 00085  
FORBES REGIONAL HOSPITAL—S  
2570 HAYMAKER ROAD  
MONROEVILLE, PA 15146  
(412) 858-2566
- 32455  
FORENSIC LABORATORIES—S  
ROCKY MOUNTAIN TOX, LLC  
4895 JOLIET STREET, 7-G  
DENVER, CO 80239  
(720) 287-8111
- 00115  
FRICK HOSPITAL—S  
508 SOUTH CHURCH STREET  
MOUNT PLEASANT, PA 15666  
(724) 547-1500
- 20644  
FRIENDS HOSPITAL—S  
4641 ROOSEVELT BOULEVARD  
LABORATORY  
PHILADELPHIA, PA 19124-2399  
(215) 831-6934
- 09163  
FRIENDS MEDICAL LAB INC—SC  
5820 SOUTHWESTERN BLVD  
BALTIMORE, MD 21227  
(412) 247-4417
- 00330  
FULTON COUNTY MEDICAL CENTER—S  
214 PEACH ORCHARD ROAD  
MCCONNELLSBURG, PA 17233  
(717) 485-6169
- 30188  
GARCIA CLINICAL LABORATORY INC—S  
2195 SPRING ARBOR ROAD  
JACKSON, MI 49201  
(517) 787-9200
- 00002  
GEISINGER BLOOMSBURG—S  
549 E FAIR STREET  
BLOOMSBURG, PA 17815  
(570) 387-2124



- 00173  
GEISINGER MEDICAL LABORATORIES—SC  
100 N ACADEMY AVENUE  
DANVILLE, PA 17822-0131  
(570) 271-6338
- 00019  
GEISINGER WYOMING VALLEY MED CTR—S  
1000 E MOUNTAIN DRIVE  
WILKES-BARRE, PA 18711  
(570) 808-7845
- 00185  
GEISINGER-SHAMOKIN AREA COMMUNITY HOS-  
PITAL—S  
4200 HOSPITAL ROAD  
COAL RUN, PA 17866-9697  
(570) 644-4200
- 26799  
GHHA/HHWC OCC HEALTH LAB—S  
50 MOISEY DRIVE  
HAZLETON, PA 18202  
(570) 459-1028
- 00152  
GNADEN HUETTEN MEMORIAL HOSP—S  
211 NORTH 12TH STREET  
LEHIGHTON, PA 18235  
(610) 377-7083
- 00299  
GOOD SAMARITAN HOSPITAL—S  
4TH & WALNUT STS PO BOX 1281  
LEBANON, PA 17042-1218  
(717) 270-7986
- 32790  
GREATER PHILADELPHIA SPINE AND PAIN, PC—S  
700 E. TOWNSHIP LINE ROAD, 1ST FLOOR  
HAVERTOWN, PA 19083  
(610) 689-9120
- 00654  
GUTHRIE CLINIC LABORATORIES—S  
ONE GUTHRIE SQUARE  
SAYRE, PA 18840  
(570) 887-5797
- 00239  
HAHNEMANN UNIVERSITY HOSPITAL—S  
BROAD & VINE STS MS 113  
PHILADELPHIA, PA 19102  
(215) 762-1783
- 00139  
HANOVER HOSPITAL LABORATORY—S  
300 HIGHLAND AVE  
HANOVER, PA 17331  
(717) 637-3711
- 00155  
HARRISBURG HOSPITAL LABORATORY—S  
100 SOUTH 2ND STREET  
HARRISBURG, PA 17101  
(717) 231-6323
- 00010  
HAZLETON GENERAL HOSPITAL—S  
700 EAST BROAD STREET  
HAZLETON, PA 18201  
(570) 501-4152
- 00169  
HEALTH NETWORK LABORATORIES—S  
1627 WEST CHEW STREET  
ALLENTOWN, PA 18102  
(610) 402-8150
- 00549  
HEALTH NETWORK LABORATORIES—S  
1200 SOUTH CEDAR CREST BLVD  
ALLENTOWN, PA 18103  
(610) 402-8150
- 00600  
HEALTH NETWORK LABORATORIES—S  
2545 SCHOENERSVILLE ROAD  
BETHLEHEM, PA 18017-7384  
(610) 402-8150
- 24655  
HEALTH NETWORK LABORATORIES—SC  
2024 LEHIGH STREET  
ALLENTOWN, PA 18103-4798  
(610) 402-8150
- 00166  
HEART OF LANCASTER REGIONAL MEDICAL CEN-  
TER—S  
1500 HIGHLANDS DRIVE  
LITITZ, PA 17543  
(717) 625-5605
- 00205  
HERITAGE VALLEY BEAVER—S  
1000 DUTCH RIDGE ROAD  
BEAVER, PA 15009  
(724) 728-7000
- 00101  
HERITAGE VALLEY SEWICKLEY LAB—S  
720 BLACKBURN RD  
SEWICKLEY, PA 15143  
(412) 741-6600
- 00103  
HIGHLANDS HOSPITAL—S  
401 EAST MURPHY AVENUE  
CONNELLSVILLE, PA 15425  
(724) 628-1500
- 00216  
HOLY REDEEMER HOSPITAL—S  
1648 HUNTINGDON PIKE  
MEADOWBROOK, PA 19046  
(215) 947-3000
- 00130  
HOLY SPIRIT HOSPITAL—S  
503 N 21ST STREET  
CAMP HILL, PA 17011-2288  
(717) 763-2206
- 00052  
INDIANA REGIONAL MEDICAL CENTER—S  
835 HOSPITAL ROAD  
PO BOX 788  
INDIANA, PA 15701-0788  
(724) 357-7167
- 00135  
J C BLAIR MEMORIAL HOSPITAL—S  
1225 WARM SPRINGS AVENUE  
HUNTINGDON, PA 16652  
(814) 643-8645
- 00054  
JAMESON MEMORIAL HOSPITAL—S  
1211 WILMINGTON AVENUE  
NEW CASTLE, PA 16105  
(724) 656-4080

00240  
JEANES HOSPITAL—S  
7600 CENTRAL AVE  
PHILADELPHIA, PA 19111  
(215) 728-2347

00038  
JEFFERSON REGIONAL MED CTR—S  
PO BOX 18119, 565 COAL VALLEY ROAD  
PITTSBURGH, PA 15236  
(412) 469-5723

00200  
JENNERSVILLE REGIONAL HOSPITAL—S  
1015 WEST BALTIMORE PIKE  
WEST GROVE, PA 19390  
(610) 869-1080

00312  
JERSEY SHORE HOSPITAL—S  
1020 THOMPSON STREET  
JERSEY SHORE, PA 17740  
(570) 398-0100

21306  
LAB CORP OCCUPATIONAL TEST SRVCS—SC  
1120 STATELINE ROAD WEST  
SOUTHAVEN, MS 38671  
(886) 827-8042

20512  
LABCORP OCCUPATIONAL TESTING SER—SC  
1904 ALEXANDER DRIVE PO BOX 12652  
RESEARCH TRIANGLE PARK, NC 27709  
(919) 572-6900

01088  
LABCORP OF AMERICA HOLDINGS—SC  
69 FIRST AVENUE PO BOX 500  
RARITAN, NJ 08869  
(908) 526-2400

00165  
LANCASTER GENERAL HOSPITAL—S  
555 N DUKE STREET, PO BOX 3555  
LANCASTER, PA 17604  
(717) 544-4331

00167  
LANCASTER REGIONAL MED CENTER—S  
250 COLLEGE AVENUE, PO BOX 3434  
LANCASTER, PA 17604  
(717) 291-8022

00215  
LANSDALE HOSPITAL—S  
100 MEDICAL CAMPUS DRIVE  
LANSDALE, PA 19446  
(215) 361-4625

00138  
LEWISTOWN HOSPITAL—S  
400 HIGHLAND AVENUE  
LEWISTOWN, PA 17044  
(717) 242-7474

24802  
LGH DIAB/HBP/DUKE-LIME ST CAMPUS—S  
620 N DUKE STREET DUKE & LIME STREET  
CAMPUS LABS  
LANCASTER, PA 17604  
(717) 544-4331

00030  
LOCK HAVEN HOSPITAL—S  
24 CREE DRIVE  
LOCK HAVEN, PA 17745  
(570) 893-5000

00193  
LOWER BUCKS HOSPITAL LABORATORY—S  
501 BATH ROAD  
BRISTOL, PA 19007  
(215) 785-9300

00213  
MAIN LINE HEALTH LAB-BRYN MAWR—S  
130 S BRYN MAWR AVENUE  
BRYN MAWR, PA 19010  
(610) 526-3554

00242  
MAIN LINE HOSPITALS LAB-LANKENAU—S  
100 EAST LANCASTER AVENUE  
WYNNEWOOD, PA 19096  
(610) 645-2615

00199  
MAIN LINE HOSPITALS LAB-PAOLI—S  
255 WEST LANCASTER AVENUE  
PAOLI, PA 19301  
(610) 648-1000

00206  
MAIN LINE HOSPITALS LAB-RIDDLE—S  
1068 W BALTIMORE PIKE  
MEDIA, PA 19063  
(610) 891-3339

27684  
MARWORTH—S  
BOX 36 LILLY LAKE ROAD  
WAVERLY, PA 18471  
(570) 563-1112

09003  
MAYO CLINIC LABS-ROCHESTER MAIN CAM-  
PUS—SC  
200 FIRST STREET SW HILTON 530  
ROCHESTER, MN 55905  
(507) 538-6449

00049  
MEADVILLE MED CTR-LIBERTY ST—S  
751 LIBERTY STREET  
MEADVILLE, PA 16335  
(814) 336-5000

05574  
MEDTOX LABORATORIES INC—SC  
402 COUNTY ROAD D WEST  
ST PAUL, MN 55112  
(651) 286-6217

00140  
MEMORIAL HOSPITAL CLINICAL LAB—S  
325 S BELMONT STREET  
YORK, PA 17403  
(717) 843-8623

00023  
MEMORIAL HOSPITAL LAB—S  
91 HOSPITAL DRIVE  
TOWANDA, PA 18848  
(570) 265-2191

00203  
MERCY FITZGERALD HOSPITAL—S  
1500 LANSDOWNE AVENUE  
DARBY, PA 19023  
(610) 237-4262

00247  
MERCY HEALTH LAB/MHOP—S  
501 S 54TH STREET  
PHILADELPHIA, PA 19143  
(215) 748-9181

00219  
MERCY HEALTH LAB/MSH—S  
2701 DEKALB PIKE  
NORRISTOWN, PA 19401  
(610) 278-2078

28436  
METHODIST DIV TJUH CLINICAL LAB—S  
2301 SOUTH BROAD STREET  
PHILADELPHIA, PA 19148  
(215) 952-9057

31050  
MILLENIUM LABORATORIES—SC  
16981 VIA TAZON, SUITE F  
SAN DIEGO, CA 92127  
(858) 451-3535

00128  
MINERS MEDICAL CENTER—S  
290 HAIDA AVENUE PO BOX 689  
HASTINGS, PA 16646  
(814) 247-3100

28907  
MIRMONT TREATMENT CENTER—S  
100 YEARSLEY MILL ROAD  
LIMA, PA 19063  
(610) 744-1400

00108  
MONONGAHELA VALLEY HOSPITAL INC—S  
1163 COUNTRY CLUB ROAD  
MONONGAHELA, PA 15063  
(724) 258-1021

00214  
MOSS REHAB EINSTEIN AT ELKINS PARK—S  
60 EAST TOWNSHIP LINE ROAD ATTN: LAB  
ELKINS PARK, PA 19027  
(215) 456-6150

00025  
MOUNT NITTANY MEDICAL CENTER—S  
1800 EAST PARK AVENUE  
STATE COLLEGE, PA 16803  
(814) 234-6117

00035  
MUNCY VALLEY HOSPITAL—S  
215 EAST WATER ST  
MUNCY, PA 17756  
(570) 546-8282

00304  
NASON HOSPITAL—S  
105 NASON DRIVE  
ROARING SPRING, PA 16673  
(814) 224-2141

00504  
NATIONAL MED SVCS INC/DBA NMS LABS—SC  
3701 WELSH ROAD  
WILLOW GROVE, PA 19090  
(215) 657-4900

00248  
NAZARETH HOSPITAL—S  
2601 HOLME AVE  
PHILADELPHIA, PA 19152  
(215) 335-6245

27246  
NORCHEM DRUG TESTING LABORATORY—SC  
1760 EAST ROUTE 66, SUITE 1  
FLAGSTAFF, AZ 86004  
(928) 526-1011

29741  
NORTHERN TIER RESEARCH—SC  
1302 MADISON AVE  
DUNMORE, PA 18509  
(570) 209-7913

30984  
OFFICE OF THE DISTRICT ATTORNEY—S  
37 E HIGH STREET, FORENSIC LAB  
CARLISLE, PA 17103  
(717) 240-6526

00099  
OHIO VALLEY GENERAL HOSPITAL—S  
25 HECKEL RD  
MCKEES ROCKS, PA 15136  
(412) 777-6161

31516  
PAML LLC—SC  
611 N PERRY, BLDG II SUITE 100  
SPOKANE, WA 99202  
(509) 755-8645

00250  
PARKWAY CLINICAL LABORATORIES—S  
3494 PROGRESS DRIVE, SUITE D  
BENSALEM, PA 19020  
(215) 245-5112

33194  
PEACHSTATE HEALTH MANAGEMENT—C  
2225 CENTENNIAL DRIVE  
GAINESVILLE, GA 30504  
(678) 276-8412

00258  
PENN PRESBYTERIAN MEDICAL CENTER—S  
51 NORTH 39TH ST DEPT OF PATH & LAB  
PHILADELPHIA, PA 19104-2640  
(215) 662-3435

00316  
PENN STATE MILTON S HERSHEY MED CTR—S  
500 UNIVERSITY DRIVE  
DEPT OF PATHOLOGY & LAB MEDICINE  
HERSHEY, PA 17033  
(717) 531-8353

22533  
PENNSYLVANIA DEPT OF HEALTH—SC  
110 PICKERING WAY  
EXTON, PA 19341  
(610) 280-3464

31082  
PHAMATECH INC—SC  
10151 BARNES CANYON ROAD  
SAN DIEGO, CA 92121  
(858) 643-5555

32887  
PHOENIX TOXICOLOGY & LAB SERVICES—C  
2320 W PEORIA AVE SUITE D-132  
PHOENIX, AZ 85029  
(602) 374-4097

00197  
PHOENIXVILLE HOSPITAL LABORATORY—S  
140 NUTT ROAD DEPT OF PATHOLOGY  
PHOENIXVILLE, PA 19460-0809  
(610) 983-1612

31965  
PHYSICIANS CHOICE LABORATORY SERVICES,  
LLC—SC  
300 WESTINGHOUSE BLVD  
CHARLOTTE, NC 28273  
(336) 407-1499

32215  
PHYSICIANS TOXICOLOGY LABORATORY, LLC—SC  
4433 MANCHESTER ROAD  
KALAMAZOO, MI 49001  
(239) 269-0035

00157  
PINNACLE HEALTH AT COMMUNITY GENERAL  
HOSPITAL—S  
4300 LONDONDERRY ROAD  
PO BOX 3000  
HARRISBURG, PA 17109  
(717) 782-3340

00022  
POCONO MEDICAL CENTER LAB—S  
206 EAST BROWN STREET  
EAST STROUDSBURG, PA 18301  
(570) 476-3544

00221  
POTTSTOWN HOSPITAL COMPANY, LLC—S  
1600 EAST HIGH STREET  
POTTSTOWN, PA 19464  
(610) 327-7130

21648  
PSYCHEMEDICS CORPORATION—SC  
5832 UPLANDER WAY  
CULVER CITY, CA 90230  
(800) 522-7424

00300  
PUNXSUTAWNEY AREA HOSPITAL—S  
81 HILLCREST DRIVE  
PUNXSUTAWNEY, PA 15767  
(814) 938-1820

32205  
QDX PATHALLIANCE, PC—S  
70 JACKSON DRIVE UNIT H3  
CRANFORD, NJ 07016

22715  
QUEST DIAGNOSTICS—SC  
10101 RENNER BOULEVARD  
LENEXA, KS 66219-9752  
(913) 888-1770

31399  
QUEST DIAGNOSTICS—SC  
1777 MONTREAL CIRCLE ES/F1 2  
TUCKER, GA 30084  
(770) 936-5007

00315  
QUEST DIAGNOSTICS CLINICAL LABS INC—SC  
900 BUSINESS CENTER DRIVE  
HORSHAM, PA 19044  
(215) 957-9300

27461  
QUEST DIAGNOSTICS INC—SC  
400 EGYPT ROAD  
NORRISTOWN, PA 19403  
(610) 631-4219

01136  
QUEST DIAGNOSTICS NICHOLS INSTITUTE—SC  
14225 NEWBROOK DRIVE PO BOX 10841  
CHANTILLY, VA 20153-0841  
(703) 802-6900

22376  
QUEST DIAGNOSTICS NICHOLS INSTITUTE OF  
VALENCIA—S  
27027 TOURNEY ROAD  
VALENCIA, CA 91355  
(661) 799-6543

00482  
QUEST DIAGNOSTICS OF PA INC—SC  
875 GREENTREE ROAD 4 PARKWAY CENTER  
PITTSBURGH, PA 15220-3610  
(412) 920-7600

25461  
QUEST DIAGNOSTICS VENTURE LLC—SC  
875 GREENTREE ROAD 4 PARKWAY CENTER  
PITTSBURGH, PA 15220-3610  
(412) 920-7631

24249  
QUINTILES LABORATORIES LTD—SC  
1600 TERRELL MILL ROAD SUITE 100  
MARIETTA, GA 30067  
(770) 373-3500

00150  
READING HOSPITAL & MEDICAL CTR—S  
6TH AND SPRUCE STREETS  
WEST READING, PA 19611  
(484) 628-8615

25348  
REDWOOD TOXICOLOGY LABORATORY—SC  
3650 WESTWIND BOULEVARD  
SANTA ROSA, CA 95403  
(707) 577-7958

00336  
REGIONAL HOSPITAL OF SCRANTON—S  
746 JEFFERSON AVENUE  
SCRANTON, PA 18510  
(570) 348-7100

33170  
RIVER CROSSING LABS LLC—SC  
5415 MARINER STREET SUITE 103  
TAMPA, FL 33606  
(813) 884-8200

00243  
ROXBOROUGH MEMORIAL HOSPITAL—S  
5800 RIDGE AVE  
PHILADELPHIA, PA 19128  
(215) 487-4394

30821  
RXTOX INC—SC  
51 PROF PLAZA, 850 CLAIRTON BLVD, SUITE 1300  
PITTSBURGH, PA 15236  
(412) 460-1310

00171  
SACRED HEART HOSPITAL—S  
4TH & CHEW STS ATTN LAB DEPT  
ALLENTOWN, PA 18102  
(610) 776-4727

00087  
SAINT CLAIR MEMORIAL HOSPITAL—S  
1000 BOWER HILL RD  
PITTSBURGH, PA 15243  
(412) 561-4900



- 00174  
SAINT LUKES HOSPITAL—S  
801 OSTRUM STREET  
BETHLEHEM, PA 18015  
(610) 954-4558
- 00328  
SAINT MARY MEDICAL CENTER—S  
LANGHORNE-NEWTOWN RD  
LANGHORNE, PA 19047  
(215) 710-2162
- 29838  
SAN DIEGO REFERENCE LABORATORY—SC  
6122 NANCY RIDGE DRIVE  
SAN DIEGO, CA 92121  
(800) 677-7995
- 00182  
SCHUYLKILL MC E NORWEGIAN ST—S  
700 EAST NORWEGIAN STREET  
POTTSVILLE, PA 17901  
(570) 621-4032
- 00183  
SCHUYLKILL MC S JACKSON ST—S  
420 SOUTH JACKSON STREET  
POTTSVILLE, PA 17901  
(570) 621-5262
- 28471  
SECON OF LOUISIANA—S  
825 KALISTE SALOOM RD, BRANDYWINE 1 SUITE  
100  
LAFAYETTE, LA 70508  
(337) 235-3712
- 29038  
SECON OF NEW ENGLAND—SC  
415 MAIN STREET 4TH FLOOR  
WORCESTER, MA 01608  
(508) 831-0703
- 00064  
SHARON REGIONAL HEALTH SYSTEM—S  
740 EAST STATE STREET  
SHARON, PA 16146  
(724) 983-3911
- 00421  
SKIPPACK MEDICAL LABORATORY—S  
3887 SKIPPACK PIKE  
SKIPPACK, PA 19474  
(610) 584-1669
- 27649  
SMA MEDICAL LABORATORIES—S  
940 PENNSYLVANIA BOULEVARD UNIT E  
FEASTERVILLE, PA 19053  
(215) 322-6590
- 00039  
SOLDIERS & SAILORS MEM HOSP—S  
CENTRAL AVENUE  
WELLSBORO, PA 16901  
(570) 723-0133
- 00297  
SOMERSET HOSPITAL CENTER FOR HEALTH—S  
225 S CENTER AVENUE  
SOMERSET, PA 15501  
(814) 443-5000
- 00105  
SOUTHWEST REGIONAL MEDICAL CENTER—S  
350 BONAR AVENUE  
WAYNESBURG, PA 15370  
(724) 627-2608
- 00260  
ST CHRISTOPHERS HOSP FOR CHILDREN—S  
ERIE AVENUE AT FRONT STREET  
DEPT OF PATHOLOGY & LAB MEDICINE  
PHILADELPHIA, PA 19134  
(215) 427-4207
- 00151  
ST JOSEPH QUALITY MEDICAL LAB—SC  
2500 BERNVILLE ROAD  
READING, PA 19605-9453  
(610) 378-2200
- 00261  
ST JOSEPH'S HOSPITAL-DIV NPHS—S  
16TH ST & GIRARD AVENUE  
PHILADELPHIA, PA 19130  
(215) 787-9000
- 00318  
ST LUKES HOSP ALLENTOWN CAMPUS—S  
1736 HAMILTON STREET  
ALLENTOWN, PA 18104  
(610) 628-8724
- 00180  
ST LUKES MINERS MEMORIAL HOSPITAL—S  
360 WEST RUDDLE STREET PO BOX 67  
COALDALE, PA 18218  
(570) 645-8271
- 29015  
STERLING HEALTHCARE HOLDINGS, LLC—SC  
2617 EAST L STREET #A  
TACOMA, WA 98421-2205  
(253) 552-1551
- 00094  
SUBURBAN CLINICAL LABORATORY—S  
100 SOUTH JACKSON AVENUE  
BELLEVUE, PA 15202  
(412) 734-6020
- 32887  
SUMMIT TESTING—C  
2320 W PEORIA AVE SUITE D-132  
PHOENIX, AZ 85029  
(602) 374-4097
- 00187  
SUNBURY COMMUNITY HOSPITAL—S  
350 NORTH 11TH STREET  
SUNBURY, PA 17801  
(570) 286-3491
- 31474  
TASC INC—SC  
2234 N 7TH STREET  
PHOENIX, AZ 85006  
(602) 257-7588
- 00207  
TAYLOR HOSPITAL DIV OF CCMC—S  
175 EAST CHESTER PIKE  
RIDLEY PARK, PA 19078  
(610) 595-6450
- 00235  
TEMPLE UNIV HOSPITAL EPISCOPAL CAMPUS—S  
100 EAST LEHIGH AVENUE  
PHILADELPHIA, PA 19125-1098  
(215) 707-4353

00265  
 TEMPLE UNIVERSITY HOSPITAL—S  
 3401 N BROAD ST  
 DEPT OF PATH & LAB MED-2ND FL. OPB RM 249  
 PHILADELPHIA, PA 19140  
 (215) 707-4353

00104  
 THE UNIONTOWN HOSPITAL LABORATORY—S  
 500 WEST BERKELEY STREET  
 UNIONTOWN, PA 15401  
 (724) 430-5143

00241  
 THOMAS JEFFERSON UNIVERSITY HOSP—S  
 125 SOUTH 11TH STREET 204 PAVILLION  
 PHILADELPHIA, PA 19107  
 (215) 955-1644

00051  
 TITUSVILLE AREA HOSPITAL—S  
 406 WEST OAK STREET  
 TITUSVILLE, PA 16354  
 (814) 827-1851

32914  
 TRIDENT LABORATORIES, INC—S  
 6011 RODMAN STREET #107  
 HOLLYWOOD, FL 33023  
 (954) 304-1293

00313  
 TYLER MEMORIAL HOSPITAL—S  
 880 SR 6 W  
 TUNKHANNOCK, PA 18657-6149  
 (570) 836-4705

00124  
 TYRONE HOSPITAL—S  
 187 HOSPITAL DRIVE  
 TYRONE, PA 16686  
 (814) 684-6384

00121  
 UPMC BEDFORD MEMORIAL—S  
 10455 LINCOLN HIGHWAY  
 EVERETT, PA 15537  
 (814) 623-3506

32389  
 UPMC EAST PATHOLOGY LABORATORY—S  
 2775 MOSSIDE BLVD.  
 GROUND FLOOR, ROOM 0304  
 MONROEVILLE, PA 15146  
 (412) 357-3682

00059  
 UPMC HORIZON GREENVILLE—S  
 110 NORTH MAIN STREET  
 GREENVILLE, PA 16125  
 (724) 588-2100

00057  
 UPMC HORIZON SHENANGO—S  
 2200 MEMORIAL DRIVE  
 FARRELL, PA 16121  
 (724) 981-3500

00098  
 UPMC MCKEESPORT LABORATORY—S  
 1500 FIFTH AVENUE  
 MCKEESPORT, PA 15132  
 (412) 664-2233

00082  
 UPMC MERCY DEPT OF LAB MEDICINE—S  
 1400 LOCUST STREET  
 PITTSBURGH, PA 15219  
 (412) 232-7831

00058  
 UPMC NORTHWEST—S  
 100 FAIRFIELD DRIVE  
 SENECA, PA 16346  
 (814) 676-7120

05784  
 UPMC PASSAVANT LABORATORY CRANBERRY—S  
 ONE ST FRANCIS WAY  
 CRANBERRY TOWNSHIP, PA 16066  
 (724) 772-5370

00083  
 UPMC PRESBYTERIAN SHADYSIDE CP PUH—SC  
 ROOM 5929 MAIN TOWER CHP  
 200 LOTHROP STREET  
 PITTSBURGH, PA 15213-2582  
 (412) 648-6000

00091  
 UPMC SAINT MARGARET HOSPITAL—S  
 815 FREEPORT ROAD  
 LABORATORY  
 PITTSBURGH, PA 15215  
 (412) 784-4000

00092  
 UPMC SHADYSIDE—S  
 5230 CENTRE AVENUE GROUND FLOOR WEST WING  
 PITTSBURGH, PA 15232  
 (412) 623-5950

33106  
 US ACCUSCREEN, LLC—SC  
 3365 CYPRESS MILL ROAD #9  
 BRUNSWICK, GA 31520  
 (912) 265-9277

27225  
 US DRUG TESTING LABORATORIES INC—SC  
 1700 SOUTH MOUNT PROSPECT ROAD  
 DES PLAINES, IL 60018  
 (847) 375-0770

00335  
 VALLEY FORGE MED CTR & HOSP—S  
 1033 W GERMANTOWN PIKE  
 NORRISTOWN, PA 19403  
 (610) 539-8500

00066  
 WARREN GENERAL HOSPITAL—S  
 2 CRESCENT PARK  
 WARREN, PA 16365  
 (814) 726-3860

00298  
 WAYNE MEMORIAL HOSPITAL—S  
 601 PARK STREET  
 HONESDALE, PA 18431  
 (570) 253-1300

00133  
 WAYNESBORO HOSPITAL—S  
 501 E MAIN STREET  
 WAYNESBORO, PA 17268  
 (717) 765-3403

00018  
 WBGH COMMONWEALTH HEALTH LAB SVS—SC  
 575 NORTH RIVER STREET  
 WILKES-BARRE, PA 18764  
 (570) 829-8111

00095  
 WESTERN PENNSYLVANIA HOSPITAL—S  
 4800 FRIENDSHIP AVE  
 PITTSBURGH, PA 15224  
 (412) 578-5779

30245  
 WESTFIELD HOSPITAL MEDICAL CENTER LABORATORY—S  
 4815 W TILGHMAN STREET  
 ALLENTOWN, PA 18104  
 (610) 973-8425

00112  
 WESTMORELAND REGIONAL HOSPITAL—S  
 532 W PITTSBURGH STREET  
 GREENSBURG, PA 15601  
 (724) 832-4365

00037  
 WILLIAMSPORT REGIONAL MEDICAL CENTER—S  
 700 HIGH STREET  
 WILLIAMSPORT, PA 17701-3198  
 (570) 321-2300

00141  
 YORK HOSPITAL—S  
 1001 SOUTH GEORGE STREET  
 YORK, PA 17405  
 (717) 851-2345

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-46. Filed for public inspection January 3, 2014, 9:00 a.m.]

### Laboratories Approved to Perform Blood Lead and/or Erythrocyte Protoporphyrin Determinations under The Clinical Laboratory Act

The following laboratories are licensed in accordance with The Clinical Laboratory Act (35 P. S. §§ 2151—2165) and are currently approved under 28 Pa. Code § 5.50 (relating to approval to provide special analytical services) to perform analyses of blood for lead or erythrocyte protoporphyrin content. This approval is based on demonstrated proficiency in periodic evaluations conducted by the Bureau of Laboratories of the Department of Health (Department).

Lead poisoning is a reportable noncommunicable disease. Approved laboratories that offer blood lead testing services are required to inform the Department of actual or possible incidents of this condition in accordance with 28 Pa. Code § 27.34 (relating to reporting cases of lead poisoning). These regulations specify the following requirements for reporting by clinical laboratories:

(1) A clinical laboratory shall report all blood lead test results on both venous and capillary specimens for persons under 16 years of age to the Department's Childhood Lead Poisoning Prevention Program, Division of Maternal and Child Health, Bureau of Family Health.

(2) A clinical laboratory shall report an elevated blood lead level in a person 16 years of age or older to the

Department's Division of Environmental Health Epidemiology, Bureau of Epidemiology or to other locations as designated by the Department. An elevated blood lead level is defined by the National Institute for Occupational Safety and Health (NIOSH). As of January 26, 2002, NIOSH defines an elevated blood lead level as a venous blood lead level of 25 micrograms per deciliter ( $\mu\text{g}/\text{dL}$ ) or higher. The Department will publish in the *Pennsylvania Bulletin* any NIOSH update of the definition within 30 days of NIOSH's notification to the Department.

(3) A clinical laboratory which conducts blood lead tests of 100 or more specimens per month shall submit results electronically in a format specified by the Department.

(4) A clinical laboratory which conducts blood lead tests of less than 100 blood lead specimens per month shall submit results either electronically or by hard copy in the format specified by the Department.

(5) A laboratory which performs blood lead tests on blood specimens collected in this Commonwealth shall be licensed as a clinical laboratory and shall be specifically approved by the Department to conduct those tests.

(6) Blood lead analyses requested for occupational health purposes on blood specimens collected in this Commonwealth shall be performed only by laboratories which are licensed and approved as specified in paragraph (5), and which are also approved by the Occupational Safety and Health Administration of the United States Department of Labor under 29 CFR 1910.1025(j)(2)(iii) (relating to lead).

(7) A clinical laboratory shall complete a blood lead test within 5 work days of the receipt of the blood specimen and shall submit the case report to the Department by the close of business of the next work day after the day on which the test was performed. The clinical laboratory shall submit a report of lead poisoning using either the hard copy form or electronic transmission format specified by the Department.

(8) When a clinical laboratory receives a blood specimen without all of the information required for reporting purposes, the clinical laboratory shall test the specimen and shall submit the incomplete report to the Department.

Erythrocyte protoporphyrin determinations may be performed as an adjunct determination to substantiate blood lead levels of 25 micrograms per deciliter or higher. Since erythrocyte protoporphyrin concentrations may not increase as a result of low-level exposures to lead, direct blood lead analysis is the only reliable method for identifying individuals with blood lead concentrations below 25 micrograms per deciliter.

Persons seeking blood lead or erythrocyte protoporphyrin analyses should determine that the laboratory employs techniques and procedures acceptable for the purpose for which the analyses are sought. Laboratories offering blood lead analysis only are designated with the letter "L" following the name of the laboratory. Those offering erythrocyte protoporphyrin analysis only are designated with the letter "P." Laboratories offering both services are designated with the letters "LP."

The list of approved laboratories will be revised approximately semiannually and published in the *Pennsylvania Bulletin*.

The name or location of a laboratory, as well as the personnel and testing procedures, can change. When changes of this type occur, the clinical laboratory permit number does not change. If questions arise about the

identity of a laboratory due to a name or location change, the clinical laboratory permit number should be used as the primary identifier. To assist in identifying a laboratory that performed a test, the clinical laboratory permit number of the facility at the time the list was prepared is included in the list of approved laboratories before the name of the laboratory.

The Department's blood lead proficiency testing program is approved by the United States Department of Health and Human Services in accordance with 42 CFR 493.901 and 493.937 (relating to approval of proficiency testing programs; and toxicology) which are administered by the Centers for Medicare and Medicaid Services. Participation in these programs may therefore be used to demonstrate acceptable performance for approval purposes under both Federal and Commonwealth statutes.

Questions regarding this list should be directed to Dr. James R. Lute, Assistant Bureau Director, Department of Health, Bureau of Laboratories, P. O. Box 500, Exton, PA 19341-0500, (610) 280-3464.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape or Braille) should contact Dr. James R. Lute at the previously referenced address or phone number. Persons who are speech or hearing impaired may use V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

22912  
ACL LABORATORIES—LP  
8901 WEST LINCOLN AVE  
WEST ALLIS, WI 53227  
(414) 328-7945

29169  
ADVANCED TOXICOLOGY NETWORK—LP  
3560 AIR CENTER COVE  
SUITE 101  
MEMPHIS, TN 38118  
(901) 794-5770

00016  
ANGELINE KIRBY MEM HEALTH CENTER—L  
71 NORTH FRANKLIN STREET  
WILKES-BARRE, PA 18701  
(570) 822-4278

21613  
ARUP LABORATORIES INC—L  
500 CHIPETA WAY  
SALT LAKE CITY, UT 84108  
(800) 242-2787

24997  
ATLANTIC DIAGNOSTIC LABORATORIES LLC—LP  
3520 PROGRESS DRIVE UNIT C  
BENSALEM, PA 19020  
(267) 525-2470

22757  
BIOREFERENCE LABORATORIES INC—L  
481B EDWARD H ROSS DRIVE  
ELMWOOD PARK, NJ 07407  
(201) 791-3600

20506  
CENTRAL PA ALLIANCE LABORATORY—L  
1803 MT ROSE AVENUE SUITE C3-C4  
YORK, PA 17403  
(717) 851-1426

00228  
CHILDRENS HOSP OF PHILADELPHIA—L  
3401 CIVIC CENTER BLVD.  
MAIN BLDG.-5TH FLOOR-ROOM 5135  
PHILADELPHIA, PA 19104  
(215) 590-4446

31847  
DOCTOR'S DATA, INC.—L  
3755 ILLINOIS AVENUE  
ST. CHARLES, IL 60174-2420  
(630) 377-8139

00561  
EAST PENN MFG CO INC—LP  
DEKA RD KELLER TECH CENTER PO BOX 147  
LYONS STATION, PA 19536  
(610) 682-6361

00332  
ELLWOOD CITY HOSPITAL—LP  
724 PERSHING ST  
ELLWOOD CITY, PA 16117  
(724) 752-0081

31378  
ENZO CLINICAL LABS—L  
60 EXECUTIVE BLVD  
FARMINGDALE, NY 11735  
(631) 755-5500

00173  
GEISINGER MEDICAL CENTER—L  
100 N ACADEMY AVENUE  
DANVILLE, PA 17822-0131  
(570) 271-6338

32839  
GENOVA DIAGNOSTIC INC-METAMETRIX CLINICAL  
LAB—L  
3425 CORPORATE WAY  
DULUTH, GA 30096  
(678) 638-2918

25914  
GENOVA DIAGNOSTICS—L  
63 ZILICOA STREET  
ASHEVILLE, NC 28801  
(828) 253-0621

24655  
HEALTH NETWORK LABORATORIES—L  
2024 LEHIGH STREET  
ALLENTOWN, PA 18103-4798  
(610) 402-8150

05618  
LAB CORP OF AMERICA HOLDINGS—LP  
6370 WILCOX ROAD  
DUBLIN, OH 43016-1296  
(800) 282-7300

21885  
LAB CORP OF AMERICA HOLDINGS—LP  
1447 YORK COURT  
BURLINGTON, NC 27215  
(800) 334-5161

01088  
LABCORP OF AMERICA HOLDINGS—LP  
69 FIRST AVENUE PO BOX 500  
RARITAN, NJ 08869  
(908) 526-2400



00242  
MAIN LINE HOSPITALS LAB-LANKENAU—L  
100 EAST LANCASTER AVENUE  
WYNNEWOOD, PA 19096  
(610) 645-2615

29685  
MAYO CLINIC LABS-ROCH SUPERIOR DR—L  
3050 SUPERIOR DRIVE NW  
ROCHESTER, MN 55901  
(507) 538-6449

29251  
MAYO MEDICAL LABORATORIES NEW ENG-  
LAND—LP  
160 DASCAMB ROAD  
ANDOVER, MA 01810  
(978) 658-3600

24668  
MCMURRAY PEDIATRIC & ADOLESCENT MEDI-  
CINE—L  
6000 WATERDAM PLAZA DRIVE #280  
MCMURRAY, PA 15317  
(724) 941-8199

20802  
MERITUS MEDICAL LABORATORY, LLC—L  
11110 MEDICAL CAMPUS RD STE 230  
HAGERSTOWN, MD 21742  
(301) 790-8670

00504  
NATIONAL MED SVCS INC/DBA NMS LABS—LP  
3701 WELSH ROAD  
WILLOW GROVE, PA 19090  
(215) 657-4900

30553  
NATIONWIDE CHILDRENS HOSPITAL—LP  
CORE LAB AND LAB INFORMATION SYSTEMS  
700 CHILDRENS DRIVE  
COLUMBUS, OH 43205  
(614) 722-5376

23801  
PACIFIC TOXICOLOGY LABORATORIES—LP  
9348 DE SOTO AVENUE  
CHATSWORTH, CA 91311  
(818) 598-3110

02125  
PED ALLIANCE ST CLAIR PED DIV—L  
1580 MCLAUGHLIN RUN ROAD  
PINERIDGE COMMONS SUITE 208  
UPPER ST CLAIR, PA 15241  
(412) 221-2121

22533  
PENNSYLVANIA DEPT OF HEALTH—LP  
110 PICKERING WAY  
EXTON, PA 19341  
(610) 280-3464

00022  
POCONO MEDICAL CENTER LAB—L  
206 EAST BROWN STREET  
EAST STROUDSBURG, PA 18301  
(570) 476-3544

00324  
PRIMARY HEALTH CARE SERVICES INC—L  
7227 HAMILTON AVE  
PITTSBURGH, PA 15208  
(412) 244-4728

00255  
PUBLIC HEALTH LAB CITY OF PHILA—L  
500 SOUTH BROAD STREET ROOM 359  
PHILADELPHIA, PA 19146  
(215) 685-6501

22715  
QUEST DIAGNOSTICS—LP  
10101 RENNER BOULEVARD  
LENEXA, KS 66219-9752  
(913) 888-1770

00669  
QUEST DIAGNOSTICS INCORPORATED—LP  
ONE MALCOLM AVENUE  
TETERBORO, NJ 07608  
(201) 393-5895

01136  
QUEST DIAGNOSTICS NICHOLS INSTITUTE—LP  
14225 NEWBROOK DRIVE PO BOX 10841  
CHANTILLY, VA 20153-0841  
(703) 802-6900

22376  
QUEST DIAGNOSTICS NICHOLS INSTITUTE OF  
VALENCIA—L  
27027 TOURNEY ROAD  
VALENCIA, CA 91355  
(661) 799-6543

00482  
QUEST DIAGNOSTICS OF PA INC—LP  
875 GREENTREE ROAD 4 PARKWAY CENTER  
PITTSBURGH, PA 15220-3610  
(412) 920-7600

25461  
QUEST DIAGNOSTICS VENTURE LLC—LP  
875 GREENTREE ROAD 4 PARKWAY CENTER  
PITTSBURGH, PA 15220-3610  
(412) 920-7631

00150  
READING HOSPITAL & MEDICAL CTR—L  
6TH AND SPRUCE STREETS  
WEST READING, PA 19611  
(484) 628-8615

31527  
SHIEL MEDICAL LABORATORY—L  
63 FLUSHING AVENUE  
BROOKLYN NAVY YARD UNIT 336  
BROOKLYN, NY 11205  
(718) 552-1000

00151  
ST JOSEPH QUALITY MEDICAL LAB—L  
2500 BERNVILLE ROAD  
READING, PA 19605-9453  
(610) 378-2200

32074  
UNITED MEDICAL LABORATORY INC.—L  
495 N 13TH STREET  
NEWARK, NJ 07107

00083  
UPMC PRESBYTERIAN SHADYSIDE CP PUH—L  
UPMC CLINICAL LABORATORY BUILDING  
3477 EULER WAY  
OAKLAND, PA 15213  
(412) 647-5855

00018  
 WBGH COMMONWEALTH HEALTH LAB SVS—L  
 575 NORTH RIVER STREET  
 WILKES-BARRE, PA 18764  
 (570) 829-8111

26198  
 WRIGHT CENTER MEDICAL GROUP, PC—L  
 5 SOUTH WASHINGTON AVENUE  
 JERMYN, PA 18433  
 (570) 383-9934

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-47. Filed for public inspection January 3, 2014, 9:00 a.m.]

### Minimum Levels of Controlled Substances or Their Metabolites in Blood to Establish Presence of Controlled Substance

Under 75 Pa.C.S. § 1547(c)(4) (relating to chemical testing to determine amount of alcohol or controlled substance), as amended by the act of September 30, 2003 (P. L. 120, No. 24), the Department of Health (Department) is publishing a notice of the minimum levels of Schedule I, nonprescribed Schedule II and nonprescribed Schedule III controlled substances or their metabolites that must be present in a person's blood for the test results to be admissible in a prosecution for a violation of 75 Pa.C.S. § 1543(b)(1.1), § 3802(d)(1), (2) or (3) or § 3808(a)(2) (relating to driving while operating privilege is suspended or revoked; driving under influence of alcohol or controlled substance; and illegally operating a motor vehicle not equipped with ignition interlock).

Although there are hundreds of controlled substances in Schedules I, II and III, quantitation limits are listed only for commonly abused controlled substances for which testing procedures are readily available. The limit of quantitation (LOQ) for any laboratory will depend on the equipment and procedures employed for confirmatory testing. The minimum quantitation limits listed for each controlled substance or metabolite are the lowest concentrations that one or more of the laboratories in the Department's approval program for facilities offering these testing services specified they can reliably determine. Laboratories approved by the Department to test blood for controlled substances or their metabolites will have LOQs at or below the minimum quantitation limits listed in this notice.

The Department recognizes that testing may be required for other controlled substances and metabolites not listed in this notice. When testing for a controlled substance not listed is required, interested parties should contact the laboratory performing the test to inquire as to that laboratory's specific method of testing, the equipment used and any policies or procedures employed by that laboratory to ensure that the test results are valid.

Prior to 2012, the Department only listed the parent drug for cannabinoids, Delta-9-Tetrahydrocannabinol

(THC). The Department's notice published at 42 Pa.B. 110 (January 7, 2012) included multiple listings for cannabinoids for the first time. In addition to the parent drug, two metabolites of THC were listed: 11-Hydroxy-Delta-9-Tetrahydrocannabinol and 11-Nor-9-Carboxy-Delta-9-Tetrahydrocannabinol. Multiple listings for THC were published because approved laboratories may test for the parent drug, one of its metabolites or a combination of the three cannabinoids. A laboratory need not obtain a test result for the parent drug and the two metabolites for the test result to be admissible into evidence. A laboratory only needs to test for at least one of the cannabinoids listed and meet the minimum detection level for that cannabinoid. In addition, the 2012 notice listed, for the first time, Methylenedioxy-amphetamine and Methylenedioxy-methamphetamine under the classification of amphetamines.

Clinical laboratories that operate in this Commonwealth and that perform analyses of blood to determine controlled substance content must be approved by the Department in accordance with 28 Pa. Code § 5.50 (relating to approval to provide special analytical services) and be listed in notices published in the *Pennsylvania Bulletin*. The approval process requires laboratories to demonstrate an acceptable level of proficiency in determining the presence of controlled substances or their metabolites in blood.

Testing for controlled substances in blood is normally a two-step process. The first step involves screening of the blood using a relatively rapid and inexpensive technique to presumptively determine which specimens may contain a substance or a metabolite of a substance for which the blood is being tested. The second step utilizes a more sensitive and specific procedure to substantiate the presence and concentration of the substance or its metabolite that was presumptively detected in the initial screening procedure.

Confirmatory analyses employed to substantiate the presence of a controlled substance or metabolite generally focus on identifying and quantitatively determining the concentration of the parent drug or a primary metabolite. The detection limits listed were developed by reviewing the minimum reportable concentrations for confirmatory analyses that laboratories in the Department's approval program specified they could measure.

In subsequent notices, the Department will revise, as needed, minimum quantitation limits of those controlled substances or their metabolites already listed and add new controlled substances or their metabolites when the data received from approved laboratories warrants their inclusion. Questions regarding this list should be directed to Dr. James R. Lute, Assistant Bureau Director, Department of Health, Bureau of Laboratories, P. O. Box 500, Exton, PA 19341-0500, (610) 280-3464.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape or Braille) may contact Dr. James R. Lute at the previously referenced address or phone number. Persons who are speech or hearing impaired may use V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

<i>Class</i>	<i>Substance</i>	<i>Schedule</i>	<i>Minimum Quantitation Limits (nanograms/milliliter)</i>
<b>Amphetamines</b>			
	Amphetamine	II	5
	Methamphetamine	II	5
	Methylenedioxyamphetamine (MDA)	I	5
	Methylenedioxymethamphetamine (MDMA, Ecstasy)	I	5
<b>Analgesics</b>			
	Methadone	II	6.2
<b>Cannabinoids</b>			
	Delta-9-THC (THC)*	I	0.4
	11-Hydroxy-Delta-9-THC (THC-OH)	I	1
	11-Nor-9-Carboxy-Delta-9-THC (THC-COOH)	I	1
<b>Cocaine</b>			
	Cocaine	II	4
	Benzoylecgonine	II	1
<b>Hallucinogens</b>			
	Phencyclidine	II	0.5
<b>Opiates</b>			
	Codeine	II	2
	Hydrocodone	II	2
	Hydromorphone	II	1.25
	6-Monoacetylmorphine	II	0.5
	Morphine	II	2
	Oxycodone	II	2
<b>Sedatives/Hypnotics</b>			
	Amobarbital	II	40
	Pentobarbital	II	40
	Secobarbital	II	40

\*THC = tetrahydrocannabinol

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-48. Filed for public inspection January 3, 2014, 9:00 a.m.]

### Renal Disease Advisory Committee Meeting

The Renal Disease Advisory Committee, established by section 4 of the act of June 23, 1970 (P. L. 419, No. 140) (35 P. S. § 6204), will hold a public meeting on Friday, January 24, 2014, from 10 a.m. to 1 p.m. The meeting will be held in Conference Room 907, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120.

For additional information or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so

contact Carolyn S. Cass, Director, (717) 772-2762, or for a speech and/or hearing impaired persons call V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service (800) 654-5984.

This meeting is subject to cancellation without notice.

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-49. Filed for public inspection January 3, 2014, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Current Prevailing Wage Act Debarments

The following contractors have been determined to have intentionally violated the Pennsylvania Prevailing Wage Act (act) (43 P. S. §§ 165-1—165-17). This notice is published for the information and convenience of public bodies subject to the act. Under section 11(e) of the act (43 P. S. § 165-11(e)), these contractors, or either one of them, or any firms, corporations or partnerships in which either one of these contractors has an interest, shall be awarded no contract for 3 years after the date listed.

<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
Meyer Excavating, Inc., Beth Meyer, individually, and Richard Brash, individually FEIN No. 23-3015759	2045 Old State Road Gibsonia, PA 15044	12/11/2013

JULIA K. HEARTHWAY,  
*Secretary*

[Pa.B. Doc. No. 14-50. Filed for public inspection January 3, 2014, 9:00 a.m.]

### Unemployment Compensation Table Specified for the Determination of Rate and Amount of Benefits

The purpose of this notice is to announce the Table Specified for the Determination of Rate and Amount of Benefits (Table) and the maximum weekly benefit rate for 2014.

The Table, in section 404(e)(1) of the Unemployment Compensation Law (law) (43 P. S. § 804(e)(1)), was amended by the act of June 12, 2012 (P. L. 577, No. 60) (Act 60). Under sections 18 and 20 of Act 60, the amended Table was effective January 1, 2013, and applies to benefit years that begin on or after that date.

As enacted, the amended Table establishes a maximum weekly benefit rate of \$573. Section 404(e)(2) of the law provides that the Table shall be extended or contracted annually to the point where the maximum weekly benefit rate for a calendar year equals 66 2/3% of the average weekly wage for the 36-month period ending on the previous June 30. However, section 404(e)(2)(iii) of the law, as amended by Act 60, contains limitations on the growth of the maximum weekly benefit rate. Section 404(e)(2)(iii) of the law provides that the maximum weekly benefit rate for 2013 through 2019 may not exceed \$573. Therefore, the Department of Labor and Industry is not extending the Table for 2014, and the maximum weekly benefit rate will remain at \$573.

Under section 201(a) of the law (43 P. S. § 761(a)), section 404(e)(2) of the law and 34 Pa. Code § 65.111 (relating to benefit table), the Table for 2013, which was published at 43 Pa.B. 378 (January 19, 2013), is being adopted by this notice for 2014. This Table is presently codified in Appendix A to 34 Pa. Code Chapter 65 (relating to employee provisions).

Questions concerning this notice should be directed to Gregg D. Shore, Deputy Secretary for Unemployment Compensation Programs, Labor and Industry Building, 651 Boas Street, Harrisburg, PA 17121.

JULIA K. HEARTHWAY,  
*Secretary*

[Pa.B. Doc. No. 14-51. Filed for public inspection January 3, 2014, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Disproportionate Share Hospital Payments

The Department of Public Welfare (Department) is announcing its intended funding allocations for several classes of disproportionate share hospital (DSH) payments made to qualifying Medical Assistance (MA) enrolled acute care general hospitals. Further, the Department is announcing its intent to change the payment methodology for Trauma DSH payments and payments to certain Academic Medical Centers.

#### *Background*

The Department intends to allocate funding for certain classes of DSH payments to qualifying acute care general hospitals for Fiscal Year (FY) 2013-2014. Specifically, these classes of payments include DSH payments to Critical Access and Qualifying Rural Hospitals, DSH payments for Obstetrical and Neonatal Health Care services, Trauma DSH payments, DSH payments to certain Burn Centers, DSH payments to hospitals providing Enhanced Access to Multiple Types of Medical Care in Economically Distressed Areas, DSH payments to hospitals providing a high volume of services to MA and low-income populations, DSH payments to certain Academic Medical Centers and DSH payments to certain MA acute care general hospitals which participate in an academic medical program. Additionally, the Department intends to eliminate funding for DSH payments to hospitals that provide a high volume of MA acute care and psychiatric services and incur significant uncompensated care costs.

The Department intends to increase the funding allocations from FY 2012-2013 funding levels for DSH payments to Critical Access and Qualifying Rural Hospitals, DSH payments for Obstetrical and Neonatal Health Care Services, and DSH payments to certain Academic Medical Centers for FY 2013-2014. The Department intends to decrease the funding allocation from the FY 2012-2013 funding level for DSH Payments to Hospitals that Provide Enhanced Access to Multiple Types of Medical Care in Economically Distressed Areas for FY 2013-2014. For FY 2013-2014, the Department's intended funding allocations will remain at the same levels as for FY 2012-2013 for Trauma DSH payments, DSH payments to certain Burn Centers, DSH payments to hospitals providing a high volume of services to MA and low-income populations and DSH payments to certain MA acute care general hospitals that participate in an academic medical program. For FY 2013-2014, the Department does not intend to provide funding for DSH payments to certain qualifying hospitals that provide a high volume of MA acute care and psychiatric services and incur significant uncompensated costs. The Department's approved State Plan does not



provide funding for these various classes of DSH payments after FY 2012-2013. To continue these DSH payments in FY 2013-2014, the Department has determined its intended funding levels for these various payments.

Except for payments to certain Academic Medical Centers and Trauma DSH payments, the Department is not planning any additional changes to the payment methodology or qualifying criteria for these DSH payments.

*DSH Payments to Critical Access Hospitals and Qualifying Rural Hospitals*

For FY 2013-2014, the Department intends to allocate \$14.894 million (\$6.776 million in State funds and \$8.118 million in Federal funds upon approval by the Centers for Medicare and Medicaid Services (CMS)) for DSH payments to Critical Access and Qualifying Rural Hospitals. The Department does not intend to otherwise change its approved State Plan provisions addressing the qualifying criteria or payment methodology for these payments.

*DSH Payments to Qualifying Acute Care General Hospitals for Obstetrical and Neonatal Health Care Services*

For FY 2013-2014, the Department intends to allocate \$14.433 million (\$6.681 million in State funds and \$7.752 million in Federal funds upon approval by the CMS) for DSH payments to Qualifying Hospitals providing obstetrical and neonatal health care services. The Department does not intend to otherwise change its approved State Plan provisions addressing the qualifying criteria or payment methodology for these payments.

*Trauma DSH Payments*

For FY 2013-2014, the Department intends to allocate \$18.623 million (\$8.656 million in State general funds and \$9.967 million in Federal funds upon approval by the CMS) for Trauma DSH payments.

Further, the Department intends to change its approved State Plan provisions addressing payment distribution. Specifically, the Department plans to use funds unspent from payments to qualifying hospitals accredited or seeking accreditation as Level 3 trauma centers to make payments to qualifying hospitals accredited as Level 1 and Level 2 trauma centers as follows: 50% of unspent Level 3 funds shall be distributed equally among qualified Level 1 and 2 trauma centers; 50% of unspent Level 3 funds shall be distributed on the basis of each qualified Level 1 and Level 2 trauma center's percentage of medical assistance and uninsured Pennsylvania Trauma Outcomes Study (PTOS) trauma visits and patient days compared to the Pennsylvania Statewide total number of medical assistance and uninsured PTOS trauma visits and patient days for Level 1 and Level 2 trauma centers. This intended change will make the Department's State Plan consistent with the Public Welfare Code requirements at 62 P. S. § 805-H(c)(5).

Except as described, the Department does not intend to otherwise change the qualifying criteria or payment methodology for these payments.

*DSH Payments to Qualified Acute Care General Hospital Burn Centers*

For FY 2013-2014, the Department intends to allocate \$8.137 million (\$3.782 million in State general funds and \$4.355 million in Federal funds upon approval by the CMS) for this DSH payment to Qualified Burn Centers. The Department does not intend to otherwise change its approved State Plan provisions addressing the qualifying criteria or payment methodology for these payments.

*DSH Payments to Qualifying Acute Care General Hospitals that Provide Enhanced Access to Multiple Types of Medical Care in Economically Distressed Areas of the Commonwealth*

For FY 2013-2014, the Department intends to allocate \$15.731 million (\$7.312 million in State general funds and \$8.419 million in Federal funds upon approval by the CMS) for this DSH payment to qualified hospitals providing enhanced access to multiple types of medical care in economically distressed areas. The Department does not intend to otherwise change its approved State Plan provisions addressing the qualifying criteria or payment methodology for these payments.

*DSH Payments to Qualifying Acute Care General Hospitals that Provide a High Volume of Services to MA Eligible and Low-Income Populations*

For FY 2013-2014, the Department intends to allocate \$1.704 million (\$0.792 million in State general funds and \$0.912 million in Federal funds upon approval by the CMS) for this DSH payment to qualified hospitals providing a high volume of services to MA and low-income populations. The Department does not intend to otherwise change its approved State Plan provisions addressing the qualifying criteria or payment methodology for these payments.

*Payments to Certain Academic Medical Centers*

For FY 2013-2014, the Department intends to allocate \$24.378 million (\$11.331 million in State general funds and \$13.047 million in Federal funds upon approval by the CMS) for payments to Academic Medical Centers.

The Department intends to change its approved State Plan provisions addressing payment distribution to qualifying hospitals as follows to compensate qualifying large hospitals more in proportion to their size compared with other qualifying hospitals:

- 47.191453% of available funding will be allocated to a large hospital, defined as having at least 750 set up and staffed beds based on the hospital's FY 2002-2003 Medical Assistance Cost Report.
- 26.4042735% of available funding will be allocated to each of the other qualifying hospitals.
- Further, to ensure that payments do not exceed available funds, the Department plans to adjust payments to each hospital in accordance with the approved State Plan.

Except as described, the Department does not intend to otherwise change its approved State Plan provisions addressing the qualifying criteria or payment methodology for these payments.

*DSH Payments for Certain MA Acute Care General Hospitals which Participate in an Academic Medical Program*

For FY 2013-2014, the Department intends to allocate \$4.303 million (\$2.000 million in State general funds and \$2.303 million in Federal funds upon approval by the CMS) for this payment to certain MA acute care general hospitals which participate in an academic medical program. The Department does not intend to otherwise change its approved State Plan provisions addressing the qualifying criteria or payment methodology for these payments.

*Fiscal Impact*

The FY 2013-2014 fiscal impact, as a result of these payments is \$102.203 million (\$47.330 million in State funds and \$54.873 million in Federal funds upon approval by the CMS).

*Public Comment*

Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered for any subsequent revision to this notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5988 (voice users).

BEVERLY D. MACKERETH,  
*Secretary*

**Fiscal Note:** 14-NOT-854. (1) General Fund;

(7) MA—Critical Access Hospitals; (2) Implementing Year 2013-14 is \$6,776,000; (3) 1st Succeeding Year 2014-15 through 5th Succeeding Year 2018-19 are \$0; (4) 2012-13 Program—\$4,076,000; 2011-12 \$3,218,000; 2010-11 Program—\$4,677,000;

(7) MA—Obstetric and Neonatal Services; (2) Implementing Year 2013-14 is \$6,681,000; (3) 1st Succeeding Year 2014-15 through 5th Succeeding Year 2018-19 are \$0; (4) 2012-13 Program—\$3,681,000; 2011-12 Program—\$3,313,000; 2010-11 Program—\$4,815,000;

(7) Trauma Centers; (2) Implementing Year 2013-14 is \$8,656,000; (3) 1st Succeeding Year 2014-15 through 5th Succeeding Year 2018-19 are \$0; (4) 2012-13 Program—\$8,656,000; 2011-12 Program—\$7,790,000; 2010-11 Program—\$11,322,000;

(7) Hospital Based Burn Centers; (2) Implementing Year 2013-14 is \$3,782,000; (3) 1st Succeeding Year 2014-15 through 5th Succeeding Year 2018-19 are \$0; (4) 2012-13 Program—\$3,782,000; 2011-12 Program—\$3,404,000; 2010-11 Program—\$4,946,000;

(7) MA—Academic Medical Centers; (2) Implementing Year 2013-14 is \$13,331,000; (3) 1st Succeeding Year 2014-15 through 5th Succeeding Year 2018-19 are \$0; (4) 2012-13 Program—\$12,618,000; 2011-12 Program—\$12,618,000; 2010-11 Program—\$18,871,000;

(7) MA—Inpatient; (2) Implementing Year 2013-14 is \$8,104,000; (3) 1st Succeeding Year 2014-15 through 5th Succeeding Year 2018-19 are \$0; (4) 2012-13 Program—\$268,112,000; 2011-12 Program—\$325,685,000; 2010-11 Program—\$243,809,000;

(8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 14-52. Filed for public inspection January 3, 2014, 9:00 a.m.]

### Medical Assistance Program Fee Schedule; Addition of Procedure Code for Vaccine Administration

In accordance with 55 Pa. Code § 1150.61(a) (relating to guidelines for fee schedule changes), the Department of Public Welfare (Department) announces the addition of the following procedure codes to the Medical Assistance (MA) Program Fee Schedule for the administration of a quadrivalent influenza vaccine effective for dates of service on and after January 6, 2014.

<i>Procedure Code</i>	<i>Description</i>	<i>MA Fee</i>
90685	Influenza virus vaccine, quadrivalent, split virus, preservative free, when administered to children 6-35 months of age, for intramuscular use	\$10
90688	Influenza virus vaccine, quadrivalent, split virus, when administered to individuals 3 years of age and older, for intramuscular use	\$10

The United States Food and Drug Administration (FDA) approved use of Fluzone® Quadrivalent vaccine on June 7, 2013. The Department is adding procedure code 90685 to the MA Program Fee Schedule to enable it to identify when a practitioner administers preservative free quadrivalent influenza vaccine, such as Fluzone® Quadrivalent, to a child 6-35 months of age.

The FDA approved use of FluLaval® Quadrivalent vaccine on August 16, 2013. The Department is adding procedure code 90688 to the MA Program Fee Schedule to enable it to identify when a practitioner administers quadrivalent influenza vaccine containing preservative, such as FluLaval® Quadrivalent, to individuals 3 years of age and older.

The Department will issue an MA Bulletin to providers enrolled in the MA Program specifying the procedures for billing of the administration of the vaccines.

The MA fee for the administration of each vaccine is \$10 per administration. Physicians who qualify for the increased primary care services fees under the Patient Protection and Affordable Care Act, as outlined in MA Bulletin 31-13-34, "Implementation of the Medical Assistance Program's Physician Fee Increases for Select Primary Care Services," will be paid the enhanced rate of \$23.14 per administration.

*Fiscal Impact*

The Department anticipates no fiscal impact as a result of adding procedure codes 90685 and 90688 to the MA Program Fee Schedule, as there is an existing procedure code on the fee schedule that is being used for the administration of these vaccines. The addition of these procedure codes will not increase utilization.

*Public Comment*

Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered for any subsequent revision to the MA Program Fee Schedule.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

BEVERLY D. MACKERETH,  
*Secretary*

**Fiscal Note:** 14-NOT-851. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 14-53. Filed for public inspection January 3, 2014, 9:00 a.m.]

# DEPARTMENT OF REVENUE

## Mega Millions® 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 Mega Millions® terminal-based lottery game rules that were published at 43 Pa.B. 5896 (October 5, 2013).

The following changes to the Mega Millions® terminal-based lottery game will be effective upon publication.

This amendment more accurately provides the probability of winning per play for the sixth, seventh, eighth and ninth category prizes by extending the probability of winning per play to the hundredths.

This amendment also adds a new section that provides for promotional drawings associated with the Mega Millions® terminal-based lottery game.

The correct version of this document is as follows, with ellipses referring to the existing text as it appeared at 43 Pa.B. 5896—5902:

\* \* \* \* \*

8. *Probability of winning.* The following tables set forth all possible ways that a prize can be won in a single play, the corresponding prize, the probability of winning each prize and the percent of sales anticipated to be paid in prizes in each prize category:

<i>A Play Matching The Mega Millions® Winning Numbers</i>	<i>Category Prize</i>	<i>Prize</i>	<i>Probability Of Winning Per Play:</i>	<i>Percent (%) Of Sales Anticipated To Be Paid In Prizes</i>
Five numbers from the field of numbers 1 through 75 and one number from the field of numbers 1 through 15	Jackpot	Jackpot	1:258,890,850	32.577% (Actual)
Five numbers from the field of numbers 1 through 75	Second	\$1,000,000	1:18,492,204	5.408%
Four numbers from the field of numbers 1 through 75 and one number from the field of numbers 1 through 15	Third	\$5,000	1:739,688	0.676%
Four numbers from the field of numbers 1 through 75	Fourth	\$500	1:52,835	0.946%
Three numbers from the field of numbers 1 through 75 and one number from the field of numbers 1 through 15	Fifth	\$50	1:10,720	0.466%
Three numbers from the field of numbers 1 through 75	Sixth	\$5	1:765.75	0.653%
Two numbers from the field of numbers 1 through 75 and one number from the field of numbers 1 through 15	Seventh	\$5	1:472.95	1.057%
One number from the field of numbers 1 through 75 and one number from the field of numbers 1 through 15	Eighth	\$2	1:56.47	3.542%
One number from the field of numbers 1 through 15	Ninth	\$1	1:21.39	4.675%

\* \* \* \* \*

14. *The Pennsylvania Lottery may conduct promotional drawings associated with the Mega Millions® game.* Mega Millions® 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 Mega Millions® 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. 14-54. Filed for public inspection January 3, 2014, 9:00 a.m.]



**Powerball**

In accordance with 61 Pa. Code § 871.21 (relating to future changes to Powerball), the Secretary of Revenue (Secretary) announces the following changes to the Powerball regulations. This amendment clarifies the language providing for the calculation of the set parimutuel prizes. This amendment provides for promotional drawings associated with the Powerball game. Additionally, this amendment further provides for changes to the power play promotion.

These changes will affect ticket sales beginning on Sunday, January 19, 2014, for the Powerball drawing on Wednesday, January 22, 2014. The changes to the regulation will be codified as paragraph (7) in 61 Pa. Code § 871.22 (relating to changes to Powerball):

(7) *Changes effective for Powerball tickets sold on or after January 19, 2014:*

(i) *Section 871.8(c)(4) (relating to expected prize payout percentages).* By agreement between the Party Lotteries and the Licensee Lotteries, the Licensee Lotteries shall independently calculate their set parimutuel prize amounts. The Party Lotteries and the Licensee Lotteries shall then agree to set the parimutuel prize amounts for all lotteries selling the game at the lesser of the independently-calculated prize amounts.

(ii) *Section 871.9(n) (relating to Powerball prize payments).* The Pennsylvania Lottery may conduct promotional drawings associated with the Powerball game. Powerball 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 Powerball 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.

(iii) *Section 871.20(c) (relating to power play promotion).* The MUSL shall conduct a power play drawing and will announce results during each of the regular Powerball drawings held during the power play promotion. During each power play drawing a single number (2, 3, 4 or 5) shall be randomly drawn.

(iv) *Section 871.20(e) (relating to power play promotion).* The power play prize pool for power play set prizes shall consist of up to 49.36% of power play sales. The power play prize pool shall be carried forward to subsequent power play drawings if all or a portion of the percentage is not required to pay the power play prizes for the current power play drawing and held in the Power Play Pool Account.

(v) *Section 871.20(f) (relating to power play promotion).* An additional 0.64% of power play sales may be collected and placed in the power play pool account, for the purpose of paying power play prizes. Any amount remaining in the power play pool account at the end of the power play promotion shall be returned to all lotteries participating in the account after the end of all claim periods of all selling lotteries, carried forward to a replacement game, or expended in a manner as directed by the MUSL Powerball Product Group in accordance with State law.

(vi) *Section 871.20(j) (relating to power play promotion).* Except as otherwise provided, all power play set prizes shall be paid in single, lump-sum payments determined by multiplying the Powerball set prize by the number selected in the power play drawing as follows:

Prize Level	Powerball Set Prize Amount		Regardless of Power Play Number Selected			
	\$1,000,000	\$2,000,000	5X	4X	3X	2X
Second Prize						
Third Prize	\$10,000	\$50,000	\$40,000	\$30,000	\$20,000	
Fourth Prize	\$100	\$500	\$400	\$300	\$200	
Fifth Prize	\$100	\$500	\$400	\$300	\$200	
Sixth Prize	\$7	\$35	\$28	\$21	\$14	
Seventh Prize	\$7	\$35	\$28	\$21	\$14	
Eighth Prize	\$4	\$20	\$16	\$12	\$8	
Ninth Prize	\$4	\$20	\$16	\$12	\$8	

(vii) *Section 871.20 (l) (relating to power play promotion).* The odds of the various power play numbers being selected in a power play drawing are:

Power Play Multiplier	Odds
2	1:2
3	1:3.33
4	1:10
5	1:10



(viii) *Section 871.20 (m) (relating to power play promotion)*. By agreement between the Party Lotteries and the Licensee Lotteries, the Licensee Lotteries shall independently calculate their set parimutuel prize amounts, including the power play prize amounts. The Party Lotteries and the Licensee Lotteries shall then agree to set the parimutuel prize amounts for all lotteries selling the game at the lesser of the independently-calculated prize amounts.

DANIEL MEUSER,  
*Secretary*

[Pa.B. Doc. No. 14-55. Filed for public inspection January 3, 2014, 9:00 a.m.]

## DEPARTMENT OF STATE

### Uniform Military and Overseas Voters Act; Effective Date of the Section of the Law Requiring County Boards of Elections to Prepare Election Notices in Conjunction with a Federal Write-In Absentee Ballot

The act of October 24, 2012 (P.L. 1490, No. 189) (Act 189) enacted 25 Pa.C.S. Chapter 35 (relating to Uniform Military and Overseas Voters Act) (UMOVA). Under section 2(2) of Act 189, 25 Pa.C.S. § 3514 (relating to election notices) is to apply to all elections (including general, municipal, special and primary elections) that occur "following a date to be determined by the Department of State." Following its determination, the Department of State (Department) is required to publish the date in the *Pennsylvania Bulletin* and to post it on the Department's publicly accessible web site.

Under section 2(2) of Act 189, notice is hereby provided that the Department has determined that 25 Pa.C.S. § 3514 shall apply to all elections that occur after February 3, 2014. This notice also is posted on the Department's publicly accessible web site as required by section 2(2) of Act 189.

Section 3514 of 25 Pa.C.S. requires each county board of election to prepare an election notice for that jurisdiction at least 90 days before an election other than a special election and as soon as practicable before a special election, to be used in conjunction with a Federal write-in absentee ballot. The election notice is required to contain certain information under UMOVA and must be updated by the county board of election with the names of the candidates for each office and the specific information about ballot questions as that information becomes available. The election notice must be made publicly available. A county board of election that maintains a publicly accessible web site specifically must make the election notice available on the web site.

Contact Jessica Mathis, Chief of the Division of Elections in the Department's Bureau of Commissions, Election and Legislation, (717) 772-4507, [jemathis@pa.gov](mailto:jemathis@pa.gov) with questions or for more information.

CAROL AICHELE,  
*Secretary*

[Pa.B. Doc. No. 14-56. Filed for public inspection January 3, 2014, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Bureau of Maintenance and Operations; Access Route Approval

Under 75 Pa.C.S. § 4908 (relating to operation of certain combinations on interstate and certain other highways), the Department of Transportation approved on December 10, 2013, the following access route for use by the types of truck combinations as indicated:

1. ( ) 96" wide twin trailers (28 1/2' maximum length of each trailer).
2. (X) 102" wide 53' long trailer.
3. (X) 102" wide 48' long trailer.
4. (X) 102" wide twin trailers (28 1/2' maximum length-each).
5. (X) 102" wide maxi-cube.

#### Route

Route Identification	Route Description	County	Length Miles
SR 167	From SR 706 to SR 4007	Susquehanna	2.3

Questions should be directed to Matthew Hedge at (717) 772-5462.

BARRY J. SCHOCH, P.E.,  
*Secretary*

[Pa.B. Doc. No. 14-57. Filed for public inspection January 3, 2014, 9:00 a.m.]

### Requests for Modification or Inclusion of Funding for Public Use Airport Projects in the 2015 Four Year Plan

Airport development funding requests submitted by public use airports to the Department of Transportation,

Bureau of Aviation (Bureau) for inclusion in the Twelve Year Plan or Four Year Plan will be eligible for consideration if submitted by December 1, 2014.

The Bureau will accept funding requests by public use airports for inclusion in the Twelve Year Plan or Four Year Plan through the close of business on December 1,

2014. Requests must be submitted to the Bureau electronically by means of the Joint Automated Capital Improvement Program database after May 31, 2014, but no later than December 1, 2014. All requests must be submitted by the deadline to be eligible for grant funding consideration.

Each year, under 74 Pa.C.S. §§ 6121 and 6122 (relating to tax on aviation fuels; and allocation of funds) and 67 Pa. Code §§ 473.5a and 473.5b (relating to project selection process and criteria; and important dates and notification procedure), the Bureau will select projects to maintain a balanced Four Year Plan from Twelve Year Plan/Four Year Plan projects on file by the submission deadline.

More detailed Twelve or Four Year Program information is available at [www.dot.state.pa.us](http://www.dot.state.pa.us) or by contacting the Bureau at (717) 705-1260.

BARRY J. SCHOCH, P.E.,  
*Secretary*

[Pa.B. Doc. No. 14-58. Filed for public inspection January 3, 2014, 9:00 a.m.]

## HEALTH CARE COST CONTAINMENT COUNCIL

### Meetings Scheduled

The Health Care Cost Containment Council (Council) has scheduled the following meetings: Monday, January 6, 2014—Executive Committee Meeting at 3:30 p.m. and Thursday, January 9, 2014—Council Meeting at 10 a.m.

The meetings will be held at the Council Office, 225 Market Street, Suite 400, Harrisburg, PA 17101. The public is invited to attend. Persons in need of accommodation due to a disability who wish to attend the meeting should contact Reneé Greenawalt, (717) 232-6787 at least 24 hours in advance so the arrangements can be made.

JOE MARTIN,  
*Executive Director*

[Pa.B. Doc. No. 14-59. Filed for public inspection January 3, 2014, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Act (71 P.S. § 745.5b).

The Commission has issued comments on the following proposed regulations. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
57-296	Pennsylvania Public Utility Commission Motor Carrier Vehicle List and Vehicle Age Requirements 43 Pa.B. 6203 (October 19, 2013)	11/18/13	12/18/13
16A-4937	State Board of Medicine Genetic Counselors 43 Pa.B. 6212 (October 19, 2013)	11/18/13	12/18/13

### Pennsylvania Public Utility Commission

#### Regulation #57-296 (IRRC #3033)

#### Motor Carrier Vehicle List and Vehicle Age Requirements

December 18, 2013

We submit for your consideration the following comments on the proposed rulemaking published in the October 19, 2013 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (RRA) (71 P.S. § 745.5b). Section 5.1(a) of the RRA (71 P.S. § 745.5a(a)) directs the Pennsylvania Public Utility Commission (PUC) to respond to all comments received from us or any other source.

- Determining whether the regulation is in the public interest; Economic or fiscal impacts; Direct and indirect costs to the Commonwealth and to the private sector; Adverse effects on prices of services or competition; Clarity and lack of ambiguity; Compliance with the RRA.**

Section 5.2 of the RRA (71 P.S. § 745.5b) directs this Commission to determine whether a regulation is in the public interest. When making this determination, the Commission considers criteria such as economic or fiscal impact and reasonableness. To make that determination, the Commission must analyze the text of the proposed rulemaking and the reasons for the new or amended language. The Commission also considers the information a promulgating agency is required to provide under Section 5 of the RRA in the Regulatory Analysis Form (RAF) (71 P.S. § 745.5(a)).

Many of the questions on the RAF address the fiscal impact on the regulated community and small businesses. The PUC's responses to several of these questions are not sufficient to allow this Commission to determine if the regulation is in the public interest. Specifically, we seek answers to the following questions:

- What type of and how many small businesses will be affected? (#15)
- What impact will the regulation have financially and economically on small businesses? (#17)

- What are the specific estimated costs and/or savings to the regulated community? How are these amounts derived? (#19)
- What are the estimated fiscal savings and costs associated with implementation and compliance for the regulated community and state government? (#23)
- What is the expenditure history for the Waiver Program for the past three years? (#23a)
- What is the probable effect on impacted small businesses? (#24)

We ask the PUC to provide more detailed information in the RAF submitted with the final-form regulation in response to these questions.

Regarding the limited information that the PUC provided about fiscal impact and adverse effects, we find several of the responses to be contradictory. For example, the PUC states that the financial impact on the regulated community is “potentially adverse” and “will not be significantly adverse.” (#25, #17) Likewise, the PUC states, “Estimating the expenditures attributed to the Waiver Program would be very speculative,” and later in the same paragraph states that eliminating the Waiver Program “*would save financial and human resources.*” (Emphasis in the original. #23a) If estimating expenditures for the Waiver Program would be speculative, wouldn’t any estimation of savings be equally speculative? In preparing the final-form RAF, we ask the PUC to ensure that the responses provided are consistent, clear and supported. Also, the PUC should quantify the fiscal savings and costs to the regulated community and state government, and provide an analysis of the savings and costs of implementing this regulation for both the regulated community and state government.

In response to Question #15, the PUC should provide a citation to the relevant provisions of the federal definition of small business that were reviewed in the development of the rulemaking and an analysis of their applicability or inapplicability to the regulation.

Also, in response to Question #14, the PUC did not indicate that it communicated with or solicited input from the public, any advisory council/group, small businesses and groups representing small businesses in the development and drafting of the regulation. To the greatest extent possible, the RRA is intended to encourage the resolution of objections to a regulation and the reaching of consensus. Based on concerns raised in public comments, we strongly recommend that the PUC meet with the regulated community prior to submitting a final-form regulation to work toward resolving commentator concerns.

**2. Section 29.314. Vehicle age.—Economic or fiscal impacts; Adverse effects on prices of services or competition; Reasonableness of requirements, implementation procedures; Whether a less costly or less intrusive alternative method of achieving the goal of the regulation has been considered for regulations impacting small business.**

The PUC’s current regulations at Sections 29.314(c)—(d) and 29.333(d)—(e) became effective on August 5, 2006, and impose an age limit of eight model years on call and demand vehicles and vehicles operated in limousine service, respectively, unless otherwise permitted by the PUC. In promulgating the regulations currently in place, the PUC received extensive commentary on the vehicle age requirement that suggested that the requirement would unnecessarily increase industry costs. At that time, the

PUC acknowledged the potential undue hardship asserted by the regulated community, and added the waiver exception language for both taxis and limousines.

The PUC now proposes to remove the waiver exemption for both taxis and limousines. The PUC states that review of a waiver request can be a fairly extensive and time-consuming process, and results in a small percentage of vehicles being permitted to operate beyond the regulated timeframe. As before, commentators object to the imposition of an absolute age limit for taxis, citing the potential financial burden from capital loss. Commentators state that the hardship rationale which the PUC found so compelling in drafting the current regulations is equally applicable to the proposed regulations. We agree that eliminating the waiver process could have severe consequences for small carriers. The PUC explains how it will benefit from the proposed change but does not address the impact on companies that seek waivers. We ask the PUC to address this aspect of the regulation in responding to our Comment #1.

The PUC states in the RAF that carriers will have the option to file a waiver of a PUC regulation under 52 Pa. Code Section 5.43 (relating to petitions for issuance, amendment, repeal, or waiver of Commission regulations). Commentators assert that reliance on this option does not eliminate the administrative burden, it simply transfers the burden and may even increase it. Since the PUC does not explain how the option to file a waiver under 52 Pa. Code Section 5.43 is any less extensive or time-consuming than the current waiver process, we question the reasonableness of substituting one waiver process for another. If the PUC moves forward with eliminating the current waiver exemption, the PUC should explain in detail in the final-form RAF and Preamble the process for filing a waiver of a PUC regulation, and how this waiver option is reasonable and will impact both the regulated community and state government.

The PUC states in the RAF that it did not consider any alternative regulatory provisions. As the PUC proceeds with this regulation, we encourage the PUC to consider alternative means of alleviating the administrative burden of the waiver process, including those suggested by commentators. In the final-form RAF, the PUC should explain any alternatives considered, why the alternatives have been rejected and why the regulatory provisions in the final-form regulation are the least burdensome alternative for achieving adequate, safe, efficient and reasonable service.

Finally, the PUC responds in the RAF that it expects the final-form regulation to be effective upon publication. Many commentators express concern regarding the potentially severe financial impact of being forced to retire vehicles upon publication of the regulation. We encourage the PUC to amend the final-form regulation to provide for a delay in the effective date of the regulation to enable carriers to comply without imposing undue financial hardship. The PUC should explain why the length of the implementation timeframe is reasonable for the regulated community and in the public interest.

**3. Section 29.333. Vehicle and equipment requirements.—Economic or fiscal impacts; Adverse effects on prices of goods or competition; Reasonableness of requirements.**

The PUC proposes to amend limousine vehicle requirements to replace the eight model-year age limitation with a 200,000 mileage limitation, and to remove the waiver exemption, as noted in the previous comment.



Commentators oppose replacing the age limitation with the mileage limitation as proposed, indicating that the 200,000 mileage limitation is too low and could have a dramatic adverse effect on the industry. Commentators state that vehicles removed from service without obtaining a financial return on the investment would create an undue financial burden on service providers. Further, a commentator states that in order to finance the purchase of replacement vehicles, many limousine carriers would have to raise the rates they charge. The PUC responds in the RAF that it may have been too restrictive and may need to re-examine the maximum mileage figure based on public comment. We ask the PUC to reevaluate the mileage limitation to determine the appropriate limit that balances the public interest with that of the fiscal impact and adverse effects on the regulated community. The PUC should explain how it determined the final mileage limitation in the final-form regulation and how that limitation is reasonable and in the public interest.

Regarding removal of the waiver exemption, the relevant concerns and recommendations outlined in Comment #2 should be considered in this section, as well.

### State Board of Medicine

#### Regulation #16A-4937 (IRRC #3034)

#### Genetic Counselors

December 18, 2013

We submit for your consideration the following comments on the proposed rulemaking published in the October 19, 2013 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the State Board of Medicine (Board) to respond to all comments received from us or any other source.

#### 1. Section 16.11. Licenses, certificates and registrations.—Clarity.

This section lists the licenses, certificates and registrations issued by the Board. We recommend adding to that list the categories of genetic counselor licenses that are being added by Subchapter K of this regulation.

#### 2. Section 16.13. Licensure, certification, examination and registration fees.—Consistency with statute; Reasonableness; Acceptable data; Economic impact.

Licensure fees are addressed in the statute at 63 P.S. § 422.13d(h), which states:

*Licensure fees.*—All application and licensure fees shall be set by the board by regulation. Until such a time as the board adopts a fee by regulation, applicants shall pay a biennial fee of \$125.

The Board provided “Fee Report Forms” in support of all of the fees proposed to be added to Subsection (m). However, the Fee Report Form for the \$125 “Biennial renewal Fee—Genetic counselor” omits the “Fee—Related Activities and Costs” calculation that was provided to support the amount of all of the other fees.

We note that the directive in statute conditionally sets a biennial renewal fee of \$125 “until such time as the board adopts a fee by regulation.” Since the Board is now adopting this fee by regulation, the Board should provide a full review of the Board’s costs for biennial renewal of genetic counselor license, including the “Fee—Related Activities and Costs,” in support of the amount of the fee in the final regulation.

#### 3. Section 18.705. Application for temporary provisional genetic counselor license.—Consistency with statute; Clarity.

*American Board of Medical Genetics (ABMG)*

Under 63 P.S. § 422.13d(g)(1), the statute states: “. . . eligibility to sit for the next available certification examination by ABGC or ABMG.” [Emphasis added.] Paragraph (b)(1) of the regulation omits the phrase “or ABMG,” which should be added to the final regulation.

*Citation to fees*

Paragraph (b)(2) requires payment of “the appropriate fee as required under section 13.4(e)(1)—(3) and (5) of the act (63 P.S. § 422.13d(e)(1)—(3) and (5).” Other provisions, such as Subsections 18.703(a) and 18.704(a) reference payment of the fee in Subsection 16.13(m) of the Board’s regulation. Rather than citing the Board’s statutory authority, we recommend that Paragraph (b)(2) reference the fee in Subsection 16.13(m) because the reader will be directed to the actual fee required and it will be consistent with other provisions in the Board’s regulation.

*Failure to pass the examination within two examination cycles*

Subsection (e) reflects 63 P.S. § 422.13d(g) of the statute by stating:

A temporary provisional genetic counselor license will expire upon notice to the Board that the holder has not passed the certification examination within two examination cycles after receiving the temporary provisional license. The holder of a temporary provisional genetic counselor license who fails to pass the examination within two examination cycles shall immediately cease practicing and return the license to the Board.

However, the statute and regulation do not address what actions the former provisionally licensed person could take under these circumstances. If that same person later passes an examination on a third try, can that person still apply to the Board for licensure under Section 18.703 or is that person permanently barred from applying for a license? We recommend that the Board address this circumstance in the regulation.

*Title for temporary provisional genetic counselor*

Subsection (f) specifies that a person holding a temporary provisional license may use the title “graduate genetic counselor.” We question whether the public, who would be receiving the counseling services, will clearly understand that the title “graduate genetic counselor” is a lesser qualification than “genetic counselor.” For example, a “graduate” college degree is understood to represent education beyond a Bachelor’s degree. We ask the Board to review this title and consider whether another title would be clearer from the perspective of the public.

#### 4. Section 18.706. Biennial registration of genetic counselor license.—Clarity.

Regarding professional liability insurance, other provisions, such as Paragraph 18.703(b)(4), cross-reference Section 18.710 of the regulation. However, Paragraph (b)(6) cross references “section 13.4(k) of the act.” For consistency, the Board should either change this cross-reference to Section 18.710 of the regulation, or explain why Paragraph (b)(6) should cross-reference the act.



**5. Section 18.708. Disciplinary action for applicants and licensed genetic counselors.—Protection of the public safety.**

*Unprofessional or immoral conduct*

Subsections (b) and (c) list what is considered unprofessional or immoral conduct. However, Subsection (a) does not directly state a licensee could be disciplined for violations of Subsection (b) or (c). We recommend adding this to Subsection (a).

*Reporting Requirements*

We note that the proposed regulation does not directly reference reporting required by Subchapter B's general provisions in Section 16.16 "Reporting of disciplinary actions, criminal dispositions and other licenses, certificates or authorizations to practice" of the Board's regulation. We recommend adding failure to comply with the reporting requirements of Section 16.16 to Section 18.708.

**6. Section 18.709. Continuing education for licensed genetic counselors.—Consistency with statute; Clarity.**

We question whether two statutory provisions are sufficiently addressed by the regulation. First, 63 P. S. § 422.13d(j)(1) states that "... No credit shall be given for any course in office management or practice building." We did not find this limitation in the regulation and recommend adding it.

Second, 63 P. S. § 422.13d(j)(4) states:

Continuing education programs and program providers under this subsection shall be approved by the board in accordance with standards and criteria established by the board by regulation . . . .

We recognize that Subsection (b) specifies "Credit for continuing education may be earned for activities approved by the ABGC or the NSGC." Does the Board consider this to be sufficient? Are there no other continuing education programs and program providers that the Board would approve for continuing education?

SILVAN B. LUTKEWITTE, III,  
*Chairperson*

[Pa.B. Doc. No. 14-60. Filed for public inspection January 3, 2014, 9:00 a.m.]

**Notice of Filing of Final Rulemakings**

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or a copy can be obtained from [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

*Final Form*

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
12-91	Department of Labor and Industry Prohibition of Excessive Overtime in Health Care Act Regulations	12/20/13	2/13/14

*Final-Omit*

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
15-458	Department of Revenue Payments by Electronic Funds Transfer	12/20/13	2/13/14

SILVAN B. LUTKEWITTE, III,  
*Chairperson*

[Pa.B. Doc. No. 14-61. Filed for public inspection January 3, 2014, 9:00 a.m.]

**INSURANCE DEPARTMENT**

**Increase in the Accident Surcharge Dollar Threshold (Cap) to \$1,550; Notice 2014-01**

Insurers writing private passenger automobile insurance in this Commonwealth may not, by law, penalize their policyholders (for example, apply rate surcharges or otherwise increase premiums) whose aggregate claim cost over a 3-year period does not exceed a certain threshold (cap). This threshold (cap) applies to any person injured or property damaged, and is measured in excess of any deductible or self-insured retention. Effective July 1, 2014, the Insurance Department (Department) has increased the threshold (cap) to \$1,550.

Section 1799.3(a) of 75 Pa.C.S. (relating to limit on cancellations, refusals to renew, refusals to write, surcharges, rate penalties and point assignments) does not allow an insurer to "cancel or refuse to renew a policy or apply any surcharge, rate penalty or driver record point assignment" when the threshold (cap) is not exceeded.

By law, the Department is required to adjust the amount of the threshold (cap) at least once every 3 years. Section 1799.3(e) of 75 Pa.C.S. stipulates that the adjustment be made relative to changes in the Consumer Price Index for medical care and automobile maintenance and repair costs and may be rounded to the nearest \$50. The previous adjustment to the threshold (cap) was effective July 1, 2011, when the threshold (cap) increased to \$1,450.

Each individual insurer, ISO, AIPSO and MSO should file the previous change for prior approval by April 1, 2014, and specify an effective date of no later than July 1, 2014.

To expedite the review process, companies are advised to limit their rate/rule filings to the required threshold revision only. Any unrelated changes, revisions and manual pages should not be included in the filing. Additionally, "surcharge disclosure plan(s)" required under 75 Pa.C.S. § 1793(b) (relating to special provisions relating to premiums) do not require the Department's

review and prior approval and should not be submitted in response to this notice.

Questions regarding this notice may be directed to James Di Santo, Actuarial Review Division, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, (717) 783-2118, jadisanto@pa.gov.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-62. Filed for public inspection January 3, 2014, 9:00 a.m.]

### Review Procedure Hearings under the Unfair Insurance Practices Act

The following insured has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (act) (40 P.S. § 1171.8) in connection with the company's termination of the insured's homeowners policy. The hearing will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's regional office in Philadelphia, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Strawbridge and Clothier, Justice Hearing Room 4030, 801 Market Street, Philadelphia, PA 19107.

Appeal of John Poltonowicz; file no. 13-188-153376; Erie Insurance Exchange; Doc. No. P13-12-017; February 5, 2014, 10:30 a.m.

Parties may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-63. Filed for public inspection January 3, 2014, 9:00 a.m.]

## PATIENT SAFETY AUTHORITY DEPARTMENT OF HEALTH

### Draft Guidance for Acute Healthcare Facility Determinations of Reporting Requirements under the Medical Care Availability and Reduction of Error (MCARE) Act

This document outlines draft guidance to acute healthcare facilities in this Commonwealth in making determinations about whether specific occurrences meet the statutory definitions of serious events, incidents and infrastructure failures as defined in section 302 of the Medical Care Availability and Reduction of Error (MCARE) Act (MCARE Act) (40 P.S. § 1303.302). This draft guidance was developed by a multi-disciplinary work group consisting of staff from the Patient Safety Authority (Authority), two physician members of the Authority's Board of Directors and the Department of Health (Department), as well as representatives of the Hospital and HealthSystem Association of Pennsylvania, the Hospital Council of Western Pennsylvania and the Pennsylvania Ambulatory Surgery Association. The work group included individuals with backgrounds in medicine, nursing, administration and facility operations, regulation and patient safety and healthcare quality.

This guidance was developed to provide consistent and clear standards for the MCARE Act's reporting requirements so that the Authority, the Department and healthcare facility staff have a shared understanding of the requirements. The subjects of these requirements were identified based on frequently asked questions, controversies and inconsistencies that are evident in the data collected by the Authority and the Department. They include many subjects identified in a 2009 draft guidance document the Authority issued for public comment which was never subsequently issued as final guidance from the Authority and the Department.

See the instructions for submitting comments at the end of this document.

#### *Statutory Definitions of Reportable Events*

**Serious Event:** An event, occurrence or situation involving the clinical care of a patient in a medical facility that results in death or compromises patient safety and results in an unanticipated injury requiring the delivery of additional health care services to the patient.

**Incident:** An event, occurrence or situation involving the clinical care of a patient in a medical facility, which could have injured the patient, but did not either cause an unanticipated injury or require the delivery of additional health care services to the patient.

**Infrastructure Failure:** An undesirable or unintended event, occurrence or situation involving the infrastructure of a medical facility or the discontinuation or significant disruption of a service which could seriously compromise patient safety.

#### *Draft Interpretations of Serious Event Definition and Component Terms*

1. The concepts of human error and preventability do not appear in the Serious Event definition. It is not necessary for an error to be involved, nor for the harm to be preventable, for a death or unanticipated injury to constitute a Serious Event.

2. The unanticipated nature of the injury is from the perspective of a reasonably prudent patient. While every provider anticipates some rate of complications from the procedures they perform, infrequent complications are rarely anticipated by the patient unless the patient is somehow at increased risk. While the Authority does not specify an exact threshold for the frequency of complications that makes a particular complication transition from unanticipated to anticipated, complications that occur rarely would be unanticipated by most patients.

3. The disclosure of a potential complication on a patient consent form does not, in itself, constitute anticipation of the complication by the patient. Informing the patient of a risk does not mean the patient or the provider anticipates that the untoward outcome will actually occur.

4. Complications may be considered anticipated (and therefore not meeting the Serious Event definition) when they occur frequently or the risk of the complication is considered high for a particular patient and the high probability of this complication was disclosed to the patient in the informed consent discussion and documented on the consent form.

5. A Serious Event that is within statistical norms or within benchmarks available in the clinical literature must still be reported. There is nothing in the law that allows for reporting Serious Events only when they exceed a statistical norm or benchmark.

6. An event, occurrence or situation that: a) hastens death (as in a terminally ill patient); or b) exacerbates a preexisting condition requiring additional healthcare services, is a Serious Event.

7. The event, occurrence or situation that caused the death or unanticipated injury may be unknown but may still constitute a Serious Event. For example, a healthy (ASA I) patient undergoing elective surgery dies unexpectedly during the procedure and the cause of death is unknown.

8. Any unnecessary procedure or procedure performed in error that carries risk for the patient constitutes an injury and performance of the correct or intended procedure then constitutes additional healthcare services. These occurrences are Serious Events.

#### 9. Additional healthcare services:

a. If a patient sustains an unanticipated injury for which no additional healthcare services are possible, but treatment would be provided if options were available, this is considered a Serious Event.

b. If a patient sustains an unanticipated injury and additional healthcare services are possible, but the risk of those services outweigh the negative consequences of the injury, this is considered a Serious Event.

c. If additional healthcare services are required to treat an unanticipated injury and these additional healthcare services are not provided either because of unintentional omission or because the patient declines treatment, the occurrence is still a Serious Event.

#### *Exclusions*

10. Deaths or injuries resulting from the patient's disease, in the absence of a contributing event, occurrence or situation, are not Serious Events.

11. It is not necessary to report a Serious Event that occurred in another healthcare setting. If the facility

discovers a Serious Event that occurred in another facility, the facility is strongly encouraged to notify the other facility.

12. A mid-procedure change in the plan of care in response to new information discovered during the procedure does not constitute an injury, so long as this potential change was discussed with the patient or the patient's representative at the time of consent.

#### 13. Additional healthcare services:

a. Healthcare services provided to prevent an injury from occurring are excluded from this term for the purpose of Serious Event determinations.

b. Services that could be provided by someone other than a licensed healthcare practitioner outside the clinical setting—essentially, first aid care—do not constitute additional healthcare services.

c. Noninvasive diagnostic services provided to rule out an injury (for example, x-ray following a fall) do not constitute additional healthcare services for purposes of the Serious Event determination.

#### *Reporting of Specific Types of Events*

#### 14. Restraints and seclusion:

a. Restraint- or seclusion-related death or injury (that is, in which the restraints or seclusion played a role in the death or injury) are reportable as Serious Events.

b. Restraints or seclusion may be involved in Incidents in which there is no death or injury requiring additional healthcare services (for example, failure to timely remove restraints or end seclusion following MD order, finding patients in unsafe position while in restraints).

c. Any death in restraints or in which restraints were used within 24 hours of death (other than soft wrist restraints) in which the restraints are not suspected of playing a role are reportable as Infrastructure Failures.

#### 15. Suicide and Other Forms of Patient Self-Harm:

a. Suicide attempts that result in death or injury requiring additional healthcare services are reportable as Serious Events. Suicide attempts not resulting in injury requiring additional healthcare services are reportable as Infrastructure Failures.

b. Other forms of intentional self-harm that result in injury requiring additional healthcare services are reportable as Serious Events. Other forms of intentional self-harm not resulting in injury requiring additional healthcare services may be reportable as Incidents.

#### 16. Inter- and Intra-Hospital Patient Transfers:

a. Patient transfers are reportable only when they involve an event that meets one of the three definitions in the MCARE Act: Serious Event, Incident or Infrastructure Failure. Routine intra-hospital transfers to higher levels of care due to changes in the patient's condition—in the absence of a precipitating event that would meet the definition of a Serious Event, Incident, or Infrastructure Failure—are not reportable.

b. Routine intra-hospital transfers between nearby buildings for specialized testing or other services in the normal course of treatment are not reportable.

c. Unexpected intra-hospital transfers to higher levels of care due to an error or complication of care are reportable as a Serious Event.

d. Inpatient transfers from a specialty hospital to an acute care hospital or from one acute hospital to another



acute hospital, due to the patient requiring a clinical service not offered in the transferring hospital are not reportable.

17. Transfers and Cancellations from Ambulatory Surgery Facilities:

a. Consistent with the National Quality Forum-endorsed measure “percentage of Ambulatory Surgery Center (ASC) admissions requiring a hospital transfer or hospital admission upon discharge from the ASC,” when a patient admitted to an Ambulatory Surgery Facility (ASF) requires transfer to a hospital, these events are reportable at least as Incidents.

i. ASF admissions includes patients who have completed registration upon entry into the facility.

ii. Cancellations prior to completing registration are not reportable.

iii. Hospital Transfer/Admission: Any transfer/admission from an ASF directly to an acute care hospital, including hospital emergency room.

iv. ASF discharge occurs when the patient leaves the confines of the ASF.

b. Intra-operative transfer from an ASF to a hospital due to an error or complication of care is reportable as a Serious Event.

c. Complications or other events associated with a surgical procedure that require hospital admission, even if after discharge, are reportable as Serious Events by the ASF, assuming they become aware of it.

18. Patients leaving the Emergency Department without being seen/treated:

a. Patients leaving the ED waiting room or treatment area without being seen are not reportable unless they are in the 302 process.

b. Elopement of a patient who has been involuntarily committed or is in the process of being involuntarily committed is reportable as an Infrastructure Failure. If the patient is injured during the elopement, this is reportable as a Serious Event.

19. Inpatient elopements are reportable as Infrastructure Failures. If an eloped patient is injured during an elopement, this is reportable as a Serious Event.

20. Events in which a patient leaves against medical advice, whether or not they sign a waiver, are not reportable.

21. Use of unlicensed beds for patient care or patients receiving treatment in an area not designated for patient care (for example, hallways, atrium, quiet room, tent on grounds) is reportable as an Infrastructure Failure.

22. Boarding patients in the Emergency Department or Post-Anesthesia Care Unit more than 2 hours after the ED or PACU physician has determined they meet discharge criteria is reportable as an Infrastructure Failure.

23. Patient falls:

a. Patient falls are to be reported as either Serious Events or Incidents.

b. A fall is defined as any unplanned descent to the floor (or other horizontal surface such as a chair or table), with or without injury to the patient. The definition of falls includes: 1) assisted falls in which a caregiver sees a patient about to fall and intervenes, lowering them to a bed or floor; 2) therapeutic falls, in which a patient falls during a physical therapy session with a caregiver pres-

ent specifically to catch the patient in case of fall; or 3) physiologic falls in which a patient falls as a result of seizure or syncope.

c. The definition excludes failures to rise, in which a patient attempts but fails to rise from a sitting or reclining position.

d. Falls with harm: Any fall that requires more than first aid care. Treatment beyond first aid care includes a laceration that requires physician intervention (for example, sutures), more serious injury (for example, fracture) or death.

e. *Note:* The Authority believe the criteria for falls as outlined here are consistent with the definitions and criteria used by the National Database of Nursing Quality Indicators (NDNQI). One notable exception is that NDNQI only counts falls occurring on nursing units and excludes other care settings (for example, physical therapy). MCARE Act reporting requirements apply to the entire facility.

24. Fires/Patient burns:

a. Any fire of any kind is reportable as an Infrastructure Failure.

b. Fire alarms that warrant activation of a facility’s internal fire response plan are reportable as Infrastructure Failures. A fire alarm resulting from an occurrence or cause that is clearly and immediately identified and does not require activation of the facility’s internal fire response plan is not reportable.

c. Any fire alarm or sprinkler system that is out of service for 4 hours or more in a 24-hour period is reportable as an Infrastructure Failure.

d. Patient burns requiring additional healthcare services are reportable as Serious Events, even if the associated fire is reported as an Infrastructure Failure.

e. Patient burns from sources other than fires (for example, chemical burns, cautery burns) may be reportable as Serious Events depending on the severity of the injury.

25. Health Information Technology (IT):

a. Many patient safety concerns involving Health IT are already reported under Event Types associated with Serious Events and Incidents, such as medication errors, laboratory test-related errors and radiology errors.

b. Safety concerns with Health IT cut across multiple event types and should continue being reported as Serious Events or Incidents.

26. Healthcare-Associated Infections (HAIs):

a. Any HAI that meets Centers for Disease Control and Prevention (CDC) definitions/criteria and which a hospital reports into NHSN should not also be reported into PA-PSRS.

b. Any HAI that is clearly healthcare-acquired but which falls outside the CDC definitions/criteria should be reported as an Infrastructure Failure.

c. This is a temporary measure that may be revisited in the future as CDC’s surveillance criteria evolve and deal with changing healthcare delivery patterns (for example, shortening length of stay).

27. Unplanned power failures involving backup generator deployment or in which the backup generator fails to deploy, are reportable as Infrastructure Failures.



*Reporting of Incidents*

28. Incidents must be reported within the healthcare organization by healthcare workers within 24 hours. Healthcare organizations should report them to the Authority in a timely manner. It is not the Authority's expectation that healthcare facilities report Incidents within 24 hours. Most if not all Incidents should be reported within 90 days of occurrence.

*Instructions for Submitting Comments*

Comments will be accepted for 30 days following the publication of this document. Comments may be submitted to Patient Safety Authority, Attention Bulletin Response, 333 Market Street, Lobby Level, Harrisburg, PA 17101, patientsafetyauthority@pa.gov, fax to (717) 346-1090, Attention Bulletin Response.

Both the Authority, the Department and the other members of the work group have a common goal of reviewing the public comments to this document, making selected changes in response to those comments and issuing a final guidance document to guide interpretations of the MCARE Act statutory definitions.

The Authority expects that final guidance will be published jointly by the Authority and the Department in the *Pennsylvania Bulletin*. Healthcare facilities may rely upon the final guidance as a standard to which they will be held by their Department surveyors. Final guidance will require approval from the Authority Board of Directors and the Secretary of the Department.

Assuming the Authority and the Department approve the final guidance document, implementation will include education for staff of both agencies as well as affected healthcare facilities. Some standards will require changes to PA-PSRS and hospital electronic interfaces to PA-PSRS. The final guidance document resulting from this process will include a timeline that accounts for these steps in implementation.

MICHAEL C. DOERING,  
*Executive Director*  
*Patient Safety Authority*

MICHAEL WOLF,  
*Secretary*  
*Department of Health*

[Pa.B. Doc. No. 14-64. Filed for public inspection January 3, 2014, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

**Affordable Voice Communications, Inc.**

Public Meeting held  
December 19, 2013

*Commissioners Present:* Robert F. Powelson, Chairperson;  
John F. Coleman, Jr., Vice Chairperson; James H.  
Cawley; Pamela A. Witmer; Gladys M. Brown

*Affordable Voice Communications, Inc.; A-310879*

### **Tentative Order**

*By the Commission:*

Affordable Voice Communications, Inc. (Affordable Voice or the Company), whose utility code is 310879, is a

telecommunications interexchange reseller certificated at A-310879, on January 12, 2000.

Affordable Voice appears to be an inactive business entity. While Affordable Voice is not currently delinquent in any way, research by Commission staff revealed an entry on the FCC Form 499 website that Affordable Voice is no longer active as of March 25, 2011. Commission staff's attempts to reach the Company have similarly been unsuccessful, and Commission records show that the Company's annual revenues ceased completely around 2008 and the Company's last filed Annual Assessment report was in 2009.

Currently, there are no informal or formal complaints pending against the Company before the Commission. Based on the above facts, we tentatively conclude that it is appropriate to revoke Affordable Voice's certificate of public convenience without the necessity of a formal complaint as being in the public interest. Where a company does not provide utility service, there is no reason to maintain a certificate of public convenience for that company; *Therefore,*

*It is Ordered That:*

1. Revocation of Affordable Voice Communications, Inc.'s certificate of public convenience is hereby tentatively approved as being in the public interest.

2. The Secretary serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, and the Bureau of Investigation & Enforcement, and also cause a copy of this Tentative Order to be published in the *Pennsylvania Bulletin* with a 30-day comment period.

3. Absent the filing of adverse public comment within 30 days after publication in the *Pennsylvania Bulletin*, the Bureau of Technical Utility Services shall prepare a Final Order for entry by the Secretary and shall advise the affected Bureaus within the Commission in writing that the certificate of public convenience held by Affordable Voice Communications, Inc., utility code A-310879, is cancelled and the case may be closed.

4. Upon entry of the Final Order described in ordering Paragraph No. 3, Affordable Voice Communications, Inc.'s name will be stricken from all active utility lists maintained by the Commission's Bureau of Technical Utility Services and the Assessment Section of the Bureau of Administration.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-65. Filed for public inspection January 3, 2014, 9:00 a.m.]

**Implementation of the Alternative Energy Portfolio Standards Act of 2004: Standards for the Participation of Demand Side Management Resources—Technical Reference Manual 2014 Update; Doc. No. M-2012-2313373**

### **Implementation Order**

The Pennsylvania Public Utility Commission (Commission) on December 19, 2013, adopted the 2014 version of the Energy-Efficiency and DSM Rules for Pennsylvania's Alternative Energy Portfolio Standard, Technical Refer-

ence Manual (TRM). A copy of the Order, the TRM and the TRM appendices can be found on the Commission's web site at:

Order: <http://www.puc.pa.gov/pcdocs/1262306.docx>  
 TRM: <http://www.puc.pa.gov/pcdocs/1262256.docx>  
 Appendix C: <http://www.puc.pa.gov/pcdocs/1262298.xls>  
 Appendix D: <http://www.puc.pa.gov/pcdocs/1262280.xls>  
 Appendix E: <http://www.puc.pa.gov/pcdocs/1262248.xlsx>

In implementing the Alternative Energy Portfolio Standards Act (73 P. S. §§ 1648.1—1648.8), the Commission initially adopted the TRM on October 3, 2005. Subsequently, in the Energy Efficiency and Conservation (EE&C) Program Implementation Order, entered on January 16, 2009, at Doc. No. M-2008-2069887, the Commission adopted the TRM as a component of the EE&C Program evaluation process. In that Implementation Order, the Commission also noted that the TRM will need to be updated and expanded to fulfill the requirements of the EE&C Program.

In the Order entered June 1, 2009, at Doc. No. M-00051865, the Commission directed that the TRM be updated on an annual basis. The Commission's adoption of the 2014 TRM concludes the current annual update to the TRM.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-66. Filed for public inspection January 3, 2014, 9:00 a.m.]

### Natural Gas Service

**A-2013-2396198, A-2013-2397326 and A-2013-2397328. Mountain Energy, Ltd.** Application of Mountain Energy, Ltd. for approval of: 1) the abandonment of natural gas service to 86 customers located in Greene County; 2) the sale and transfer of certain jurisdictional assets by Mountain Energy, Ltd. to Leatherwood, Inc.; and 3) the abandonment by Mountain Energy, Ltd. of all natural gas services and natural gas distribution services within this Commonwealth.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before February 3, 2014. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at [www.puc.state.pa.us](http://www.puc.state.pa.us), and at the applicant's business address.

*Applicant:* Mountain Energy, Ltd.

*Through and By Counsel:* Daniel Clearfield, Esquire, Carl R. Shultz, Esquire, Eckert, Seamans, Cherin & Mellott, LLC, 213 Market Street, 8th Floor, Harrisburg, PA 17101

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-67. Filed for public inspection January 3, 2014, 9:00 a.m.]

### Natural Gas Service

**A-2013-2397685. UGI Central Penn Gas, Inc.** Application of UGI Central Penn Gas, Inc. for approval to provide natural gas distribution service to the public in the additional territory of Wyoming Borough, Luzerne County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before January 21, 2014. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at [www.puc.state.pa.us](http://www.puc.state.pa.us), and at the applicant's business address.

*Applicant:* UGI Central Penn Gas, Inc.

*Through and By Counsel:* Mark C. Morrow, Attorney, Chief Regulatory Counsel, UGI Corporation, P. O. Box 858, Valley Forge, PA 19482

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-68. Filed for public inspection January 3, 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 January 21, 2014. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

**Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.***

**A-2013-2363393. Cohesion Family, LLC** (2083 East Hagert Street, Philadelphia, PA 19125) to transport persons in paratransit service, from points in the City and County of Philadelphia, to correctional facilities in Pennsylvania, and return.

**A-2013-2384956. The Auto Lender, Inc.** (925 North Main Street, Punxsutawney, PA 15767) for the right to begin to transport, as a common carrier, by motor vehicle, persons, in paratransit service, from points within the Counties of Jefferson, Butler, Clarion, Armstrong, Westmoreland, Indiana and Clearfield.

**A-2013-2387051. New Bloomfield EMS** (23 West High Street, New Bloomfield, Perry County, PA 17068) for the right to transport, as a common carrier, by motor

vehicle, persons in paratransit service, from points in the City of New Bloomfield, Perry County and within an airline distance of 50 statute miles of the municipality, to points in Pennsylvania, and return; provided that no right, power or privilege is granted to originate transports in the Counties of Columbia, Luzerne and Lycoming, the Borough of Danville or the Townships of Cooper, Derry, Mahoning, Montour, Valley and West Hemlock. *Attorney:* Christina M. Mellott, Esquire, Page, Wolfberg & Wirth, LLC, 5010 East Trindle Road, Suite 202, Mechanicsburg, PA 17050.

**A-2013-2390134. Charles Shealey, t/a Uptown Taxi** (927 Oranmore Street, Pittsburgh, Allegheny County, PA 15201) for the right to transport, as a common carrier, by motor vehicle, persons in call or demand service, from points in Allegheny County, to points in Pennsylvania, and return.

**A-2013-2391279. North West Care, LLC** (11880 Bustleton Avenue, Philadelphia, Philadelphia County, PA 19116) for the right to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the City and County of Philadelphia, to points in Pennsylvania, and return.

**A-2013-2396638. Journey Cartage Co, LLC, t/d/b/a Journey Signature Limousine** (1425 Beaver Avenue, Monaca, PA 15061) for the right to begin to transport, as a common carrier, by motor vehicle, persons in limousine service, from points in Beaver, Allegheny, Butler, Washington and Lawrence Counties, to points in Pennsylvania, and return. *Attorney:* William A. Gray, Esquire, 310 Grant Street, Pittsburgh, PA 15219-2383.

**Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.**

**A-2013-2388999. Riverfront Moving & Storage, LLC** (321 Mill Street, Bristol, Bucks County, PA 19007) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, from points in the Counties of Bucks and Philadelphia, to points in Pennsylvania, and return. *Attorney:* Christopher A. Hawthorne, Esquire, Ronald V. McGuckin and Associates, P. O. Box 2126, Bristol, PA 19007.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-69. Filed for public inspection January 3, 2014, 9:00 a.m.]

### Telecommunications

**A-2013-2397023. The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink (f/d/b/a Embarq), TCG Delaware Valley, Inc. and TCG Pittsburgh, Inc.** Joint petition of The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink (f/d/b/a Embarq), TCG Delaware Valley, Inc. and TCG Pittsburgh, Inc. for approval of amendment No. 1 to interconnection, collocation and resale agreement under section 252(e) of The Telecommunications Act of 1996.

United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink (f/d/b/a Embarq), TCG Delaware Valley, Inc. and TCG Pittsburgh, Inc., by its counsel, filed on December 13, 2013, at the Pennsylvania Public Utility Commis-

sion (Commission), a joint petition for approval of amendment No. 1 to the interconnection, collocation and resale agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of the petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m. Monday through Friday, at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov), and at the applicant's business address. Copies of the United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink (f/d/b/a Embarq), TCG Delaware Valley, Inc. and TCG Pittsburgh, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-70. Filed for public inspection January 3, 2014, 9:00 a.m.]

### Telecommunications

**A-2013-2397578. Windstream Pennsylvania, LLC and Armstrong Telecommunications, Inc., d/b/a ATI.** Joint petition of Windstream Pennsylvania, LLC and Armstrong Telecommunications, Inc., d/b/a ATI for approval of amendment No. 1 to the interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Windstream Pennsylvania, LLC and Armstrong Telecommunications, Inc., d/b/a ATI by its counsel, filed on December 19, 2013, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of amendment No. 1 to the interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of the petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov), and at the applicant's business address. Copies of the Windstream Pennsylvania, LLC and Armstrong Telecommunications, Inc., d/b/a ATI joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-71. Filed for public inspection January 3, 2014, 9:00 a.m.]



## PHILADELPHIA PARKING AUTHORITY

### Motor Carrier Application for Airport Transfer Service in the City of Philadelphia

Application 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 on a nonexclusive, scheduled or unscheduled basis, persons and their luggage in airport transfer service by the holder of a certificate of public convenience issued by the PPA. Trips will originate or terminate at an airport, railroad station or hotel located in whole or part in Philadelphia.

**Uptown Limousine and Car Service, LLC**, 615 Park Avenue, Reading, PA 19611, registered with the Commonwealth on May 7, 2013.

*Attorney for Applicant:* Russell E. Farbiarz, 64 North Fourth Street, Hamburg, PA 19526.

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 January 21, 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. 14-72. Filed for public inspection January 3, 2014, 9:00 a.m.]

### Motor Carrier Application for Luxury Limousine Service in the City of Philadelphia

Application 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.

**Uptown Limousine and Car Service, LLC**, 615 Park Avenue, Reading, PA 19611, registered with the Commonwealth on May 7, 2013.

*Attorney for Applicant:* Russell E. Farbiarz, 64 North Fourth Street, Hamburg, PA 19526.

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 January 21, 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. 14-73. Filed for public inspection January 3, 2014, 9:00 a.m.]

### Motor Carrier Application for Luxury Limousine Service (9-15 Passengers) in the City of Philadelphia

Application 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 in vehicles that carry 9-15 passengers including the driver 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.

**Uptown Limousine and Car Service, LLC**, 615 Park Avenue, Reading, PA 19611, registered with the Commonwealth on May 7, 2013.

*Attorney for Applicant:* Russell E. Farbiarz, 64 North Fourth Street, Hamburg, PA 19526.

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 January 21, 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. 14-74. Filed for public inspection January 3, 2014, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority will accept sealed bids for Project No. 13-115.4, Pier 38 Electrical Room Upgrades, until 2 p.m. on Thursday, February 6, 2014. Information (including mandatory prebid information) can be obtained from the web site [www.philaport.com](http://www.philaport.com) under Procurement or call (215) 426-2600.

JAMES T. McDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 14-75. Filed for public inspection January 3, 2014, 9:00 a.m.]



## STATE BOARD OF NURSING

### **Automatic Suspension of the License to Practice of Professional Nursing of Terra Christine Sloan, RN, a/k/a Terra C. Shuster; Doc. No. 1173-51-13**

On August 2, 2013, Terra Christine Sloan, RN, a/k/a Terra C. Shuster, license no. RN579582, of Sharon, Mercer County, was issued an automatic suspension for 10 years based on her felony conviction, under The Controlled Substance, Drug, Device and Cosmetic Act (35 P. S. §§ 780-101—780-144).

Individuals may obtain a copy of the adjudication by writing to Judith Pachter Schulder, Board Counsel, State

Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

This final order represents the State Board of Nursing's (Board) final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of the appeals is the previously-named Board counsel.

ANN M. COUGHLIN, MBA, MSN, RN,  
*Chairperson*

[Pa.B. Doc. No. 14-76. Filed for public inspection January 3, 2014, 9:00 a.m.]

